

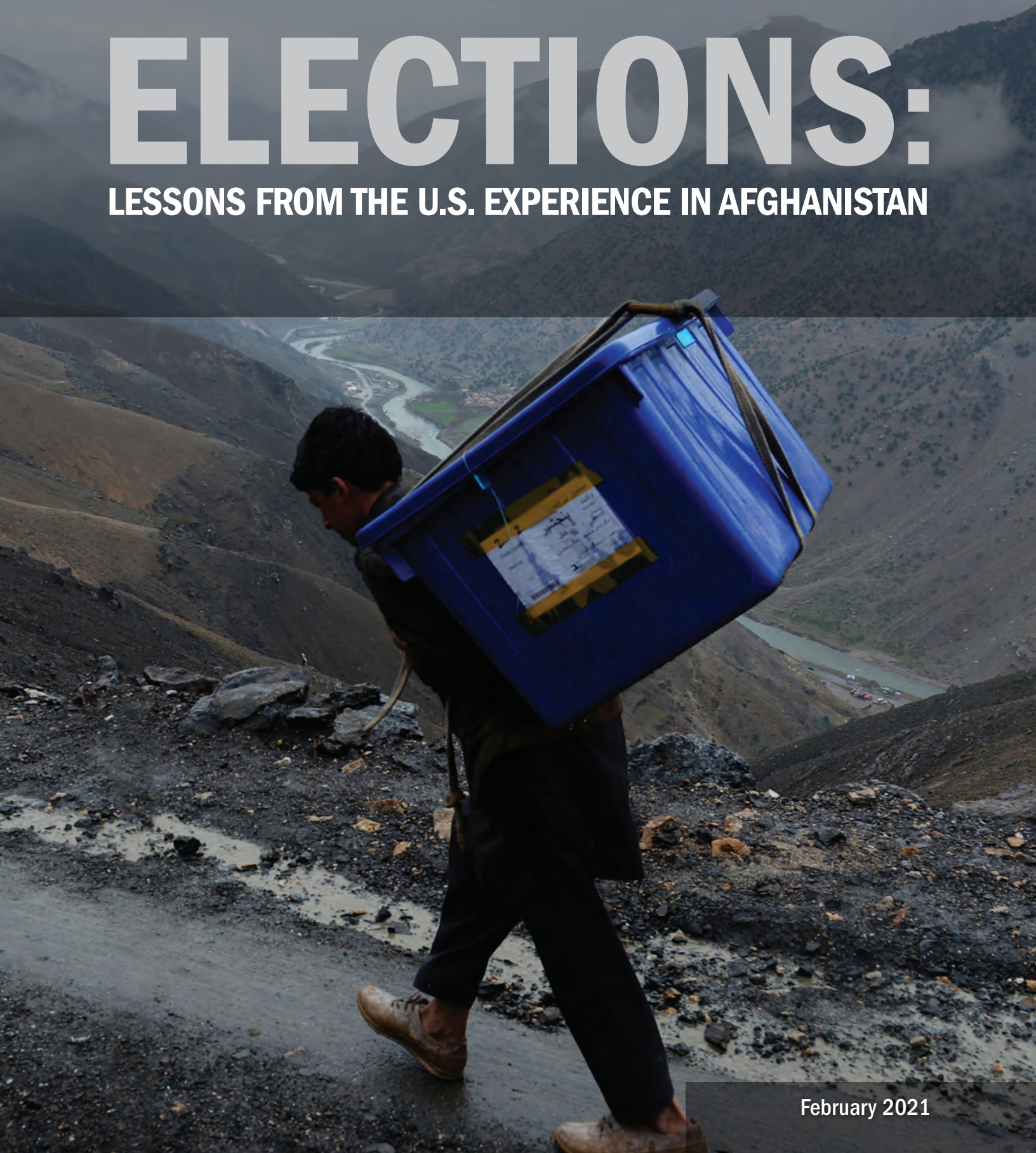
Special Inspector General for



Afghanistan Reconstruction

ELECTIONS:

LESSONS FROM THE U.S. EXPERIENCE IN AFGHANISTAN



February 2021



Cover photo credit:

An Afghan man carries a box of election materials to a remote polling station in Panjshir Province before the 2014 presidential election. AFP photo by Shah Marai.



Special Inspector General
for Afghanistan Reconstruction

Elections: Lessons from the U.S. Experience in Afghanistan is the eighth lessons learned report to be issued by the Special Inspector General for Afghanistan Reconstruction. This report examines the challenges the United States and international community face in supporting Afghan elections. The U.S. government has allocated more than \$620 million for this purpose. Further, it examines challenges faced by Afghans—including government officials, civil society organizations, and candidates—as they have tried to prepare for, observe, administer, and adjudicate elections.

The report is unique in that it identifies lessons to inform U.S. policies and actions regarding electoral support. These lessons are relevant for Afghanistan, where the United States will likely remain engaged in the coming years, and for electoral support efforts in other conflict-affected countries. The report provides recommendations to executive branch agencies for improving such efforts, as well as matters for consideration for the Afghan government.

Despite significant challenges, Afghanistan has held several elections. This has been no small achievement—to the credit of Afghans and the U.S. and international partners who have supported them. Our findings highlight the difficulty of building a credible electoral process in a challenging environment. We found that U.S. and international electoral assistance has yielded several improvements. However, because donor support often recedes after an election, many of those improvements have yet to last beyond the end of each electoral cycle. As it is currently structured, donor support is focused on achieving the short-term and important goal of simply ensuring that elections are held. However, if the long-term goal is ensuring Afghanistan has a sustainable democratic process, U.S. and international partners may want to focus more attention on building the capacity of Afghanistan's electoral institutions.

This report also discusses the sensitive topic of election fraud. In addition to experts and staff from international organizations, foreign governments, and U.S. government agencies, SIGAR spoke with current and former Afghan election officials, members of parliament, unsuccessful parliamentary candidates, and leaders of domestic observation groups. Some of the people we spoke to were successfully elected to public office, others were not, and some have been accused of fraud themselves. While SIGAR cannot prove or disprove statements made by these individuals—as noted in the report—they are included to help policymakers understand the competing narratives that shape Afghanistan's electoral landscape.

This report was written at the request of then-U.S. Ambassador to Afghanistan John R. Bass, who asked SIGAR to look at elections in Afghanistan and, specifically, the use

of election technology. To make the report relevant for U.S. Embassy Kabul and those currently working to build Afghanistan's electoral capacity, this report examines select topics through the lens of Afghanistan's current elections environment.

SIGAR began its Lessons Learned Program in late 2014 at the urging of General John Allen, U.S. Ambassador to Afghanistan Ryan Crocker, and other senior officials who had served in Afghanistan. These lessons learned reports comply with SIGAR's legislative mandate to provide recommendations to promote economy, efficiency, and effectiveness of U.S.-funded reconstruction programs and operations; prevent and detect waste, fraud, and abuse; and inform the Congress and the Secretaries of State and Defense about reconstruction-related problems and the need for corrective action.

The Congress created SIGAR as an independent agency focused solely on the Afghanistan mission and its reconstruction issues. Unlike most inspectors general offices, which have jurisdiction only over the programs and operations of their respective departments or agencies, SIGAR has jurisdiction over all programs and operations supported with U.S. reconstruction dollars, regardless of the agency involved. Because SIGAR has the authority to look across the entire reconstruction effort, it is uniquely positioned to identify and address whole-of-government lessons.

Our lessons learned reports synthesize not only the body of work and expertise of SIGAR, but also that of other oversight agencies, government entities, current and former officials with on-the-ground experience, academic institutions, and independent scholars. The reports document what the U.S. government sought to accomplish, assess what it achieved, and evaluate the degree to which these efforts helped the United States reach its reconstruction goals in Afghanistan. They also provide recommendations to address the challenges stakeholders face in ensuring effective and sustainable reconstruction efforts in Afghanistan, as well as in future contingency operations.

SIGAR's Lessons Learned Program comprises subject matter experts with considerable experience working and living in Afghanistan, aided by a team of seasoned research analysts. I want to express my deepest appreciation to the team members who produced this report: David Young, project lead; Jordan Kane and Paul Kane, senior analysts; and Will Clifft, Patrick O'Malley, and Jordan Schurter, student trainees. I also thank Nikolai Condee-Padunov, program manager; Tracy Content, editor; Vong Lim, senior visual information specialist; Jason Davis, visual information specialist; and Joseph Windrem, Lessons Learned Program Director. In producing its reports, the program also uses the significant skills and experience found in SIGAR's Audits, Investigations, and Research and Analysis directorates, and the Office of Special Projects. I thank all of the individuals who contributed their time and effort to this report.

In addition, I am grateful to the many U.S. government officials at the Department of Defense, the Department of State, and the U.S. Agency for International Development who provided valuable insights and feedback. This report is truly a collaborative effort meant to not only identify problems, but also to learn from them and propose reasonable solutions to improve future reconstruction efforts.

I believe lessons learned reports such as this will be a key legacy of SIGAR. Through these reports, we hope to reach a diverse audience in the legislative and executive branches, at the strategic and programmatic levels, both in Washington and in the field. Using our unique interagency mandate, we intend to do everything we can to make sure the lessons from the most ambitious reconstruction effort in U.S. history are identified and applied—not just in Afghanistan, but in future conflicts and reconstruction efforts elsewhere in the world.

A handwritten signature in black ink, appearing to read 'John F. Sopko', with a long, sweeping horizontal stroke extending to the right.

John F. Sopko,

Special Inspector General for Afghanistan Reconstruction



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EXECUTIVE SUMMARY

The U.S. government has faced serious challenges in helping Afghanistan build its capacity to prepare for, observe, administer, and adjudicate elections. As the U.S. Agency for International Development (USAID) put it:

Afghanistan is among the most challenging environments in the world [in which] to hold elections. It is a nascent democracy with an ongoing violent insurgency, an unverifiable number of eligible voters, many of whom are illiterate, and a country spread over harsh terrain. Corruption is pervasive, rule of law is tenuous where it has any hold at all, and impunity for election-related violence and fraud is the norm.¹

Since 2001, the international community has spent at least \$1.2 billion—including at least \$620 million contributed by the U.S. government—supporting Afghanistan’s electoral process, including seven separate elections.² This report was written to help policymakers and program implementers understand the challenges Afghanistan faces in holding its elections. The report covers more than 15 years of electoral assistance in Afghanistan. Its lessons and recommendations are intended to help U.S. government departments and agencies as they plan and implement electoral support to Afghanistan and other countries around the world. While peace talks between the Taliban and the Afghan government take shape, this report can inform U.S. electoral assistance during those talks (if they are prolonged) and any U.S. electoral assistance that may come after a possible peace settlement. Given the demand for reform since the 2014 presidential elections, much of this report’s analysis revolves around key events and processes of the last six years.

Each chapter of this report focuses on a specific topic related to Afghan elections. The conclusion includes overall findings, lessons, and recommendations.

- The **Introduction** provides an overview of the Afghan and international stakeholders involved in administering elections, their various roles and responsibilities, and how U.S. and other donors have supported efforts to hold elections and build sustainable election institutions.
- **Chapter 2** describes the challenge of administering elections in an insecure environment, and how election officials and security forces struggle to make the country secure enough for credible elections to take place.
- **Chapter 3** examines the capacity of Afghanistan’s Independent Election Commission (IEC) and raises concerns about its ability to manage and administer elections with transparency and accountability.
- **Chapter 4** details Afghanistan’s history with voter registration that has made it vulnerable to fraud, as well as challenges to the country’s recent attempt to create a national voter registry.
- **Chapter 5** describes the prevalence of fraud in the months and years leading up to an election, particularly how staff at Afghanistan’s two election commissions can be both perpetrators and victims of fraud.
- **Chapter 6** examines the effect of fraud on the dispute resolution process after an

election, and how fraud can be enabled and compounded by a lack of capacity and transparency at the Electoral Complaints Commission (ECC).

- **Chapter 7** details the Afghan government’s adoption of technology at polling centers to increase the credibility of elections, and how delays and other challenges have reduced the intended benefit of the election technology.
- **Chapter 8** explores the challenges faced by election observers to serve as a check on electoral fraud and malpractice as they struggle to hire, train, deploy, and oversee qualified observers who can access polling centers in an insecure environment.
- **Chapter 9** describes how the U.S. government’s sporadic support of Afghan elections, in which donor engagement and funding ramps up shortly before an election but drops off immediately afterward, has undermined efforts to help the Afghan government build sustainable election institutions and implement critical reforms to avoid repeating past mistakes.
- **Chapter 10** concludes the report with SIGAR’s findings, lessons, and recommendations.

To prevent Afghanistan from once more becoming a terrorist safe haven, the U.S. government has tried for years to help the country hold credible elections that result in legitimate government officials. However, the return on the U.S. government’s \$620 million investment in supporting Afghan elections has been poor. Afghan electoral stakeholders do not appear closer to credibly preparing for, administering, and resolving disputes for elections than they were in 2004, despite the hard work of many in the international community. While assistance has sometimes yielded improvements, they have yet to last beyond the end of each electoral cycle, when most donor support recedes. As a result, Afghanistan’s electoral institutions remain weak, which undermines the confidence of the Afghan public in its government. As USAID in Afghanistan observed in 2018, “Elections are not yet perceived by the public as an effective way to influence public policy.”³

Expectations among donors seem lower than ever. Given unprecedented insecurity, political gridlock, and uncertainty around the prospect of peace, donors seem relieved that elections are happening at all. As one U.S. embassy official told SIGAR, some of the U.S. government’s greatest election successes are simply preventing worse outcomes, such as a cancelled election or a collapsed government.⁴ Several international officials working on Afghan elections have referred to their role as little more than “firefighting.”⁵ While the electoral process could eventually improve, the current course—marked by timeline-based, sporadic cycles of support—will force donors to continue reacting to crises rather than address systemic deficiencies. As it is currently structured, donor support is focused on achieving short-term goals, such as simply ensuring that elections are held, rather than achieving the long-term goal of creating a sustainable democratic process.

A key finding of this report is that building the electoral institutions, civil society organizations, political parties, and democratic traditions necessary for credible

elections will require continuous engagement. However, moving donors away from intermittent support focused on short-term goals and toward a steady effort focused on long-term goals will require a significant shift in how electoral support is provided. If election assistance in Afghanistan continues to be important to U.S. policymakers, the coming 2020–2025 electoral cycle—particularly the next three years—will be a critical time to stay engaged, politically and technically.

Nationwide provincial council and district council elections—as well as parliamentary elections in Ghazni—were supposed to take place alongside the 2019 presidential election, but were delayed to keep the presidential election on track. Mayoral elections are also expected in the near future. If all these elections take place before the constitutionally mandated 2023 parliamentary and 2024 presidential elections, donors may again be preoccupied with just making sure elections take place. In that case, there will not be an “election cycle” for the next five years; instead, electoral stakeholders will be continuously responsible for disparate but critical stages of six different elections throughout the next five years. This would constitute the most overwhelming electoral schedule in Afghanistan’s history. However, it is possible that there will be further delays. If so, the next three years may be relatively quiet for election stakeholders and well suited to the kind of steady electoral support recommended in this report.

While peace talks are ongoing, any intra-Afghan peace agreement that would necessitate an overhaul of the electoral or even constitutional framework could still be a long way off. Afghanistan will continue to need electoral assistance before, during, and after those talks are complete, assuming a deal is reached.

The findings, lessons, and recommendations below are intended to help the Congress and the executive branch as they consider how best to support the electoral process in Afghanistan and, more generally, in unstable environments elsewhere.

FINDINGS

1. **Electoral security is inextricably tied to overall security, both of which are steadily deteriorating.**

Insecurity alone is a major hurdle to widespread political participation. Since 2004, the number of planned and unexpected polling center closures on election day due to insecurity has steadily increased, reflecting a worsening security environment; effective Taliban attacks continue to increase; insurgent activity is closely correlated with lower registration and turnout rates; and fear for personal safety and fear while voting are at record highs. On the current course, insecurity alone will increasingly undermine the legitimacy of Afghan elections.

2. Afghanistan’s Independent Election Commission has always suffered and continues to suffer from weak leadership, unqualified staff, minimal accountability for fraud and malpractice, and a structure poorly suited to decision making.

To effectively prepare for and administer elections, the IEC must have certain qualities, both as an institution and at a staff level, that are in short supply. First, at the institutional level, the IEC must have the necessary structure to adequately address contentious issues. As it is, the laws, regulations, and conventions governing the IEC’s roles, responsibilities, and internal communication hinder decision making. Second, at the leadership level, the IEC needs individuals with the vision and discipline to plan for long-term success and quickly react to short-term developments. Instead, the IEC’s leadership is often paralyzed by indecision and appears unwilling to take action today in preparation for tomorrow. Third, IEC staff must have the knowledge and skills to carry out their duties. However, post-election staff purges, inexperienced leadership, corrupt hiring practices, inadequate training, and a shortage of qualified job candidates have contributed to a poorly trained and poorly motivated workforce. Fourth, even for the leaders and staff who do have the knowledge and ability to do their jobs, the IEC must have the will and ability to hold them accountable. Yet with a few notable exceptions, IEC personnel have seldom faced consequences for incompetence or fraud, despite the existence of basic legal foundations for accountability.

3. The national voter registry and the voter registration process are exceptionally vulnerable to manipulation and mismanagement that undermine the voter registry’s purpose of ensuring credible elections.

The creation of Afghanistan’s first national voter registry in 2018 was a major accomplishment and helped reduce ballot stuffing by tying voters to specific polling stations for the first time. However, problems with the registry’s implementation hindered its ability to mitigate fraud. Registering requires a voter to have a national identification card, which is easy to counterfeit, and there is no effective way to prevent or detect efforts to register with fraudulent documents. The number of registered voters is improbably high, given the population size and low turnout shortly after registering, which likely indicates registration fraud.

Malpractice and lack of transparency also undermine the credibility of the voter registry. On multiple occasions, hundreds of thousands of voters were removed from the registry under opaque circumstances. On election days in 2018 and 2019, large numbers of voters arrived at their polling station only to find themselves unable to vote because their names did not appear on the voter lists. To avoid disenfranchising a large number of voters, the IEC allowed some voters not on the lists to vote anyway.

4. Afghan elections are regularly subject to fraud and manipulation through bribes, threats, or both.

Election fraud in Afghanistan is rampant and takes many forms: Political leaders exert influence over senior election officials and, through them, lower-level staff, and election commissioners and their senior staff sell their services for financial gain. Senior election officials thus play an ambiguous role, serving variously as protectors of the process, perpetrators of fraud, illicit collaborators with senior government officials, and victims of their abuses. Fraud is also perpetrated by local powerbrokers trying to curry favor with candidates in the anticipation of a reward, in the form of government contracts, jobs, or payoffs. It is difficult to detect and prove fraud, and even harder to reduce it. Anti-fraud measures are often co-opted to perpetrate more fraud, and even successful fraud mitigation can end up suppressing legitimate votes, sometimes in ways that favor one group over another.

5. Afghanistan’s electoral dispute resolution process consistently suffers from political manipulation, incompetence, and a lack of transparency.

The transparent resolution of disputes is a critical safeguard for ensuring an election’s credibility. However, Afghanistan does not have a credible dispute resolution process. The ECC—which is responsible for adjudicating election complaints—is overwhelmed. Its provincial offices are weak, vulnerable to political influence, and operate with little oversight. ECC officials are unable to make decisions quickly and rarely justify or share them with the public, and referrals for and prosecution of electoral crimes is minimal. Similarly, upon receiving ECC rulings, the IEC rarely justifies or publicizes its own decisions on which votes to ultimately exclude.

These problems are both a cause and an effect of a worrying trend: Election fraud is increasingly centralized in the dispute resolution process at the provincial and central headquarters, where fraudsters can have the biggest impact for the least effort, as well as the fewest witnesses and the thickest smokescreen. Chaos and malpractice in the central and provincial electoral bodies in the resolution of disputes creates ideal conditions for both election commissions to make changes to the results, and since there is no expectation of transparency, perpetrators can commit fraud with impunity. As a result, the process that is supposed to rout out fraud is, instead, when some of its most potent forms occur.

6. Technology has not improved the credibility of Afghan elections, but has merely added another means of contesting them.

The 2018 and 2019 elections showed the Afghan government was unable to use technology to improve the credibility of its elections. Despite this, both the government and political parties have sought to continue and even expand the use of technology. Though it did reduce ballot box stuffing, election technology created new vulnerabilities to the transparency and credibility of Afghan elections. In 2018, the Independent Election Commission adopted election technology less than a month before election day, leading to several failures. In 2019, it failed to follow its

own procedures for determining how data collected by biometric devices would be used to invalidate ballots, creating opportunities to contest the election. The use of technology in Afghan elections is not inherently problematic, but political and technical challenges are likely to recur if each election continues to feature new, poorly understood, and untested technology.

7. In their efforts to identify electoral fraud and malpractice, election observation organizations face significant obstacles, particularly insecurity, inadequate funding and training, and insufficient oversight to address corruption among their own observers.

Election observers can increase the transparency and credibility of Afghan elections by publicizing electoral fraud and malpractice. However, their efforts are hindered in several ways. Observers are often intimidated, co-opted, or are themselves corrupt. Insecurity often makes polling centers inaccessible to observers, and even when observers are present, powerbrokers with a stake in the election often coerce them into falsifying reports and ignoring irregularities. Sometimes observers submit false reports because the observers are for sale or are otherwise unreliable. In addition, election officials rarely share with observers the critical information necessary for them to detect fraud, like which polling stations will be open on election day. Funding for observation organizations and candidate agents is insufficient or comes too late, which leads to poor training. As a result, evidentiary standards in observer reporting are inadequate, often making their reports useless for the electoral dispute resolution process.

8. Donors make their electoral assistance less effective by being too cautious in their engagement with Afghan counterparts, by overemphasizing technical issues, and by focusing assistance around election day rather than throughout Afghanistan's five-year electoral cycle.

Most problems with Afghanistan's electoral process cannot be blamed on poor donor assistance, but donors make their assistance less effective in several ways. First, to avoid the appearance of meddling in an election, donors often err on the side of caution and miss opportunities to provide proactive solutions to problems—such as advising election commissions on how to find and hire professional civil servants. This forces them to intervene reactively (and sometimes controversially) after an election goes poorly—such as helping broker power-sharing agreements between candidates. Second, because donors are so careful about proactively intervening in elections, they wind up devoting excessive attention to technical problems. Third, the reason donors need to address so many technical problems is because they provide financial assistance so late in the electoral process that technical problems proliferate, requiring troubleshooting. Donors tend to wait until the final months before an election to ramp up support. At that point, it is too late to build electoral institutions with the capacity to credibly manage an election. The current donor assistance model is effective enough to ensure that elections happen, but not enough to address recurring problems that end up calling the credibility of elections into question.

LESSONS

The following lessons, detailed on p. 168, are meant to inform how the U.S. government provides electoral assistance in Afghanistan and in fragile and conflict-affected countries around the world.

1. Election cycles are continuous processes that require constant donor engagement and support.
2. Fraud is an ever-evolving target that cannot be eliminated, only reduced.
3. Without transparency, measures to reduce fraud will be insufficient.
4. The use of election technology can exacerbate rather than reduce fraud or malpractice, especially if it is introduced hastily and without forethought and planning.
5. The capacity and integrity of election officials are critical components of an election's credibility and merit significant donor attention.

RECOMMENDATIONS

The elusive prospect of a peace settlement in Afghanistan complicates U.S. government planning for election assistance. However, any changes to the Afghan government brought by an intra-Afghan peace agreement will likely involve elections of some kind. Thus, the recommendations below (and detailed on p. 170) are meant to serve multiple purposes: first, to improve the credibility of elections in the absence of a peace agreement; second, to inform discussions about a prospective electoral framework during intra-Afghan peace talks; and third, to help address electoral challenges likely to manifest in any post-agreement landscape.

Central to most of the recommendations is the argument that to be effective, election support efforts must start earlier in the electoral cycle. This would be a change in the way donors support nascent democracies globally. If the U.S. government engages earlier in Afghan election cycles, it would be in a stronger position to help Afghan counterparts implement their own electoral reforms. Some of those reforms are highlighted below for the Afghan government's consideration.

Recommendations for the Secretary of State, the Administrator of USAID, and the U.S. Ambassador to Afghanistan

1. The Secretary of State or a suitable designee should continue to work with other donor countries through the Electoral Support Group to maintain continuous engagement with the Afghan government. Typically, this group's engagement is significantly reduced after each election cycle, making electoral assistance less effective and efficient. By participating in regular Electoral Support Group meetings, the U.S. government can more effectively support Afghanistan's democratic process throughout the country's five-year electoral cycle—not just immediately before and during an election.
2. The Administrator of USAID should direct appropriate staff to provide robust technical assistance to Afghanistan's electoral commissions throughout the entire

five-year electoral cycle—not just immediately before and during an election—to help them increase their capacity and become more sustainable.

3. The Administrator of USAID should direct all bureaus providing election assistance around the world to focus more attention on building electoral institutions over the long term, rather than simply helping those institutions prepare for imminent elections.
4. The Administrator of USAID should direct appropriate staff to begin planning and designing support for domestic election observers and party and candidate agents for Afghanistan’s 2020–2025 electoral cycle as soon as possible to ensure that training and resources are available well in advance.
5. The Secretary of State and the Administrator of USAID or their designees should support Afghan government efforts to improve its voter registry to better ensure that legitimate voters are allowed to vote and fraudulent voters are removed.
6. The Secretary of State and the Administrator of USAID or their designees should encourage and help the Afghan government improve the use of existing election technology, rather than explore additional technological approaches to elections. Among the necessary improvements to existing technology, the Afghan government needs help ensuring that election workers are properly trained in its use and that it does not create new opportunities for fraud.
7. The Administrator of USAID should consider devoting more resources to supporting Afghanistan’s Electoral Complaints Commission to help build the confidence of voters in the fairness of the electoral dispute resolution process.

Matters for Consideration for the Afghan Government

After most Afghan election cycles, the leadership teams of both election commissions are usually fired for fraud and malpractice. The commissions are then unproductive for a year or more as the government scrambles to rebuild them. After the latest election cycle, however, the leaders of the two election commissions have survived for the first time and remain in their jobs. This puts them in the unique position of being able to engage early in the coming election cycle and implement electoral reforms before ramping up for the next parliamentary election in 2023. Even if this benefit is offset by government-wide challenges imposed by COVID-19, this opportunity should not be wasted. To improve their ability to prepare for, administer, and adjudicate elections, Afghanistan’s election commissions should consider:

1. Identifying the specific reforms to be undertaken in the coming election cycle, how they will be prioritized and implemented, and contingencies for when compromises must be made on the number and quality of those reforms;
2. Strictly abiding by the civil service commission testing criteria when recruiting new election commission staff to prevent corrupt hiring practices;
3. Drawing on the experiences of other developing countries that have recently undergone democratic transitions and held credible elections in the face of considerable constraints, including Tunisia, Nepal, and Bangladesh;

4. Building a database of the country's 22 million *tazkeras* (identification cards) that can be automatically cross-verified with the voter registry to weed out fraudulent registrations;
5. Improving the quality of the voter registry by ensuring voters have enough time to confirm their information at polling centers, ideally both before and after each voter registration drive;
6. Committing to full transparency in the dispute resolution process by publishing every decision of the election commissions—the IEC, ECC, and their provincial offices—including legal justifications, on a publicly available government website;
7. Establishing provincial electoral complaints commissions one month before candidate and voter registration, in accordance with the 2019 Election Law;
8. Improving its use of existing electoral technology, including biometric voter verification and the new voter registry, rather than adopting any new technology which requires significant resources and attention to implement;
9. Making public the list of polling centers that are planned to open at least a week before every election day;
10. Sharing election data with observers immediately following an election, including a breakdown of the number of voters at each open polling station, spoiled ballots, biometrically verified votes, and votes excluded or invalidated by the IEC or ECC. (A full list of these information requirements is available on p. 142.)

And finally, the Afghan government at large should consider:

11. Refraining from actions that could influence the decision making of electoral commissions, as is required by every electoral law and decree since 2004;
12. Prosecuting government officials and others involved in election and *tazkera* fraud, and publicly releasing details about convictions and sentences for all recent and future prosecutions related to elections;
13. Retaining the role of political parties and civil society organizations in the selection of leaders of election commissions, as well as input into the selection of provincial commissions, for all future elections.



CHAPTER 1

INTRODUCTION: AFGHAN ELECTIONS AND U.S. AND INTERNATIONAL ELECTORAL SUPPORT

UNAMA photo

Since 2001, the international community has spent at least \$1.2 billion—including at least \$620 million contributed by the U.S. government—supporting Afghanistan’s electoral process, encompassing seven separate elections.⁶ However, the U.S. government has faced serious challenges in helping the Afghan government build and develop its electoral institutions and processes. This report was written to help policymakers and program implementers understand the challenges Afghanistan faces in holding its elections. It also captures lessons from more than 15 years of electoral assistance in Afghanistan and is intended to inform future U.S. efforts both in Afghanistan and around the world. Throughout its chapters, this report details: (1) the core challenges facing Afghan electoral stakeholders as they have tried to prepare for, observe, administer, and adjudicate elections; (2) the U.S. government’s supporting efforts; and (3) the state of an electoral reform process that remains in disrepair. While this report details the events surrounding all seven of Afghanistan’s elections, coverage of the aftermath of the 2019 presidential election is less extensive.

SIGAR prioritized eight topics for analysis, each with its own chapter and a corresponding finding available in the report’s conclusions. These topics are:

1. Electoral Security
2. Capacity of the Independent Election Commission
3. Voter Registration and Access to the Polls
4. Fraud
5. Electoral Dispute Resolution

6. The Use of Technology
7. Electoral Observation
8. Limits to Donor Influence

TYPES OF AFGHAN ELECTIONS

Since 2001, Afghanistan has had three kinds of elections: presidential, parliamentary, and provincial council (see Table 1). The Afghan constitution also requires four other kinds of elections, including district council elections, none of which have occurred.⁷ Parliamentary and presidential elections are supposed to take place every five years but are often delayed, effectively giving presidents and members of parliament longer terms.⁸ There are two houses of parliament: the Wolesi Jirga, whose 250 members are elected, and the Meshrano Jirga, whose 102 members are appointed by the president and provincial councils.⁹ The Wolesi Jirga is the country's primary lawmaking body. Most Wolesi Jirga members and all provincial councilors are elected to represent specific provinces by voters living in those provinces. A small portion of the parliamentary seats are reserved for minorities, and a substantial portion of both parliamentary and council seats are reserved for women.¹⁰

TABLE 1

TIMELINE OF AFGHAN ELECTIONS	
Year	Election
2004	Presidential Election
2005	Parliamentary Elections; Provincial Council Elections
2009	Presidential Election; Provincial Council Elections
2010	Parliamentary Elections
2014	Presidential Elections (two rounds); Provincial Council Elections
2018	Parliamentary Elections
2019	Presidential Election
2023*	Parliamentary Elections
2024*	Presidential Election

* Anticipated and required by the Afghan Constitution.

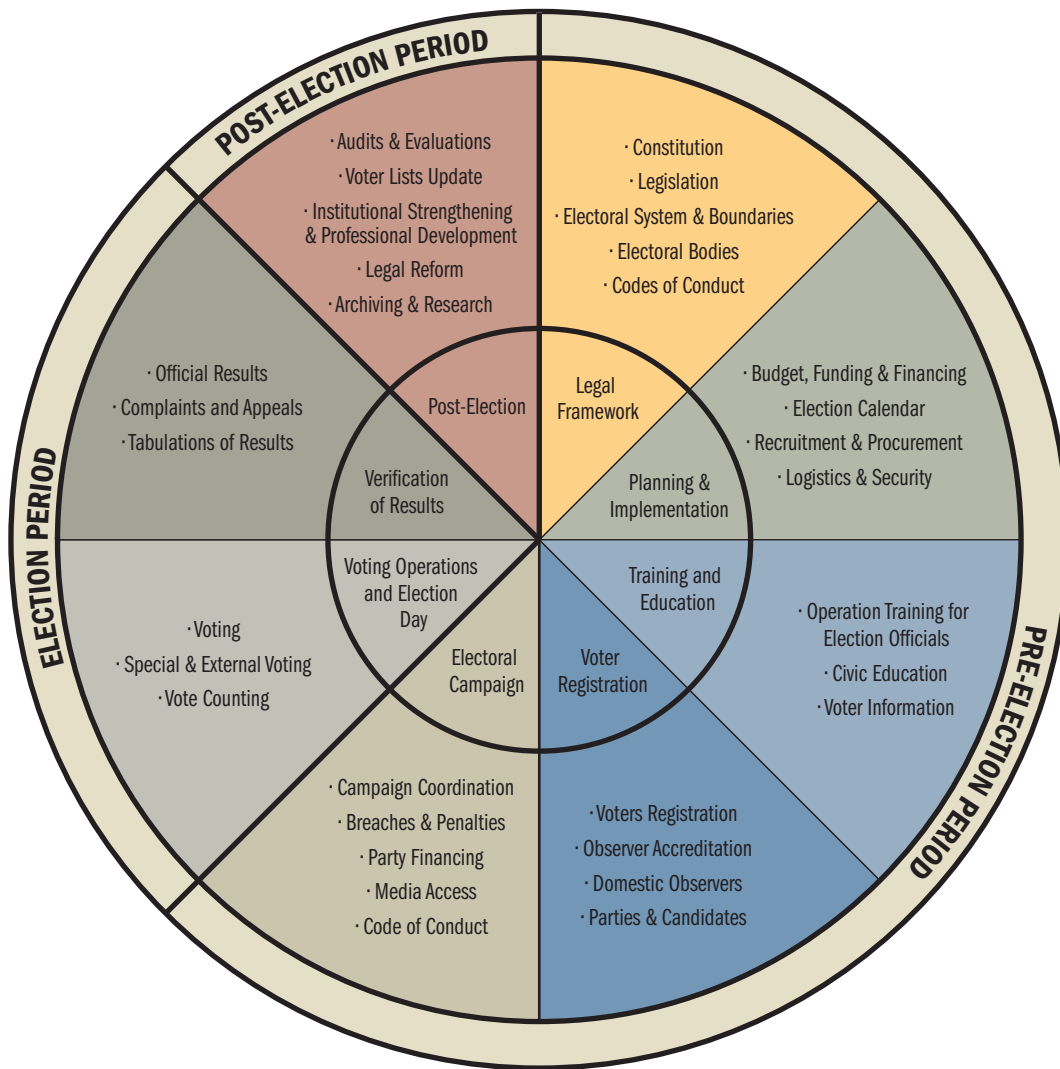
ROLES OF THE INDEPENDENT ELECTION COMMISSION, ELECTORAL COMPLAINTS COMMISSION, AND OTHER AFGHAN INSTITUTIONS

Successful elections require trained staff and sufficient resources in order to prepare for, observe, administer, and resolve disputes. In Afghanistan, there are two commissions that carry out these duties: the Independent Election Commission (IEC) and the Electoral Complaints Commission (ECC). These two commissions oversee the election process starting long before election day (see Figure 1). Each commission has a unique mission:¹¹

- The IEC, with more than 400 permanent staff members, is responsible for administering elections and all pre-election processes across the country.¹²
- The ECC is responsible for adjudicating complaints about all components of the electoral process and working with the IEC to devise solutions.

FIGURE 1

AFGHAN ELECTION PROCESSES AND RESPONSIBILITIES THROUGHOUT THE ELECTION TIMELINE



Source: SIGAR visualization of chart provided by UN Assistance Mission in Afghanistan.

In addition to the IEC and the ECC, several other Afghan government ministries and offices play various roles in the electoral process. These entities often coordinate with the two commissions. Those other offices include:

- The Ministry of Defense, which deploys troops around the country and conducts clearing operations to heighten security and reduce insurgents’ ability to mount attacks on electoral events;
- The Ministry of Interior (MOI), which is responsible for guarding polling centers during voter registration and on election day, and protecting convoys transferring sensitive electoral materials to and from polling centers;
- The Ministry of Education, whose teachers sometimes serve as poll workers during voter registration drives and on election day;

- The Ministry of Finance, which allocates government funding for elections, in concert with donor-supplied funds;
- The National Statistics and Information Authority (NSIA), formerly the Central Statistics Office, which is responsible for estimating the size and distribution of the population across the many electoral constituencies so that each voter has equal representation, a task made harder by the organization's failure to complete a census.¹³ NSIA recently absorbed the Afghanistan Central Civil Registration Authority (ACCRA), which distributes and verifies *tazkeras* (national IDs) that are also used as voter registration cards.
- The Independent Directorate of Local Governance, which is responsible for managing and potentially redrawing subnational boundaries that affect electoral constituencies;¹⁴
- The Office of the President, which has no official role in electoral administration, although the President has historically appointed commissioners and often plays an informal role.

Other election stakeholders include civil society organizations, which conduct:

- Electoral observation, documenting instances of fraud and malpractice.¹⁵
- Voter and civic education and outreach, making sure voters know about the election process and the benefits of participating in it.

Finally, there are political parties, which help shape political discourse. They are often tied to powerful personalities rather than political platforms, and occasionally field candidates, though most candidates run as independents.

In addition to parties, agents or representatives of those parties or of individual candidates play an observer-like role in deterring and documenting fraud, though without the pretense of neutrality.¹⁶

U.S. AND INTERNATIONAL SUPPORT FOR ELECTIONS

The United States and other international donors support elections in Afghanistan by providing Afghan election institutions with resources and expertise. That support is provided through various funding mechanisms. The most common types are bilateral, in which a donor provides funding for a program directly, and multilateral, in which multiple donors contribute to a trust fund managed, usually, by an international government or non-governmental organization (such as the United Nations or World Bank). Because multilateral funds include contributions from the United States and other donors, it is often difficult to determine how U.S. funds were ultimately used.

The varying way donors have tracked election-related expenditures since 2003 also make it difficult to compare costs across election cycles. However, among other examples, the United States and other donors have supported elections by:

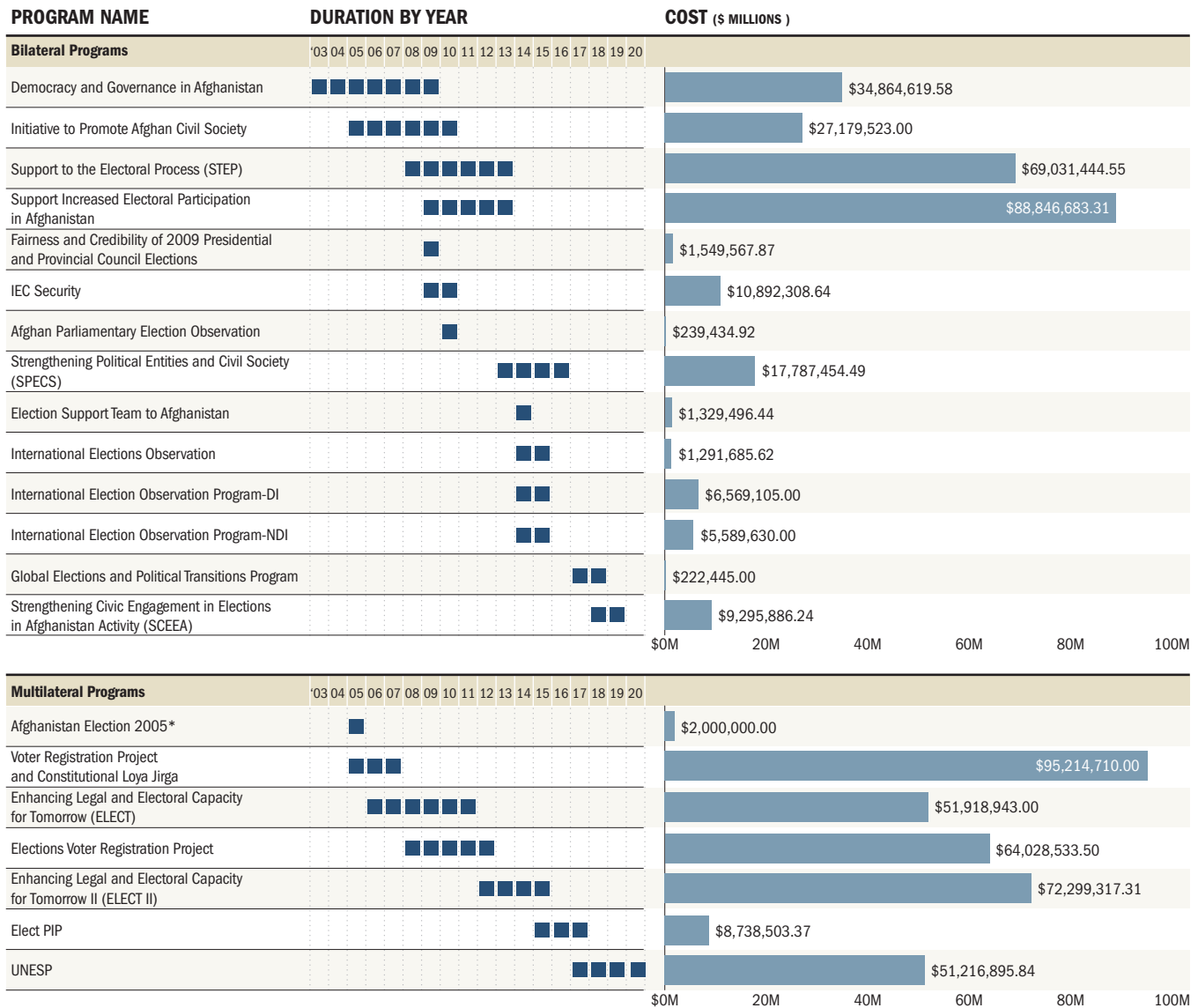
- Embedding technical advisors with election commissions to provide guidance and insight into solving problems and more effectively administering elections. For example, the international community spent approximately \$22 million on technical advisors between 2006 and 2011.¹⁷
- Funding the training of thousands of domestic election observers and candidates' staffs, who serve as integrity checks on election fraud and malpractice. The United States spent \$12 million on such training during the 2009 elections, and \$9 million during the 2018 and 2019 elections.¹⁸
- Funding voter and civic education campaigns, which require civil society organizations to buy radio air time and visit Afghan communities to explain the benefits and mechanics of elections.
- Funding expenses that are not typically included in electoral support programs but are necessary in Afghanistan to ensure elections take place. These expenses include:
 - Procuring and transporting ballots and other sensitive election materials—for example, \$20 million for ballots for the 2005 election and more than \$1 million for each election to buy the indelible ink used to mark the fingers of voters;¹⁹
 - The cost of registering voters, which came to \$120 million before the first presidential election in 2004, \$102 million before the 2009 election, and \$23 million before the 2018 election;²⁰
 - Paying salaries for election staff—nearly \$30 million in salaries for headquarters and field staff for the 2014 election, including \$13 million for 105,000 temporary polling station workers.²¹

While many countries have helped fund multilateral programs in Afghanistan, the European Union, the United Kingdom, and the United States have been the three largest donors.²² The most recent multilateral program, the UN Electoral Support Program, has operated since October 2017 and has spent approximately \$134 million, with \$51 million contributed by the U.S. government.²³ Because multilateral programs are funded by many donors, program reporting does not break down where each donor's funds went, what particular objectives they supported, or the result of that country's investment. All U.S. funding for supporting Afghan elections was provided through the U.S. Agency for International Development (USAID). Of the \$620 million USAID spent on Afghanistan's electoral process since 2003, 56 percent went toward these multilateral programs (see Figure 2).²⁴

To complement these large multilateral programs, which have typically focused their efforts on supporting the IEC and ECC, the United States and other donor governments individually implement bilateral programs to support other parts of the election process. For example, these programs pay civil society organizations to support nonpartisan election observation, train partisan election monitors, strengthen political parties, and conduct civic education campaigns on voting.²⁵ As funding for Afghanistan has decreased, most of the cuts have been to the bilateral programs; the United States has focused its remaining resources on multilateral programs supporting Afghan

FIGURE 2

USAID CONTRIBUTIONS TO ELECTION PROGRAMS IN AFGHANISTAN



*USAID financial data shows disbursements for Afghanistan Election 2005 taking place in 2008.
Source: SIGAR analysis of USAID data call, January 13, 2020.

government election institutions such as the IEC and the ECC. Of the \$620 million spent by USAID on Afghanistan’s electoral process since 2003, 44 percent went toward these bilateral programs.

U.S. ELECTION ASSISTANCE IN AFGHANISTAN: UNEVEN SUPPORT UNDERMINES EFFORT TO BUILD SUSTAINABLE AND CAPABLE ELECTION INSTITUTIONS

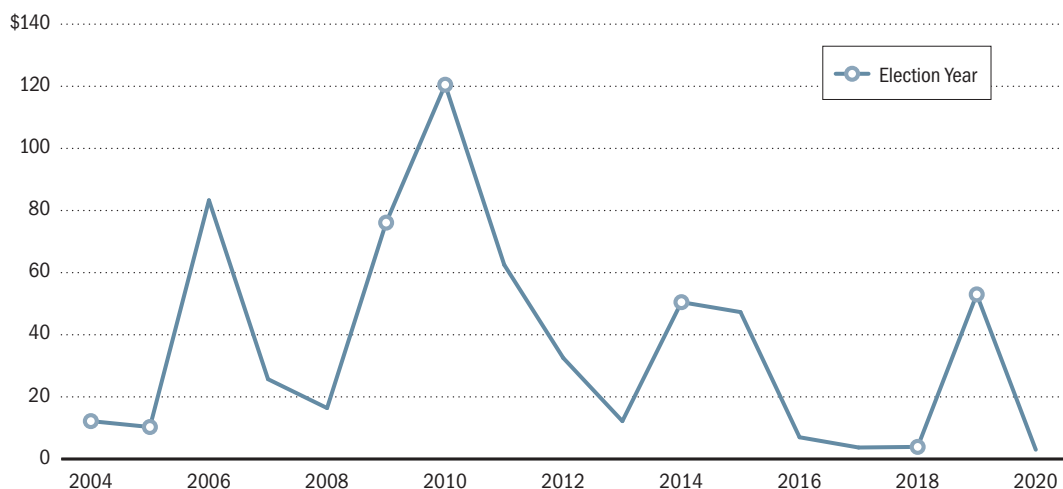
Over the last 15 years, donors have increasingly urged the Afghan government to take more responsibility for financing and administering its own elections.²⁶ However, donors have often found it difficult to reduce their direct involvement in Afghan elections. Problems that have arisen following elections have indicated more—not fewer—resources were likely needed. Nevertheless, overall U.S. and international civilian assistance to Afghanistan—including electoral support—has trended downward for a decade.²⁷

For this report, SIGAR found several significant issues with U.S. support for Afghan elections. In particular, SIGAR found that the timing of when the United States—and other donors—provided election assistance had a significant impact on the long-term sustainability of Afghanistan’s electoral institutions.

The way the U.S. government supports Afghanistan’s electoral process tends to be cyclical and uneven, providing little to build the capacity of election institutions when an election is years away, then ramping up support as an election approaches. By then, it is often too late to build institutional capacity. When an election is over, donor attention and spending drops off, and opportunities to help build better electoral institutions and achieve critical electoral reforms are missed. Years later, as the next election looms, donors scramble and the cycle repeats (see Figure 3). This model is enough to ensure that elections take place—certainly no small feat in Afghanistan—but it severely limits donors’ ability to nurture a sustainable electoral process.

FIGURE 3

FLOODS AND DROUGHTS: U.S. ELECTORAL ASSISTANCE IN AFGHANISTAN (\$ Millions)



Note: Includes both bilateral and multilateral assistance from USAID.

Source: USAID, response to SIGAR data call, January 13, 2020.

This cyclical support also makes it harder to evaluate the quality of electoral assistance. For example, donors have repeatedly tried and failed to help Afghan officials build a sustainable election complaints database. The late timing of donor interventions likely contributed to this failure, and made it difficult to evaluate the quality of interventions. In such a scenario, even the best technical intervention will likely be insufficient. For this reason, SIGAR devotes most of its analysis of U.S. electoral support to understanding—and drawing lessons from—this cyclical donor assistance model, as detailed in Chapter 9.

History of U.S. and Donor Election Support: Scaling Up Election Funding (2003–2010)

During the first post-Taliban Afghan elections in 2004 and 2005, the United Nations played a lead role in helping the nascent Afghan government manage its elections. The Joint Electoral Management Body (JEMB), formed in 2003, was led by a 11-member commission consisting of six Afghan and five UN-appointed international commissioners, supported by 575 international experts.²⁸ The JEMB oversaw the country's presidential election in October 2004, a massive effort requiring voter registration to be conducted from scratch nationwide. In practice, the UN ensured the 2004 elections were held by having its own staff directly handle many of the functions of the JEMB.²⁹ In addition, for one time only, voting was extended to Afghans living in neighboring Iran and Pakistan, the largest out-of-country registration and voting program held anywhere in the world.³⁰

In September 2005, the JEMB supported the country's first modern Wolesi Jirga and provincial council elections. This time, the JEMB included 13 commissioners, four of whom were international experts appointed by the UN.³¹ The contingent of international experts supporting the JEMB remained similar to what it had been in 2004, but dropped off significantly after the parliamentary election was over.³² The presidential decree authorizing the 2005 JEMB corrected a flaw in the earlier version of the body by establishing an ECC for the first time. This new body was dominated by UN-appointed international experts, who constituted three of the ECC's five commissioners.³³

At the end of 2005, the JEMB was dissolved and a permanent IEC was established.³⁴ Up to that point, international advisors to the IEC and ECC had done most of the work of those institutions, both at the headquarters and provincial level.³⁵ However, the international community failed to help the new IEC build its capacity once the 2005 election was over. A 2005 capacity-building plan developed by the UN and the IEC was never implemented, likely because donor funding levels fell after the 2005 election.³⁶ According to an international official, “the IEC lost a huge amount of capacity because of the abrupt drop in support” after the 2005 election.³⁷ This has been a recurring pattern throughout donor assistance to Afghan elections, detailed in Chapter 9.

In October 2006, donors launched a new UN-led electoral support program with multilateral funding: Enhancing Legal and Electoral Capacity for Tomorrow (ELECT). The program was the international community's main vehicle for supporting the 2009

presidential and provincial council elections, as well as the 2010 Wolesi Jirga election.³⁸ Initially, ELECT had a broad scope, including support for civic education and technical assistance to the IEC, ECC, and domestic observers.³⁹ Margie Cook, who served as ELECT's chief electoral officer during the 2009 cycle, described the program's expansive scope in the 15-month run-up to election day as "a herculean and impossible task." She said donors failed to understand that it was impossible for the program to build capacity in the time frame allotted and, for that reason, it was set up to fail.⁴⁰

In addition, donors funded programs to complement ELECT's work. For example, with funding from USAID, the Canadian International Development Agency, the UN Development Programme (UNDP), and the National Democratic Institute helped establish the Free and Fair Election Forum of Afghanistan (FEFA), one of the country's leading domestic observation organizations. The National Democratic Institute also helped Afghans develop political parties, trained female candidates, and strengthened political processes in the National Assembly and provincial councils.⁴¹ USAID supported a civic education program during the 2009 and 2010 cycles not just to raise awareness of elections, but also to foster understanding of broader governance issues, such as the functions of the three branches of the Afghan government and the relationship between Islam and democracy.⁴² A third-party evaluation of the program found that its participants were more likely to register to vote and that they viewed voting as a personal responsibility.⁴³

In 2009, the scale of international technical expertise was reduced to about 150 advisors. In a major change from the 2004 and 2005 JEMBs, no international commissioners sat on the new IEC.⁴⁴ The new IEC, whose commissioners had been appointed by President Hamid Karzai, was criticized for lacking independence.⁴⁵ The 2009 ECC, however, retained the same number of international commissioners as had served in 2005: three out of five.⁴⁶

According to a USAID-funded Democracy International report, President Karzai wanted to eliminate international commissioners from the ECC before the 2010 election. The international community responded by making their funding contingent upon the president's agreement to allow two international commissioners to serve on the ECC, one fewer than in 2005 and 2009. According to the same report, many analysts saw the 2009 international commissioners "as having helped salvage some semblance of legitimacy for [that election]."⁴⁷

Despite the international community's extensive support and funding for the entire electoral process during this period, ELECT staff were again forced to put on hold the program's capacity-building goals in order to ensure the commissions completed the more immediate operational tasks necessary to hold the 2009 election.⁴⁸ In a September 2009 audit report, SIGAR expressed concern that UNDP had "not established a long-term capacity building strategy to ensure that transfer of skills occurs," citing donors' "disappointment with the lack of focus on sustainability."⁴⁹

The results of the 2009 presidential election were contested by the challenger, Abdullah Abdullah. After the ECC ordered a large-scale audit of ballot boxes to detect fraud, UN experts designed an approach to recount a random sample of ballot boxes.⁵⁰ The audit resulted in the invalidation of 1.1 million votes and pushed President Karzai below a majority of votes, triggering a runoff.⁵¹ The prominent role played by UN experts, frequent procedural changes, and a lack of transparency in the process fueled perceptions that the results were being imposed upon the IEC and ECC by the UN.⁵² In the end, Karzai's rival, Abdullah Abdullah, withdrew his name from consideration, saying that he had lost faith that the process would produce a credible result.⁵³

In 2010, ELECT's goals were narrowed to supporting the IEC and the ECC and long-term electoral reform, which required observation to be supported through a separate project.⁵⁴ A conflict of interest had become apparent in 2009, when UNDP had hired the same international advisor to simultaneously support the IEC and the country's main domestic observation group, FEFA. The role of the latter included assessing the effectiveness and transparency of the IEC's performance.⁵⁵ In accordance with the new division of labor, USAID created a program called Strengthening Political Entities and Civil Society.⁵⁶ Ever since, donors have provided support for election observers in Afghanistan bilaterally and not through a multilateral trust fund.

In the lead-up to the 2010 election, capacity building again fell to the wayside. According to ELECT's final evaluation report, traditional capacity-building efforts were seriously hindered by "constraints imposed by the urgencies of the electoral process." The report recommended that "more in-depth capacity building should be done . . . in the period between elections."⁵⁷

History of U.S. and Donor Election Support: Transitioning to Afghan-led Elections (2011–2014)

The ELECT program ended in 2011 and was replaced by another UNDP project, ELECT II, which ran from 2012 to 2015.⁵⁸ ELECT II supported the 2014 presidential and provincial council elections.⁵⁹ Recognizing that its predecessor program had been too large and complex, donors focused the first 17 months of ELECT II's work on building the capacity of the IEC. However, the scope of the project was later expanded significantly to cover technical and operational support to the 2014 presidential and provincial council elections, as well as support to the planned 2015 parliamentary and district council elections.⁶⁰ The project also supported the ECC, in addition to the IEC, despite having only one-tenth as many staff as the 2005 effort.⁶¹

As with ELECT in 2009, the revised scope of ELECT II proved unrealistic, and the program was forced to concentrate on immediate operational requirements instead of long-term capacity building and reform. According to the program's final evaluation, "due to the operational mode in preparation of the elections, much of the opportunity to fulfill its mandate in providing long-term capacity building was diluted."⁶² As the 2014 election rapidly approached, ELECT II had little choice but to focus on "individual



UN officials meet with IEC commissioners to discuss the presidential election audit, August 11, 2014. (UNAMA photo by Fardin Waezi)

capacity,” while the “sustainable strengthening of its institutional capacity” was “relegated to the back burner.”⁶³

The United States also supported an array of bilateral programs during this period. USAID funded at least seven different programs, while the embassy in Kabul spent another \$8 million on small grants to raise awareness of the election and encourage participation, particularly by women and youth.⁶⁴ USAID’s programming had a range of goals, including strengthening the capacity of political parties and coalitions, improving domestic election observation, facilitating international election observation, and encouraging greater citizen participation.⁶⁵

Two USAID programs, Support for Increased Electoral Participation in Afghanistan and Afghanistan Electoral Reform and Civic Advocacy, supported debate and discussion on the legal framework for Afghan elections and electoral institutions that led to significant reforms under a new 2013 election law.⁶⁶ The new law was the first to be passed by a majority of both houses of Parliament, as opposed to being issued by Presidential decree alone.⁶⁷ It also made the ECC—which up to then had been organized four months before an election and dissolved two months after—a permanent institution. Finally, the law created a more transparent process for appointing new commissioners to both the IEC and ECC, as detailed in Chapter 5.⁶⁸ Despite the importance of the contributions made by these USAID programs to electoral reforms, USAID’s Office of the Inspector General raised questions about the sustainability of the massive investments in Afghan civil society in the 2014 cycle, and concluded that programs to support the ECC and electoral observation should have been launched earlier.⁶⁹

As in 2009, the outcome of the 2014 presidential election was contested. After neither Ashraf Ghani nor Abdullah Abdullah won a majority of votes, the two candidates were

forced into a runoff. Evidence of ballot stuffing in the runoff led the IEC to launch an unprecedented, internationally supervised, 100-percent audit of more than 8 million votes.⁷⁰ In an effort to increase the transparency and legitimacy of the audit, donors mobilized more than 200 international observers.⁷¹ UN advisors were integral to the audit, and IEC officials made decisions about which votes to invalidate in consultation with them. UN advisors also developed the standards for analyzing similarly marked ballots to determine which ballots may have been fraudulently marked by the same individual multiple times.⁷²

These efforts proved insufficient to win Abdullah Abdullah's support for the audit process, and he withdrew his observers in August 2014 on the grounds that the ballot invalidation criteria did not capture all of the fraudulent votes.⁷³ The process ground to a halt, and the election was only resolved after U.S. Secretary of State John Kerry brokered a power-sharing agreement between the candidates.⁷⁴ The 2014 election did, however, result in the first peaceful transfer of power in modern Afghan history.⁷⁵

History of U.S. and Donor Election Support: Electoral Administration Struggles Amid Coalition Drawdown (2014–2019)

The September 2014 agreement that created the National Unity Government committed the new government to pursuing a number of electoral reforms and to creating the Special Electoral Reform Commission.⁷⁶ ELECT II closed down in July 2015, five months before it was scheduled to end and just a month after the Special Electoral Reform Commission was established.⁷⁷ This meant that donor assistance was slashed just as the Afghan government was starting its effort to address complex electoral reforms.⁷⁸

ELECT II was replaced by a temporary program, the UNDP Project Initiation Plan, which ran from August 2015 until December 2017. While some carry-over funding was shifted from ELECT II to the new program, the United States was the only donor that provided new funding, and then only enough for a skeleton crew to maintain "its operations and continue to provide basic assistance."⁷⁹ In the spring of 2015, the technical assistance team working with the IEC was cut to just four people and support to the ECC was cut entirely.⁸⁰

As with ELECT II, during the latter portion of its existence, ELECT PIP did not provide support to non-governmental electoral programming, such as to non-partisan observers.⁸¹ At the same time, USAID cut funding to or de-scoped bilateral programs that had been providing support to civil society groups working on election-related matters. According to an implementing partner, Afghanistan Electoral Reform and Civic Advocacy's election component was shut down by USAID as soon as the election ended and just as its civil society beneficiaries were starting to gain traction in advocating for electoral reform, which USAID had identified as a goal for the program.⁸²

Only nine months before the initial date for the 2018 parliamentary election, donors created another program, the UN Electoral Support Project (UNESP).⁸³ According to USAID, the delay in launching UNESP was largely tied to months of debates about the

adoption of election technologies and prolonged technical preparations by the Afghan government.⁸⁴ The program was far smaller than the two other major UNDP election programs, ELECT and ELECT II, and struggled to execute its ambitious list of goals in the short time before the 2018 parliamentary and 2019 presidential elections.⁸⁵ Just three months before election day 2018, the program had less than a quarter as many international advisors as ELECT II and only 5 percent as many as ELECT.⁸⁶

UNESP focused on improving the capacity of the IEC and ECC and supporting them in developing more comprehensive strategic and operational plans to improve their capacity and sustainability, in addition to the massive tasks of supporting the IEC and ECC in holding the 2018 and 2019 elections.⁸⁷ However, with so little time before the 2018 election, and then little time between the 2018 and 2019 elections, it does not appear the IEC completed a strategic plan, and according to a senior elections advisor, the operational planning was “terribly generic” and missing critical details (see Chapter 3).⁸⁸

The ECC faced similar problems that further demonstrated the inherent risks of the election assistance rollercoaster. As ELECT II was shuttering its support for the ECC in 2015, the program’s advisors helped the ECC draft a strategic plan for the organization that would last through 2019.⁸⁹ In an interview with SIGAR five years later, SIGAR asked a UNESP advisor if that plan had been used by the ECC. However, neither the advisor nor the ECC was aware of the plan’s existence, demonstrating that foundational documents produced at great cost to donors were getting lost between elections as support fluctuated.⁹⁰ (SIGAR provided a copy of the strategic plan at the advisor’s request.)

As detailed in Chapter 6, the support the ECC received under the UN program was also too little and too late.⁹¹ In earlier elections, donor support for the IEC was provided directly,



Principal Deputy Assistant Secretary of State Alice Wells meets with IEC commissioners at the U.S. Embassy to discuss upcoming presidential elections, May 13, 2019. (U.S. Embassy Kabul photo)

while support for the ECC was subcontracted out, giving the latter a dedicated funding stream. In 2018 and 2019, however, UNESP directly funded both the IEC and ECC, which meant the ECC had to compete with the much better-resourced IEC for the time and attention of technical advisors.⁹² Because the ECC plays a critical role in holding the IEC accountable, this decision also posed a conflict of interest because the same individuals served simultaneously as advisors to both the IEC and the ECC.⁹³ A mid-term evaluation of UNESP found that, as in previous cycles, the program's scope had been unrealistically ambitious. Recognizing that capacity building falls to the wayside in the immediate run-up to elections, the report recommended that the program be extended past the release of the final results for the 2019 election. Specifically, the report said that updating the IEC and ECC strategic plans should be "top priorities" after the 2019 election.⁹⁴

USAID was the only donor to provide support to domestic election observation in the 2018 election, under its bilateral Strengthening Civic Engagement in Elections in Afghanistan (SCEEA) program.⁹⁵ However, this support was even more delayed than donor support to the IEC and ECC had been. USAID's local partners received funding only 20 days before the 2018 election, which undermined their effectiveness.⁹⁶ While USAID provided training to nonpartisan observers, these delays meant that in 2018, for the first time in a modern Afghan election, no training was provided to candidate agents—the campaign staff paid by candidates to be their advocates and monitor the electoral process.⁹⁷ By 2019, however, training was provided to approximately 8,600 partisan agents, who, in turn trained tens of thousands of other agents through a training-of-trainers approach. In that process approximately 50,000 printed candidate agent manuals were distributed.⁹⁸ That year, USAID once again was the only donor to provide support to domestic observers, also through SCEEA.⁹⁹ This funding ultimately supported the deployment of 6,711 observers on election day 2019, covering approximately 85 percent of open polling stations.¹⁰⁰ One improvement in the 2019 observation effort was the introduction of a better system for tracking where the observers went, increasing USAID's confidence in their reporting (see Chapter 8).¹⁰¹

A UNESP report documented all the ways that the IEC's job in preparing for the 2018 parliamentary election was made more difficult by the late adoption of biometric voter verification technology.¹⁰² Overruling the IEC, the Afghan government announced that it would be using BVV less than one month before election day.¹⁰³ Starting in early 2017, President Ghani had pressured the international community to pay for four new types of electoral technology.¹⁰⁴ While the international community mostly resisted this pressure, the IEC announced its intention to use biometric technology in September 2018, a few weeks before the parliamentary election.¹⁰⁵ In a technical note to the IEC, UNESP advisors predicted significant legal, technical, and operational problems likely to be caused by introducing new technology at the last minute.¹⁰⁶ Those predictions, which went mostly unheeded, proved to be accurate (see Chapter 7).¹⁰⁷

The 2019 presidential election suffered from similar challenges related to the late adoption of new technology, as well as continued challenges with existing technology.¹⁰⁸ While biometric verification may have reduced certain types of fraud, such as ballot stuffing, it

also led to controversy during the electoral dispute resolution processes following both the 2018 and 2019 elections.¹⁰⁹ To help address problems encountered in the 2018 election, Afghanistan's two election commissions each gained two non-voting international advisors serving as commissioners in 2019—a first since 2005 for the IEC, and a first since 2010 for the ECC.¹¹⁰ The impact of these non-voting commissioners remains unclear.¹¹¹

The 2019 election cycle saw a number of developments. The 2019 election law created a new process for identifying election commissioners that gave more voice to political parties and civil society organizations (see Chapter 5), and that year's election was the first where the Afghan government paid for most election costs.¹¹²

The 2019 presidential election was also contested. In February 2020, Ashraf Ghani and Abdullah Abdullah both declared themselves the winner and held competing inauguration ceremonies.¹¹³ U.S. Secretary of State Michael Pompeo flew to Kabul to implore the two candidates to form an inclusive government, similar to what his predecessor had done in 2014. The failure by Ghani and Abdullah to resolve their dispute quickly led the United States to threaten a \$1 billion annual cut in support to the Afghan government.¹¹⁴ However, in May 2020, the two sides signed a new power-sharing agreement, which gave Ghani the presidency and Abdullah a lead role in the peace effort, among other provisions, and the United States seems to have dropped the threatened funding cut.¹¹⁵ Like the agreement that created the National Unity Government before it, the 2020 agreement committed to holding elections for local-level positions, including provincial and district councils and mayors. Also like the 2014 agreement, it committed the government to a number of electoral reforms, which the previous government never achieved. These included changing the current electoral system, an amendment to the constitution to “change the government’s structure,” the “standard use” of biometric technology, and the establishment of new local administrations, among others.¹¹⁶

The implications in every decision related to elections are daunting: determining which polling centers are safe enough to open, who will staff the commissions, the voter registration process, how election technology will address fraud, and the identity of election observers, among many others.

The political nature of elections can limit the ability of assistance programs to improve their credibility. Politicians, candidates, and voters may view donor interventions with distrust. Moreover, the goal of the United States and other donors to make Afghan elections more inclusive and transparent may undermine the political goals of some politicians and candidates. While this report provides insight into improving U.S. and donor election programs, most of it is designed to help donors understand Afghanistan's complex electoral landscape. As detailed in Chapter 9, providing consistent and steadily funded support would likely help nurture a lasting, credible election process in Afghanistan, but it alone is not sufficient. Most of the challenges SIGAR identified fall on the shoulders of Afghans, both in and out of government.



IEC photo

CHAPTER 2 ELECTORAL SECURITY

Poor security undermines elections in many ways, making it difficult to hold a national census, establish a voter registry, educate voters, and ensure the safety of election officials, observers, candidates, and voters.¹¹⁷ Widespread insecurity during elections can disenfranchise voters, undermine the legitimacy of the process, and ultimately erode public support for elected officials.¹¹⁸ The use of violence and credible threats of violence can reduce support for the government and foster greater instability.

Since 2004, the number of planned and unexpected polling center closures on election day due to insecurity has steadily increased, reflecting a worsening security environment overall. Effective Taliban attacks continue to increase—and insurgent activity is closely correlated with lower registration and turnout rates. Fear for personal safety and fear while voting are at record highs. On the current course, insecurity alone—to say nothing of electoral fraud and malpractice—will increasingly undermine the legitimacy of Afghan elections.

The parties involved in electoral violence in Afghanistan range from insurgent groups such as the Taliban and Islamic State – Khorasan, to private militias that may or may not be allied with the government, to elements of the Afghan National Defense and Security Forces (ANDSF) themselves.

Defining Electoral Violence

The term “electoral conflict” or “electoral violence” refers to “any random or organized act or threat to intimidate, physically harm . . . or abuse a political stakeholder in seeking to determine, delay, or to otherwise influence an electoral process.”¹²⁶ Perpetrators of electoral violence may seek to achieve political objectives through “the elimination of political rivals, suppression of voter turnout, [or] coercion of voters or intimidation of election officials” at any point during the electoral cycle.¹²⁷

Electoral security is the absence of electoral violence. It is achieved by effectively protecting stakeholders (such as voters, candidates, poll workers, and observers); information (such as registration data, ballots, and tally sheets); facilities (such as polling stations, tally centers, electoral management facilities); and electoral events (such as voter registration, election day activities, election commission meetings, or campaign rallies) against death, damage or disruption in order to ensure the credibility of elections and the legitimacy of elected leaders.¹²⁸ Only actions meant to influence elections through physical force or the threat of physical force, either implied or explicit, are relevant to this section of the report.

VIOLENCE AND VOTING: CONTEXT AND TRENDS

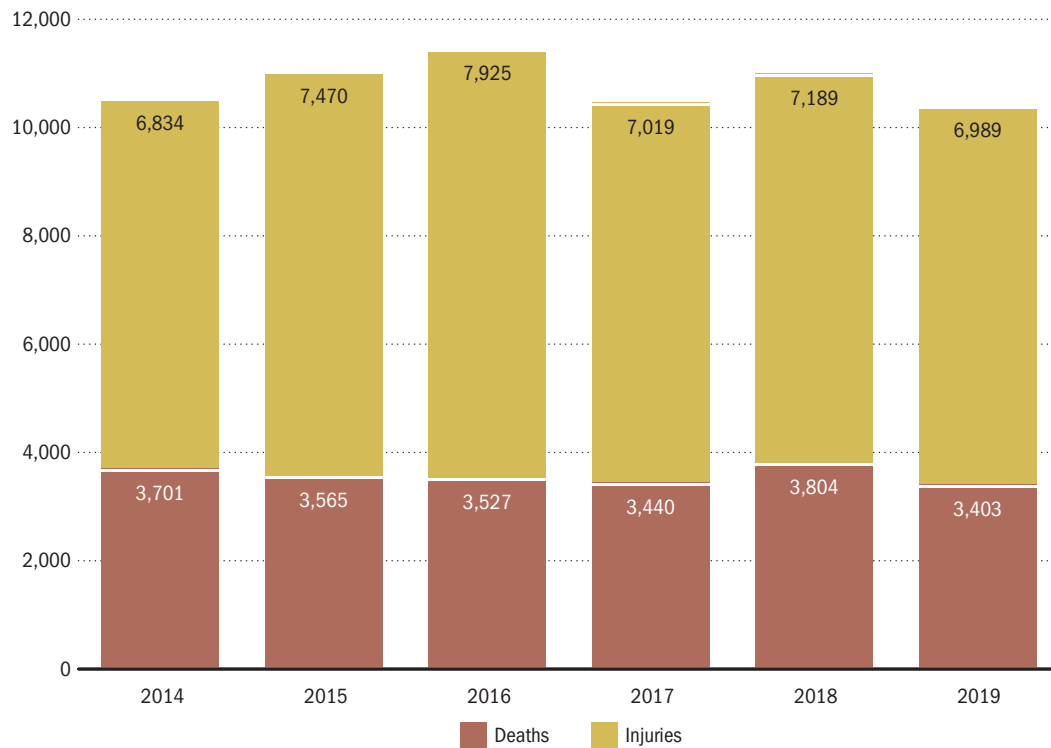
The United Nations Assistance Mission in Afghanistan (UNAMA) reported that in 2018, Afghanistan suffered 3,804 civilian fatalities—the highest number since the organization began systematically documenting civilian casualties in 2009.¹¹⁹ In contrast, 2019 saw the lowest number of civilian fatalities since 2013, and the lowest number of wounded civilians since 2014.¹²⁰ However, civilian casualty figures from any given year offer an incomplete picture of the trajectory of violence in the country. The highs and lows of civilian casualties in Afghanistan since the drawdown of international forces in 2014 have tended to stay within a relatively narrow range (see Figure 4).¹²¹ While the number of violent deaths remains a concern, it has not changed significantly in recent years.¹²²

Though it may seem counterintuitive, high rates of violence alone do not necessarily stifle the democratic process. Brazil has held elections despite having a murder rate nearly two and half times greater than the rate of civilian casualties in Afghanistan during 2018.¹²³ However, the kind of consistently high rates of apolitical violence such as what we see in parts of Latin America tend to affect elections differently than an organized campaign of attacks and intimidation specifically designed to reduce voter turnout. Based on the Taliban’s public statements on elections, coupled with spikes in the number of security incidents on election days throughout the post-Taliban era, it is clear that there is a deliberate campaign to undermine elections through intimidation.¹²⁴ The Taliban’s sophisticated intimidation campaign includes both messages broadcast via mass media, as well as more direct intimidation at the local level by resident commanders.¹²⁵

Less clear than the Taliban’s intentions and intimidation tactics is the precise number of security incidents in Afghanistan on any given election day. UNAMA, for example,

FIGURE 4

AFGHAN CIVILIAN DEAD AND INJURED BY YEAR (2014–2019)



Note: Numbers affected by rounding.

Source: UNAMA, "Civilian Deaths from Afghan Conflict in 2018 at Highest Recorded Level," press release, February 24, 2019, p. 5; UNAMA, "Afghanistan: Protection of Civilians in Armed Conflict," February 22, 2020, p. 5.

reported that the number of civilian casualties recorded on the first day of polling in 2018 represented the highest number on any election day since the organization began tracking civilian casualties in 2009, a period that includes three other elections—the 2009 and 2014 presidential elections and the 2010 parliamentary elections.¹²⁹ That morbid distinction translates into 108 verified incidents of election-related violence, resulting in 56 civilian deaths and 379 injured.¹³⁰ The previous high occurred during the 2014 presidential election, when UNAMA verified 251 casualties, including 52 dead and 199 injured.¹³¹ On Election Day 2019, civilian casualties—along with the number of votes cast—were down sharply, with 28 civilians killed and 249 wounded.¹³²

Casualty numbers are often contested, however. A U.S. Department of Defense (DOD) report to the Congress claimed the 2018 election was “less violent than any election conducted over the past 10 years.”¹³³ The discrepancy between the UNAMA and DOD assessments likely stems from differences in the way they classify security incidents.¹³⁴ While UNAMA casts a broader net, the Afghan government and Resolute Support only count attacks that are within roughly a mile of polling centers (of which there were relatively few on election day 2018, according to the Ministry of Interior)—or attacks beyond that distance, if the incident appeared atypical.¹³⁵ For example, a busload of civilians attacked with an improvised explosive device (IED) two miles from a polling station might not be counted by DOD as an instance of election violence if IEDs were



Afghan National Police officers search voters before entering a polling station in Jalalabad during parliamentary elections, September 18, 2010. (UNAMA photo by Jawad Jalali)

common along that stretch of road, but if the bus was attacked with small arms when IEDs were the norm, it might be.¹³⁶

However, not counting “typical” attacks may distort perceptions of how violence affects the election. Ambient levels of violence likely have a chilling effect on elections even if they are not directed specifically against elections processes and infrastructure. Thus, counting only the atypical violence on election day may give insight into the additional investment the insurgents made in undermining the election, which may be useful—but the best measure of the insurgency’s impact on elections may involve using a broader criteria than DOD’s standard.¹³⁷ If so, DOD’s assessment that the 2018 election was the least violent in a decade should be qualified. The difficulty of differentiating between typical violence and election-related violence in 2018 led Resolute Support to stop trying to categorize them separately in 2019. As the Deputy Chief of Staff for Strategy and Plans at Resolute Support in 2019 noted, “It’s easier to disrupt elections by attacking someone on their way to vote than it is to attack the polling center where there’s security, so just because an attack occurs away from a polling center doesn’t mean it’s not an election-related attack.”¹³⁸

For different reasons, UNAMA’s estimates should not be taken at face value, either. The same politically motivated violence that UNAMA aims to measure limits its direct access to many of the people, places, and events in question. As a result, UNAMA must rely on secondary sources of information in some cases, including individuals who have been deemed by U.S. Forces – Afghanistan to have “limited information,” “conflicted motives,” and even “violent agendas.”¹³⁹

The **Wolesi Jirga** is the lower house in Afghanistan’s bicameral National Assembly. It consists of 250 delegates and serves as the country’s primary lawmaking body.

While comparing the apparent levels of violence between years and election cycles is important, it is also crucial to consider the broader context of that violence. In 2019, for example, UNAMA reported that civilian casualties during the presidential election were “significantly lower” than they were during the 2018 **Wolesi Jirga** election.¹⁴⁰ If that is true, it should not necessarily be interpreted simply as a sign of improved election security; it could also be explained by the lower voter turnout, which would

naturally reduce the number of potential victims of election day violence. As we discuss elsewhere in this report, 2019 saw an estimated 1.8 million voters, as compared with approximately 3.5 million in 2018.¹⁴¹ The link between lower voter turnout and lower casualties seems even more plausible considering that, according to Resolute Support, overall civilian casualties were 39 percent higher in 2019 compared to the same quarter in 2018, which included the Wolesi Jirga elections.¹⁴²

Although unreliable sources of information and the challenge of interpreting and categorizing attacks make it difficult to get a clear picture of election day violence, other trends are more apparent—specifically, the geographic distribution of violence. In 2014, the northern and western reaches of the country, once considered bastions of security, began to experience an increase in electoral violence that mirrored heightened insurgent activity in those areas.¹⁴³ By 2018, northern and western provinces such as Faryab, Farah, and Kunduz ranked among the most violent in the country.¹⁴⁴ In fact, according to the UN, Kunduz City witnessed a higher number of security incidents during the 2018 election than any other location in Afghanistan. Then, in 2019, authorities in Balkh were forced to close about 40 percent of the province’s polling centers due to security concerns.¹⁴⁵ Not surprisingly, there were also indications that voters in northern provinces were becoming more fearful of going to the polls: In the 2019 turnout figures, Kunduz and Baghlan had the lowest and second-lowest provincial turnouts, respectively.¹⁴⁶ From the perspective of electoral legitimacy, this is a significant and unwelcome development because of the established relationship between insecurity and fraud (see more below), once concentrated in the south and east.¹⁴⁷

While there is some disagreement between U.S. and UN sources over the level of violence in 2018, there is at least some agreement on the trajectory established in 2019, when, according to the UN, civilian casualties were markedly lower than in 2018, both on election day and during the lead-up to polling.¹⁴⁸ By the UN’s count, there were 277 civilian casualties on Election Day 2019, including 28 dead and 249 injured, down from 56 dead and 379 injured in 2018 (see Table 2).¹⁴⁹ Although the UN also says that violence was higher in 2019 than in either round of voting in the 2014 presidential election, the number of fatalities was lower: 28 nationally, compared to 32 and 56 in the first and second round of voting in 2014.¹⁵⁰ The lower number of casualties, combined with lower voter turnout, supports the theory of some researchers that the objective of the insurgency is to reduce voter turnout while minimizing harm to civilians.¹⁵¹

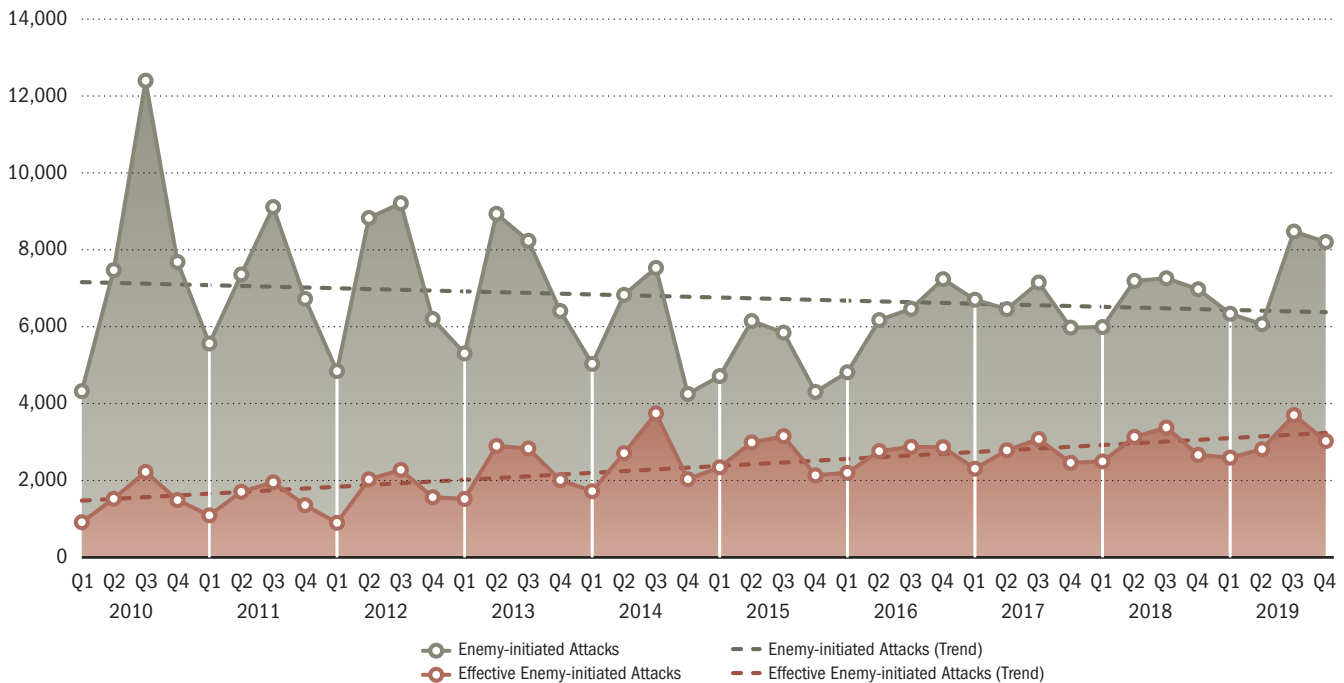
TABLE 2

CIVILIAN CASUALTIES DURING ELECTIONS: 2014–2019				
Status	2014 (Round 1)	2014 (Round 2)	2018	2019
Wounded	127	199	379	249
Killed	32	56	56	28
TOTAL	159	255	435	277

Source: UNAMA, *Afghanistan: Protection of Civilians in Armed Conflict: Special Report: 2019 Election-Related Violence*, October 2019, p. 1; UNAMA, *Afghanistan: Protection of Civilians in Armed Conflict: Special Report: 2018 Elections Violence*, November 2018, p. 1; Thomas Ruttig, “Afghanistan’s 2019 Election (19): An Ambiguous Picture of E-day Civilian Casualties,” *Afghanistan Analysts Network*, October 17, 2019.

FIGURE 5

ENEMY-INITIATED ATTACKS & EFFECTIVE ENEMY-INITIATED ATTACKS



Source: Combined Security Transition Command – Afghanistan, response to SIGAR data call, December 20, 2018, and response to SIGAR vetting, January 22, 2020, and January 25, 2020; SIGAR, analysis of data provided by Resolute Support, January 2020.

The number of enemy-initiated attacks across the country is another indicator of a security environment that is steadily deteriorating and likely affects each voter's calculation of whether a trip to the polls is worth the risk (see Figure 5).

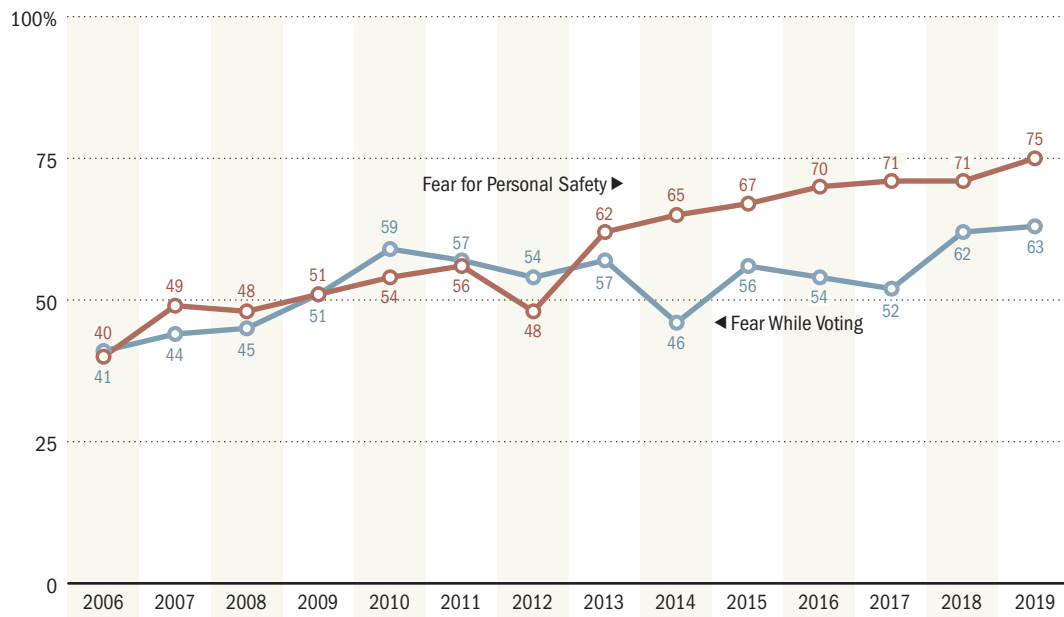
Public Perceptions, Voter Turnout, and Violence

Afghans' perceptions of insecurity may be a more useful metric than actual numbers of attacks for understanding how insecurity impacts elections. After all, even an increase in local violence will not change voters' behavior until they hear about the incidents from sources they trust and conclude that they are at a greater risk of harm. By the same token, voters' perceptions of danger are more likely to keep voters away from the polls than unpublicized security incidents. Simple perceptions may undermine the mandates of elected officials, and the credibility of elections along with it, regardless of facts on the ground.

Polling data indicates that Afghans' fear for their personal safety is at its highest level since at least 2006, after steady yearly increases (see Figure 6).¹⁵² On the other hand, fear for personal safety while voting shows a less consistent upward trend. In 2018, 62 percent reported that they were fearful of voting, which was higher than at any point since 2006, but not markedly higher than results in 2010 (60 percent) and 2013 (59 percent).¹⁵³

FIGURE 6

FEAR FOR PERSONAL SAFETY AND FEAR WHILE VOTING



Note: The question asked was, "How often do you fear for your own personal safety or security or for that of your family these days? Would you say you always, often, sometimes, rarely, or never fear for you and your family's safety?" The figure displays the percent who responded "always," "often," or "sometimes."

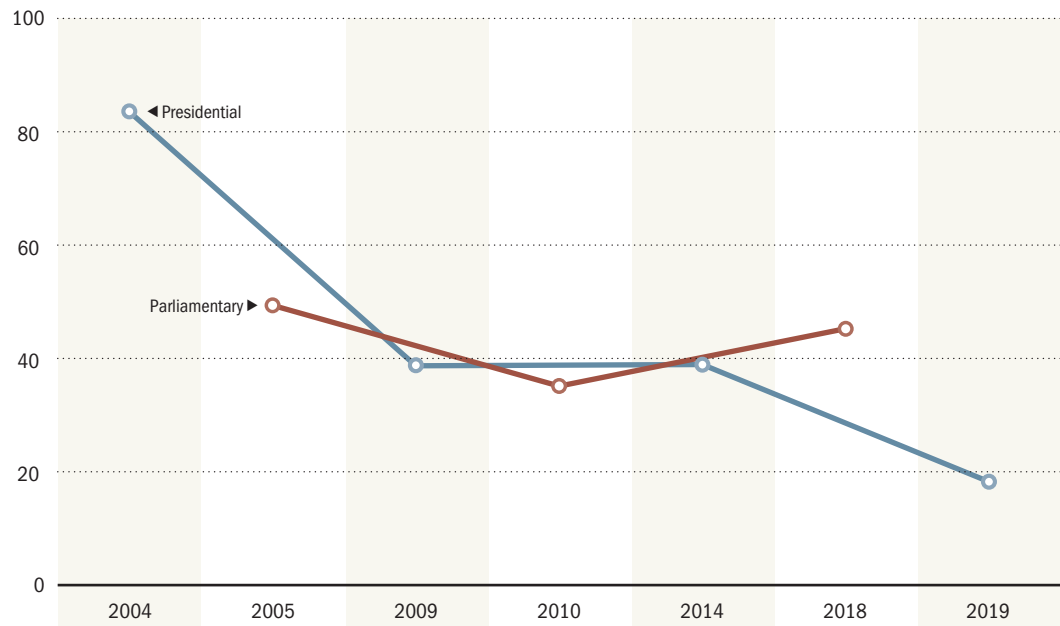
Source: The Asia Foundation, "A Survey of the Afghan People: Afghanistan in 2019," 2019, pp. 60–61; SIGAR analysis of data from The Asia Foundation Data Portal, accessed April 8, 2020.

There does not appear to be a clear correlation between Afghans' fear while voting and their actual voting behavior across election cycles. While reported fear while voting trended down from 2010 through 2017 before ticking up in 2018, voter turnout has trended down since Afghanistan's first election in 2004 (see Figure 7).¹⁵⁴ According to the Independent Election Commission's preliminary vote count, from January 2019, the total number of votes cast in the parliamentary election was 3,467,541, among the lowest of the seven national elections held in Afghanistan since 2004.¹⁵⁵ In certain localities, turnout was dramatically lower—including Kunduz, where only an estimated 7 percent of the voting-age population turned out on election day, and where only 25 percent of votes came from areas outside Kunduz city.¹⁵⁶ Although the Asia Foundation data does not indicate a strong correlation between security perceptions and turnout, within the 2018 election cycle there was a correlation between low turnout and fear for personal safety (see Figure 8).

It should also be noted that Afghans' levels of fear, or even their exposure to violent events, may not change voting behavior for certain individuals. Researchers have reported cases where Taliban violence was a secondary factor in dissuading voters, after their concerns about a feckless parliament and a corrupt election process.¹⁵⁷ Similarly, some polling data suggests that even individuals who have had personal exposure to violence are not consistently dissuaded from voting.¹⁵⁸ Yet it is fair to say that security is undoubtedly one of several factors affecting voter turnout. SIGAR analyses of available data point to a correlation at the district level between lower turnout and higher rates

FIGURE 7

TURNOUT AMONG REGISTERED VOTERS BY ELECTION TYPE



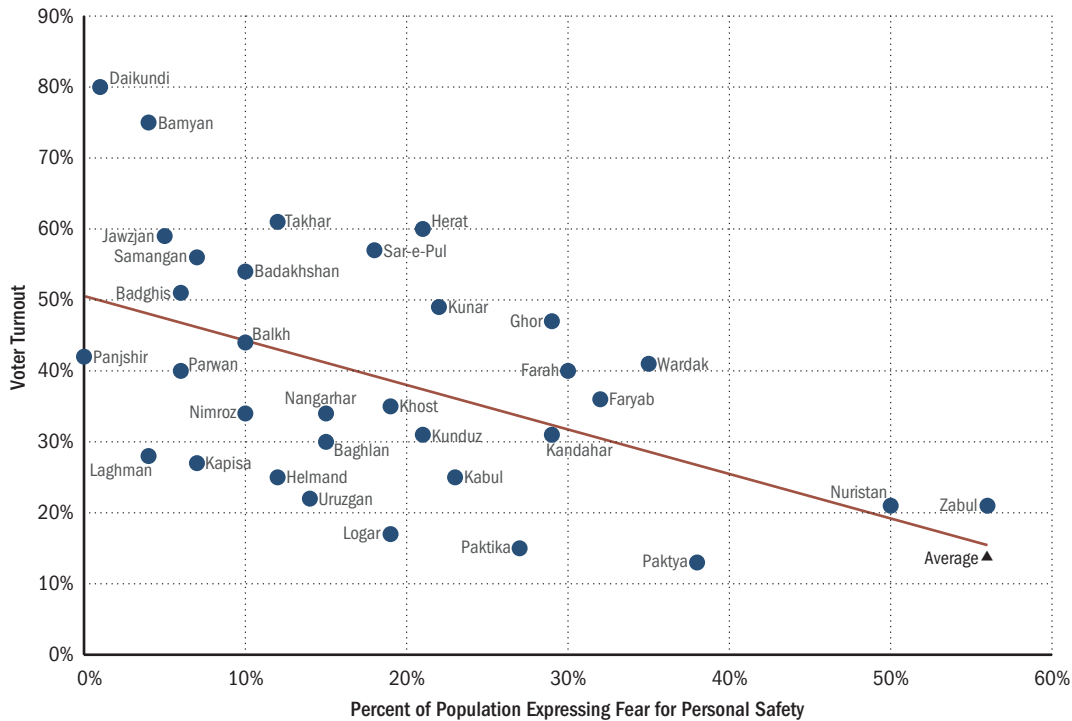
Year	Registered Voter Turnout	Total Vote	Cumulative Registration*	Voting Age Population Turnout	Voting Age population*	Population*	Invalid Votes
2019 (Presidential)	19.00%	1,824,401	9,665,745	9.63%	18,938,369	35,780,458	0.02%
2018 (Parliamentary)	45.23%	3,294,827	8,843,151	21.81%	18,340,292	34,940,837	9.96%
2014 (Presidential/ Prov Council)	38.90%	8,109,493	20,845,988	50.03%	16,208,255	31,822,848	1.68%
2010 (Parliamentary)	35.14%	4,216,594	12,000,000	29.71%	14,191,908	29,120,727	4.42%
2009 (Presidential/ Prov Council)	38.80%	4,823,090	12,430,644	35.06%	13,757,508	28,483,631	4.67%
2005 (Parliamentary/ Prov Council)	49.37%	6,406,615	12,977,336	51.71%	12,389,532	26,334,702	5.10%
2004 (Presidential)	83.66%	8,128,940	9,716,413	67.54%	12,035,602	25,697,635	1.28%

Note: * Estimated. As voter registrations and the total number of votes have both been subject to considerable fraud, there are limitations to analyzing the data in this table.

Source: International Institute for Democracy and Electoral Assistance, "Afghanistan: Voter Turnout by Election Type," accessed March 7, 2019; Ali Adili and Thomas Ruttig, "Afghanistan's 2019 Election (7): Dithering over Peace Amid a Lackluster Campaign," Afghanistan Analysts Network, September 16, 2019; SIGAR analysis of IEC data via Colin Cookman, "Total Votes Cast," March 2020.

FIGURE 8

FEAR FOR PERSONAL SAFETY VS. VOTER TURNOUT IN 2018



Note: Numbers affected by rounding. Ghazni is not represented on this graph as elections were not held there in 2018. The survey questions asked were, "Please tell me whether you would participate in the following activities with no fear, some fear, or a lot of fear (voting in a national election)." And, "How often do you fear for your own personal safety or security or for that of your family these days?"
 Source: Planning Directorate, General Directorate of Operations and Planning, "Joint Report of the ANDSF, Independent Election Commissions and the Independent Directorate of Local Origins in reference to After Action Review (AAR) of the Parliamentary Election 2018," October 28, 2018, p. 6; The Asia Foundation, "Afghanistan: A Survey of the Afghan People 2018," 2018; SIGAR analysis of data from The Asia Foundation Data Portal, accessed April 8, 2020; Afghan Central Statistics Organizations, List of Province Populations, 2018.

of insurgent activity, as defined by the Afghan Ministry of Interior and NATO's Resolute Support (see Figure 9).

Another possibility is that Afghans are simply growing more disillusioned with the Afghan government, or even the political system in general. Since the 2014 election, the perception that corruption is a major problem in daily life has grown, while satisfaction with democracy is down.¹⁵⁹ Social forces and informal leaders may also affect turnout, such as the portion of the *ulema* unaffiliated with the Afghan government, who generally instruct their congregants to not participate in the electoral process.¹⁶⁰

Ulema are bodies of Muslim scholars who are recognized as having specialized knowledge of Islamic sacred law and theology.

HOW TALIBAN AND INSURGENT VIOLENCE AFFECTS ELECTIONS

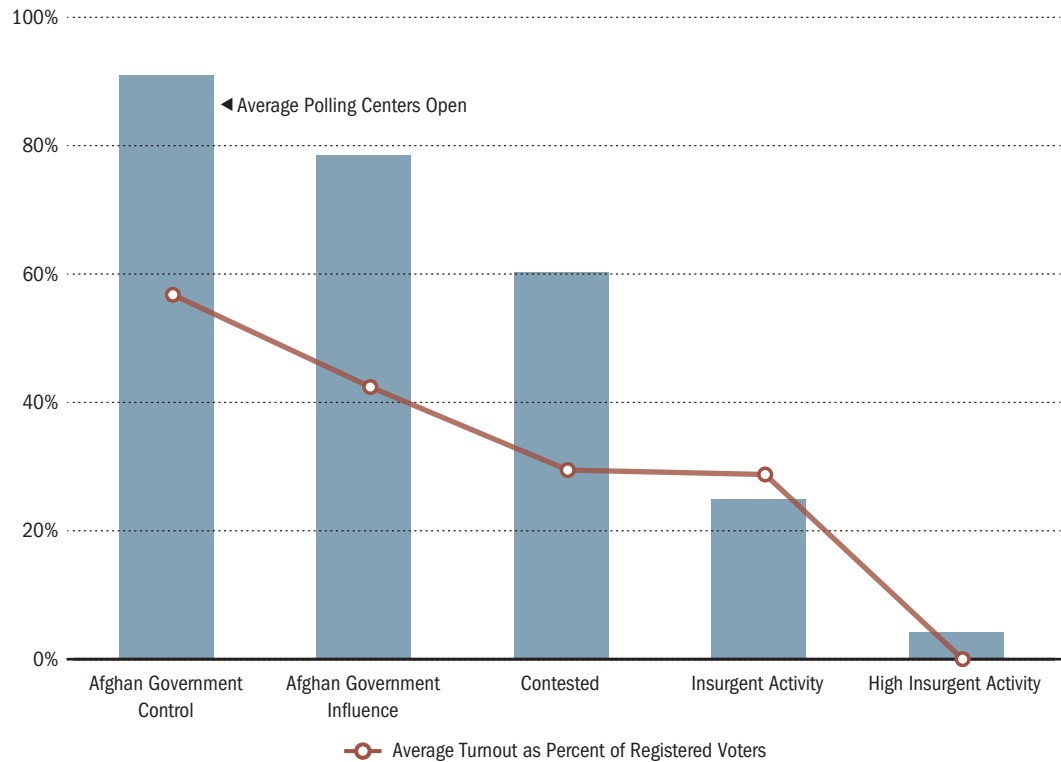
Violence and Lack of Security Impacts Voter Registration

Security problems have had a measurable impact on voter registration in Afghanistan. The registration process during the 2018 Wolesi Jirga elections illustrates the

Source: Oxford English Dictionary, "Ulema," accessed April 1, 2019.

FIGURE 9

OPEN POLLING CENTERS VS. VOTER TURNOUT VS. GOVERNMENT CONTROL BY DISTRICT IN 2018



Note: Numbers affected by rounding. District control criteria determined by Resolute Support Headquarters.

Source: Resolute Support, response to SIGAR data call, December 20, 2018, and September 20, 2018; SIGAR, analysis of data provided by Resolute Support, December 2018; Afghanistan Independent Electoral Commission, 2018 Parliamentary Election Turnout Data as of January 13, 2019. Previous Resolute Support methodology for determining district control comes from SIGAR, *Quarterly Report to the United States Congress*, April 2016, p. 96. Rationale for continued use of district control metric provided by SIGAR, *Quarterly Report to the United States Congress*, April 2019; IEC database of 7,385 intended polling locations; IEC database of final polling locations as of October 5, 2018.

ways security has affected registration, and by extension, democratization efforts in Afghanistan.

Voter registration for the 2018 election cycle occurred in three phases between mid-April and mid-July, with a separate window in late July for members of the military.¹⁶¹ From the start of the first phase of voter registration, insurgents attempted to disrupt the process by targeting registration centers and staff of the Independent Election Commission.¹⁶² There are signs that Afghan security forces strained to secure even the dramatically reduced number of voter registration centers (see below), despite the fact that voter registration was staggered to limit the number of centers that were open—and vulnerable—at any one time. In fact, the third phase of voter registration was postponed due to a shortage of security forces, who were not able to secure all three phases simultaneously.¹⁶³

One Resolute Support official told SIGAR that the extended period for voter registration created more opportunities for insurgents to disrupt the process and therefore made registration more insecure than election day itself.¹⁶⁴ While the vulnerability of a longer-

duration process is debatable—because in some ways it may be easier to disrupt a single-day event by channeling and focusing resources—it is certainly true that security during the voter registration process had a significant effect on the election process writ large. (For a broader discussion about the challenges of voter registration, see Chapter 4.)

Insecurity reportedly affected everyone in the voter registration process, since insurgents targeted any and all participants, including IEC staff, poll workers, and voters. In the case of election workers, there are documented cases of IEC provincial staff being abducted or resigning from their positions in the face of insurgents' threats.¹⁶⁵ In other cases, teachers were warned that their schools would be targeted by insurgents if they hosted polling centers on election day.¹⁶⁶

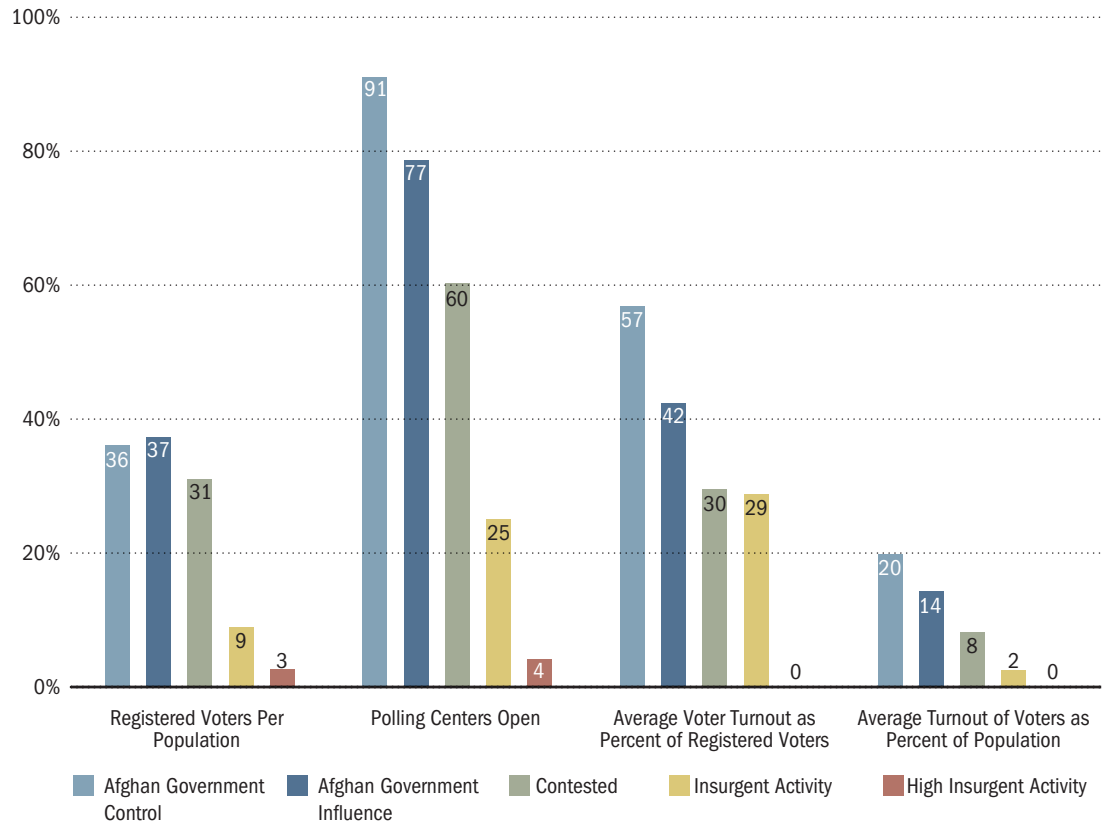
The Taliban also warned prospective voters to boycott the election or face violent retribution, and anecdotal evidence suggests their tactics were effective. UN contacts in Baghlan, Faryab, Farah, Ghazni, Paktiya, Paktika, Kunduz, Laghman, Badakhshan, and Samangan Provinces attributed low voter registration numbers in their areas to poor security.¹⁶⁷ The practice of affixing a voter registration sticker to the back of Afghan identification cards reportedly made it easier for insurgents to single out and punish those who had registered, such as in Badakhshan, where the group imposed a 100 percent identification check at various checkpoints along major roads to check travelers' identifications for registration stickers.¹⁶⁸ The threat of being singled out for retribution reportedly led some Afghans to withdraw their registration applications when they discovered it was mandatory to have a registration sticker affixed to their ID.¹⁶⁹ Likewise, a senior elections advisor pointed out in an interview with SIGAR that carrying an Independent Election Commission badge exposed election workers to similar personal risks, including the possibility of being killed.¹⁷⁰

Insurgents' efforts to derail the election went well beyond voter intimidation. Insurgent attacks during the election cycle led to the deaths of security forces, IEC employees, and civilians, although the Taliban appeared to eschew the kind of mass casualty events perpetrated by Islamic State–Khorasan near a voter registration center in Kabul in April 2018, which left scores dead or wounded.¹⁷¹

Attacks on voters and electoral commission staff came as little surprise, though, with Afghan security forces warning at the outset of voter registration that 11 districts were under insurgent control. Another 175 districts were at a high threat level, 58 were at a medium threat level, 26 were at a low threat level, and just 107 were considered safe.¹⁷² Thus, going into the voter registration period, the baseline level of security was poor across large swaths of the country, and poor security resulted in a dramatic reduction in the number of operational voter registration centers. Of the 7,385 planned voter registration centers, only 4,907—66.45 percent—were active. Of the remaining 2,478 centers, 222 were closed because they did not receive materials, and 2,256 were closed for security reasons.¹⁷³ The reduced number of polling centers not only

FIGURE 10

VOTER REGISTRATION, OPEN POLLING CENTERS, AND VOTER TURNOUT BY DISTRICT CONTROL DURING THE 2018 PARLIAMENTARY ELECTION



Note: Numbers affected by rounding. District control criteria and designations determined by Resolute Support Headquarters.

Source: Resolute Support, response to SIGAR data call, December 20, 2018, and September 20, 2018; SIGAR, analysis of data provided by Resolute Support, December 2018; Afghanistan Independent Electoral Commission, 2018 Parliamentary Election Turnout Data as of January 13, 2019. Previous Resolute Support methodology for determining district control comes from SIGAR, *Quarterly Report to the United States Congress*, April 2016, p. 96. Rationale for continued use of district control metric provided by SIGAR, *Quarterly Report to the United States Congress*, April 2019; IEC database of 7,385 intended polling locations; IEC database of final polling locations as of October 5, 2018.

complicated the registration process for some Afghans, but also their ability to cast ballots (see Figure 10).

According to the 2016 Electoral Law, voters must cast their ballots at the same polling center where they registered.¹⁷⁴ But because more than 2,000 voter registration centers were closed due to poor security, there was no point in opening those sites as polling centers on election day, even if security forces had been able to secure those locations.¹⁷⁵ In other words, having a system that requires voters to register and vote at the same location gives insurgents two opportunities to disrupt the electoral process at each location, with early disruptions causing significant downstream effects.

Afghans whose nearest voter registration center was closed were reportedly authorized to register and vote at the nearest operational center, but the Independent Election Commission assumed most of the affected citizens were unlikely to exercise that

option, possibly due to the increased risk of traveling twice to centers that were farther from their homes.¹⁷⁶ Perhaps as a consequence, there were sharp contrasts in voter registration turnout between provinces, with registration closures likely a contributing factor.¹⁷⁷ In Paktika, residents and provincial council members staged a sit-in at the provincial governor's office and threatened to disrupt voter registration and boycott the elections if voter registration centers were not opened in their home districts.¹⁷⁸ Ultimately, the Provincial Governor and Afghan security forces pledged to open 12 of the 77 closed voter registration centers.¹⁷⁹ Public protests like the one in Paktika indicate low voter turnout in some areas was not simply a result of lack of interest or enthusiasm, but also reflected fewer opportunities to participate.

Low voter turnout in some areas was not simply a result of lack of interest or enthusiasm, but also reflected fewer opportunities to participate.

On the other hand, it is also possible that fewer registration centers were not the primary driver of low registration rates. During the 2005 parliamentary election cycle, there were only 1,052 registration centers planned nationwide, and only three of them never opened, and even those closures were for non-security reasons.¹⁸⁰ Despite fielding only about 20 percent of the registration centers that operated in 2018, there were about 59 percent more votes cast in 2005, which suggests obstacles to registration may not have been a key determinant of poll numbers.¹⁸¹ Alternatively, the 2005 numbers may be misleading for a number of reasons, which could have influenced the count either individually or in combination. The vote may have been inflated by a larger share of fraudulent ballots, security may have been better during that period, or Afghans may have been more optimistic and eager to exercise their right to vote in the early days of their democratic experiment.

In an internal program document, the UN observed prior to the 2018 election that a dearth of voter registration in certain areas would undermine the credibility of election results.¹⁸² This is particularly problematic in a multiethnic, balkanized country like Afghanistan, where geography is often a proxy for ethnicity. Disenfranchisement via poor security has mostly affected voters in the majority-Pashtun south and east of the country, where levels of violence are higher. Those voters reportedly fear for their personal safety more than those in other less volatile areas.¹⁸³ But those in Pashtun-majority areas are not the only vulnerable group: In the 2018 cycle, the Hazara, a Shia religious minority ethnic group, were targeted.¹⁸⁴ On April 22, 2018, Islamic State-Khorasan carried out a suicide attack against a national ID distribution center near a voter registration center in a predominantly Shia area of Kabul, killing at least 60 and wounding more than 100.¹⁸⁵ Three days later, the Shia Ulema Council of Afghanistan asked congregants not to register to vote or apply for national IDs until the government reinforced security at registration centers countrywide.¹⁸⁶



Afghan police search voters before entering a polling station to vote, April 5, 2014. (UNAMA photo by Shafiqullah Waak)

The IEC conducted a voter registration drive for the 2019 presidential election from June 8 to June 29.¹⁸⁷ Voter registration was scheduled for 432 registration centers across 33 provinces (approximately one per district), and the IEC promised that registration would be open seven days a week.¹⁸⁸ The voter registration exercise enrolled an additional 822,594 individuals, bringing the total number of registered voters to 9,665,745.¹⁸⁹ The number of civilian casualties was significantly lower during the 2019 registration period than it was during the 2018 registration period.¹⁹⁰

Violence and Threats of Violence Result in Polling Center Closures

The 2016 Electoral Law obligates the IEC to establish polling centers that reflect the number and geographic distribution of voters across the country.¹⁹¹ Although the election law does not make ethnic balancing an explicit objective, the instruction to establish polling centers in a “balanced manner” could be interpreted that way.

The IEC began a polling center assessment and “balancing” exercise in July 2017. However, due to insecurity, some areas were beyond the reach of assessors.¹⁹² The UN would later report that 24 percent of polling centers across the country were inaccessible to IEC assessment teams, including polling sites in 33 districts in Helmand (6), Ghazni (4), Paktika (3), Kandahar (3), Uruzgan (3), Herat (3), Badakhshan (3), Kunduz (2), Faryab (2), Wardak (1), Farah (1), Baghlan (1), and Nangarhar (1).¹⁹³ But the inaccessibility of those sites did not mean they were automatically culled from the list of potential polling centers. Instead, the IEC incorporated inaccessible polling centers into the tentative list of approved sites in the hope that they could later be assessed during the subsequent Afghan National Defense and Security Forces’ polling center security assessment.¹⁹⁴ This meant that multiple secure locations were sometimes consolidated into one polling center as part of the balancing exercise, while the number of insecure locations was not affected by

the assessment. That uneven consolidation of polling centers may have resulted in a tentative list with a disproportionately large share of insecure polling centers.¹⁹⁵

Ultimately, the polling center assessment settled on a list of 7,355 conditional polling centers (see Chapter 4)—including inaccessible, newly created, merged, and relocated polling centers, representing a 2.4 percent increase over the number of polling centers in the 2014 presidential election.¹⁹⁶ Once the IEC compiled that list of polling centers, the Afghan National Defense and Security Forces initiated its own polling center security assessment, which began with the Ministry of Interior issuing a directive to the provincial chiefs of police who in turn requested polling center assessments from their respective district chiefs of police.¹⁹⁷ District chiefs of police assessed the threat level for each polling center as either low, medium, high, or outside government control, and relayed that information up the chain to the Ministry of Interior.¹⁹⁸

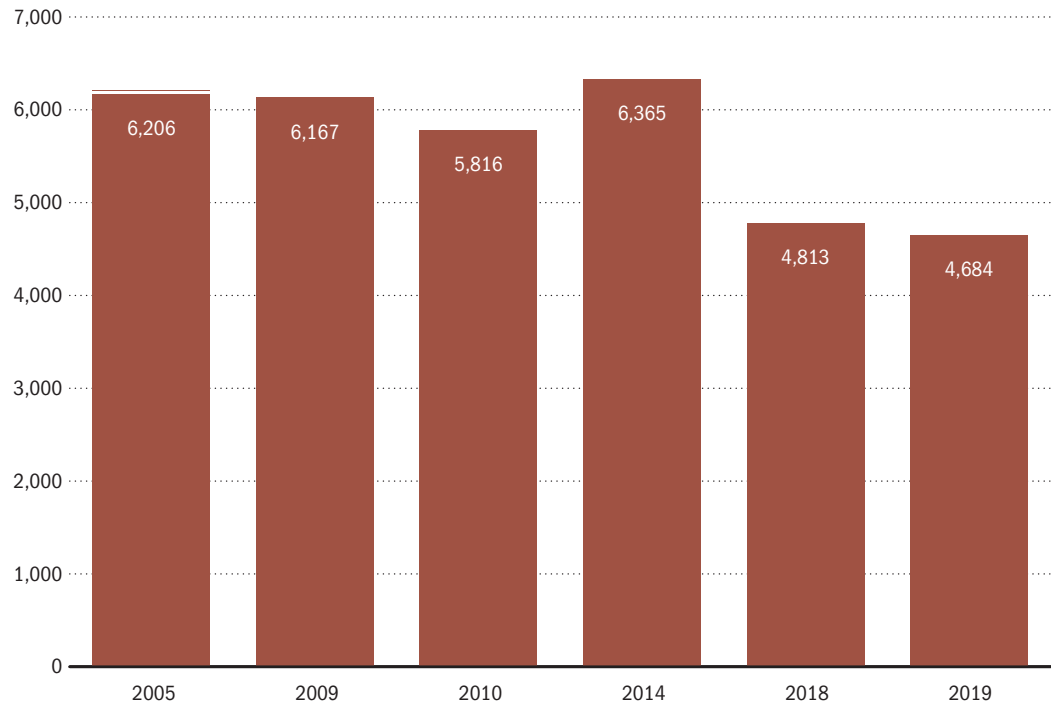
The resulting polling center security assessment, released in early 2018, found that 12 districts were inaccessible—far fewer than the 33 districts that were inaccessible to the IEC’s assessors, but still a significant increase over the number of districts that were inaccessible to Ministry of Interior staff in the 2014 presidential election.¹⁹⁹ On March 25, Murad Ali Murad, former senior deputy minister, informed the IEC that of the 7,355 polling centers on their tentative list, 1,122 were under medium threat, 1,120 were subject to high threat levels, and 949 (13 percent) were not under government control.²⁰⁰ The deputy minister also reported that ANDSF would not be assigned to the 13 percent of polling centers beyond government control.²⁰¹

The IEC used strict access and security requirements to determine which polling centers to open.²⁰² One condition for opening a polling center was the presence of Afghan security forces throughout the voting and ballot tallying process, beginning at least 48 hours before polls were to open.²⁰³ The IEC also stipulated that their representatives at the district level should be able to operate in the vicinity of polling center locations at least two months before election day.²⁰⁴ Those requirements meant that the 13 percent of polling centers that the ANDSF could not secure were essentially inoperable from the perspective of the IEC. American advisors to the Ministry of Interior said that the IEC also chose to shutter the 15 percent of polling centers designated as “high threat”—resulting in the combined advanced closure of approximately 28 percent of polling centers for the 2018 election.²⁰⁵

In many cases, by election day, the question of whether many polling centers would open or not was moot: Poor security had already disrupted voter registration at those locations. According to former IEC Chief Electoral Officer Shahla Haq, Afghan security forces informed the IEC that they could not secure approximately 2,000 registration centers.²⁰⁶ The fact that Afghans were required to vote at the same locations where they registered meant it made no sense to open those polling centers—even if security had improved in the interim—for the simple reason that no one could legally vote there.²⁰⁷

FIGURE 11

NUMBER OF OPEN POLLING CENTERS BY YEAR



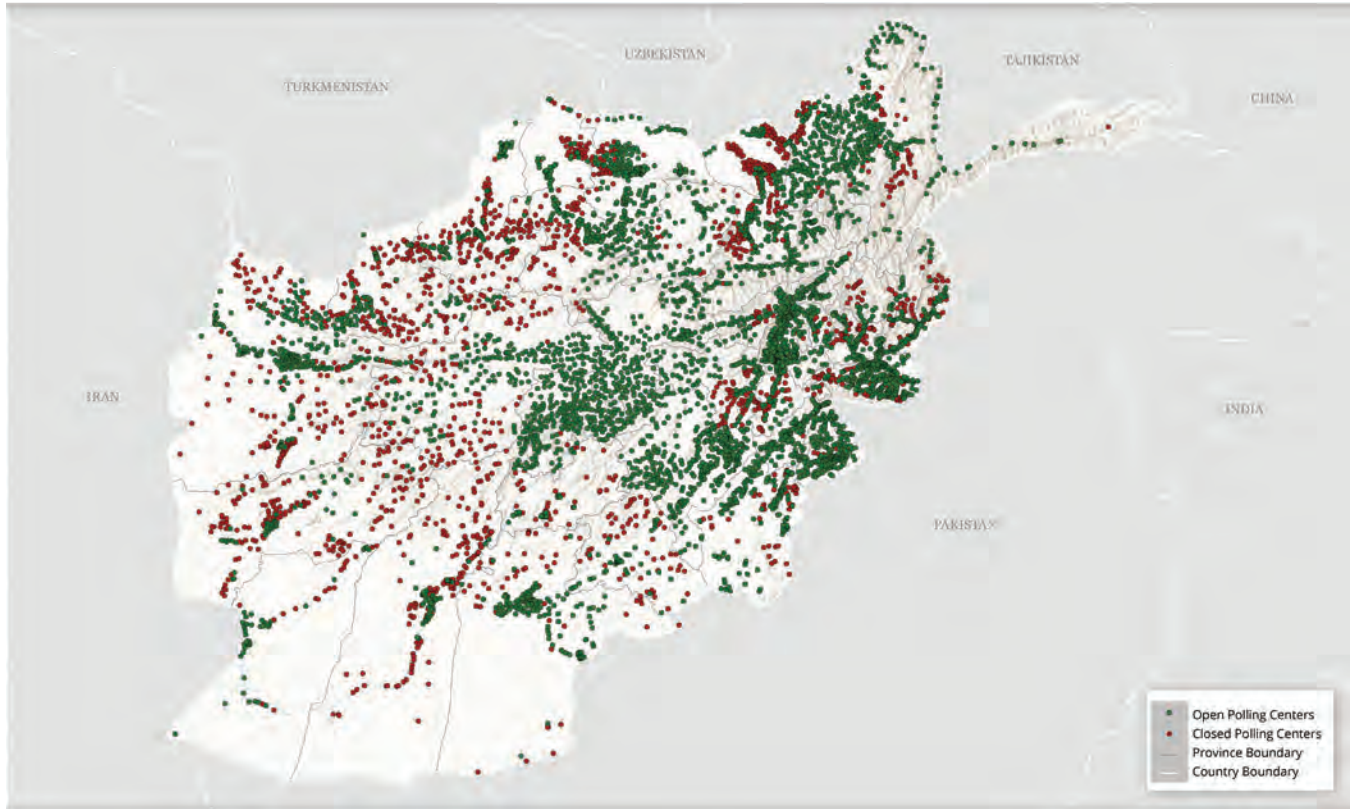
Source: Government of Afghanistan, Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 5; National Democratic Institute, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, p. 36; National Democratic Institute, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 16; National Democratic Institute, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., prepared under contract for USAID, p. 70; Government of Afghanistan, Planning Directorate of the General Directorate of Operations and Plans, "Joint Report of the ANDSF, Independent Election Commissions and the Independent Directorate of Local Organs in reference to After Action Review (AAR) of the Parliamentary Election 2018," October 28, 2018, p. 2; U.S. military official involved in Afghan elections, SIGAR interview, January 17, 2019; UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, 2019, p. 3.

The number of polling centers closed for security reasons usually grows as the election approaches. First, a large number are planned to be closed during the security assessment, then additional closures become necessary as the security environment worsens. Both categories of closures have been increasing in recent years (see Figure 11). Afghan security forces have taken countermeasures, such as clearing operations, but those efforts do not seem to have reversed the trend of fewer polling center openings.²⁰⁸

In 2019, closures were even worse. That year, the IEC compiled a list of 7,417 possible polling centers. After planning to close 2,044 of them for security reasons, the IEC had hoped to open a total of 5,373, basically using the same list as in 2018, plus 233 more polling centers for Ghazni, none of which had opened in 2018 (see Figure 12).²⁰⁹ However, the IEC announced shortly before the 2019 election that 431 additional polling centers would be shuttered on election day due to insecurity.²¹⁰ That was soon followed by another announcement that an additional 200 polling centers would close unexpectedly due to a Taliban offensive in the north.²¹¹ Using a slightly different counting method, the UN reported 689 closed unexpectedly, on top of the 2,044 already scheduled to be closed, for a total of 2,733 closures. This means only 4,684 (63 percent)

FIGURE 12

PLANNED POLLING CENTERS FOR 2019 PRESIDENTIAL ELECTION, BY STATUS



Note: SIGAR obtained separate lists of polling centers from sources within or associated with the IEC. Some just had numbers, others had names and districts of polling centers (some of which indicated the open/closed status of each), while others included the actual MGRS coordinates for the polling centers. SIGAR cross-referenced them all to identify locations of polling centers and their status for 2018 and 2019. In 2019 the IEC planned to open 5,373 polling centers and to close 2,044 centers. However, the UN says that 689 additional security-based closures took place shortly before election day 2019, the locations of which are unknown to SIGAR and are not depicted in this map.

Source: Independent Election Commission, various polling center location spreadsheets, 2019.

opened, making it the most shuttered election in Afghan history.²¹² Given that 233 more polling stations in Ghazni were added to the list of intended polling centers in 2019, the high number of closures that year compared to 2018 is even starker. Ghazni's openings should have removed hundreds from the list of closures, but they were offset by deteriorating insecurity elsewhere.

Closures have significant implications for the credibility of the election. The UN's technical assistance strategy for the 2018 elections aimed to make the process "sufficiently credible to re-legitimize governmental bodies," but did not specify what level of voter participation, in their view, constituted legitimacy.²¹³ The UN did specify one key assumption: that security conditions would permit the IEC to open at least 80 percent of polling centers.²¹⁴ If the base number is the complete, original list of over 7,000 polling centers, the UN's target was not attained in the September 2019 election. One expert with deep experience with elections security in Afghanistan regarded the

80 percent goal as unrealistic: The ANDSF could not secure that much territory, the expert said, nor could the IEC operate that many polling centers.²¹⁵

Still, the Ministry of Interior and representatives from NATO's Resolute Support mission report that nearly 95 percent of polling centers were open on election day 2018, with just 261 centers remaining closed for various reasons unrelated to security, such as a lack of material or staff.²¹⁶ While that may be technically true, it is also misleading: the Ministry of Interior and Resolute Support based their calculations on a total of 4,813 polling centers, not the IEC's initial list of 7,355 prospective polling centers.²¹⁷ The reasons for eliminating 2,500 polling centers from that initial list varied, but evidence suggests that insecurity was behind the vast majority of them.²¹⁸

In 2019, 4,684 (63 percent) of polling centers were open and 2,733 were closed, making it the most shuttered election in Afghan history.

While Resolute Support says that a total of 261 polling centers were unexpectedly closed on election day, the observer group Election and Transparency Watch Organization of Afghanistan (ETWA) reported that security issues alone—not to mention operational and logistical issues—caused 333 unexpected polling center closures.²¹⁹ By ETWA's count, the total number of closures due to a combination of insecurity, staffing problems, material shortages, or managerial problems could be significantly higher.²²⁰ The discrepancy between ETWA's field reports of polling center closures and the official numbers from the Ministry of Interior and IEC raise questions about the accuracy of the Afghan government's information. An analysis of IEC data suggests that 498 polling centers that opened on election day—nearly 10 percent—did not report results.²²¹

Likewise, the Afghan government's ability to conduct polling center assessments—and the United States' ability to judge the quality and reliability of those assessments—may also have shortcomings. One senior U.S. military advisor involved with the elections told SIGAR that Afghan security forces are capable of completing a security assessment of all polling centers within about 48 hours. But an Afghan government interagency review following the election revealed that some portion of security assessments were not sent up the chain of command from the provinces in a timely manner, suggesting the assessment process is not as streamlined as U.S. advisors may believe.²²² In reality, U.S. advisors have limited visibility on security conditions and Afghan government capabilities outside Kabul. SIGAR's impressions of election security were shaped mostly by the assessments Ministry of Interior officials provided to U.S. advisors, who were cloistered in Kabul due to the reduced U.S. military presence.²²³ Without access to the people and places involved in the assessments, U.S. personnel have no basis for objectively judging the assessment processes, let alone the products of those assessments. Instead, they must rely on information furnished to them by their Afghan partners, who have a vested interest in shaping perceptions of their own institution's performance.

Threats to Candidate Security

According to the 2016 Electoral Law, the campaign period is 20 days for Wolesi Jirga elections and 60 days for presidential elections.²²⁴ Although campaigns are short, candidate security is complicated by the volatile security environment and the sheer number of Wolesi Jirga candidates. Despite an active insurgency, only nine of 2,700 Wolesi Jirga candidates were assassinated in the 2018 campaign period, although that number represents an increase over 2010, when four candidates were assassinated.²²⁵

The number of candidate casualties is more likely to reflect their small campaign footprints and limitations in movement than the effectiveness of their campaign security. In both the 2010 parliamentary election and the 2014 presidential election, candidates told observer organizations that they were unable to campaign freely in different areas of the country due to a lack of security.²²⁶ Those attitudes were reflected in a survey of Wolesi Jirga incumbents in 2015, when a majority told the Free and Fair Election Forum of Afghanistan that candidate security would be a major problem in the next parliamentary election.²²⁷ In fact, several of the candidates who were killed were campaigning in major settlements, such as Kabul and Jalalabad, not Taliban-controlled hinterlands—an indication of the far-reaching effects of the security situation for candidates.²²⁸

The security environment may be easier for incumbents, since incumbents, unlike challengers, often have enough money to pay a personal security detail. In 2014, the National Democratic Institute observed that most provincial council incumbents were protected by personal bodyguards, while their challengers relied on the Ministry of Interior for protection.²²⁹ Multiple U.S. military personnel and advisors to the ministry who were involved in the 2018 elections told SIGAR that, at the Wolesi Jirga level, the ministry contacted and offered protection to all 2,700 parliamentary candidates but that most declined, preferring to arrange their own security instead of displaying an affiliation with the Afghan government.²³⁰ According to these officials, each candidate was offered two police officers or, if they declined that offer, could have two individuals of their choosing undergo government-certified security training.²³¹ The interviewees did not know how many candidates accepted protection from the Ministry of Interior.²³²

The assertion by ministry advisors that all Wolesi Jirga candidates were offered some kind of security was not always borne out by the experiences of the candidates with whom SIGAR spoke. Some examples:

1. A candidate from Nangarhar Province, Basharmal Afghanwrwr, told SIGAR that his staff met with security forces on the first day of his campaign and he was told that they would secure his campaign events as long as they were given 24 hours' notice. Afghanwrwr was satisfied with the protection the Ministry of Interior provided.²³³
2. Ali Akbar Jamshidi, a member of the Wolesi Jirga from Daykundi, said that he and other candidates in his province were not offered security assistance from the ministry, but candidates were able to request Afghan National Police escorts for the 20-day campaign period from the provincial chief of police.²³⁴

3. Zakia Wardak, a candidate from Kabul, told SIGAR that she was not offered security assistance from the Ministry of Interior, and instead relied on private security guards.²³⁵
4. Shinkai Karokhel and Atta Mohammad Dehqanpor, Wolesi Jirga members from Kabul and Ghor respectively, and Dawood Tapan, a candidate from Paktiya, all said that the ministry never offered them campaign security assistance, nor did they offer to provide training for private guards.²³⁶

In fact, according to the IEC's own Security Concept of Operations, Afghan security forces were not required to provide personal security to candidates—only to secure specific planned events, such as rallies and meetings for candidates.²³⁷ By that measure, it appears that some candidates received the required minimum level of support from the Ministry of Interior, while others did not. Likewise, some candidates, such as Afghanwrwr, were satisfied with the ministry's support, while others were not. Media reports at the time also mentioned some candidates' dissatisfaction with the ministry's reported unresponsiveness to their security requests.²³⁸

The need for security was made particularly apparent during the 2019 presidential campaign by two major attacks on or near candidates. The first, in late July 2019, appears to have been aimed at vice presidential candidate Amrullah Saleh, who was meeting with supporters in Kabul when a vehicle-borne improvised explosive device detonated outside his office and assailants stormed inside. An Afghan special police unit was able to end the attack, but not before 21 civilians had been killed and 50 more injured. No group claimed responsibility for the attack.²³⁹

The second attack occurred in Parwan Province in mid-September, when a suicide bomber detonated his explosives near a police training center hosting a campaign rally for Afghan President Ashraf Ghani. The attack resulted in 81 civilian casualties, including 30 fatalities and 51 injured. The July and September attacks combined accounted for more than 80 percent of election-related casualties in the pre-election period, according to the UN.²⁴⁰

OTHER SOURCES OF ELECTORAL CONFLICT AND VIOLENCE

Afghan Security Forces Secure Elections, but Some May Also Participate in Partisan Politics or Fraud

In addition to securing elections, the Afghan National Defense and Security Forces—made up of both the Afghan National Army and Afghan National Police—may have also played partisan roles and committed acts of fraud.²⁴¹ Afghan security forces reportedly performed admirably on election day in 2018, but according to a 2018 Afghan government after-action report, there were indications that some members of the security forces were the source of electoral conflict.²⁴²



Officials from the UN Development Programme and the European Union train Afghan police on securing polling stations for an upcoming presidential election, May 31, 2009. (UNAMA photo by Aditya Mehta)

According to a preliminary report by the observer group Election and Transparency Watch Organization of Afghanistan, ANDSF personnel reportedly campaigned for specific candidates or prevented election observers from entering polling centers.²⁴³ ETWA said such behavior occurred in Kabul, Helmand, Takhar, Nangarhar, and Kandahar.²⁴⁴ In an interview with SIGAR, Habibullah Shinwary, ETWA's program manager, said police may have mistaken observers for candidate agents and limited their observation activities based on that faulty assumption.²⁴⁵ Such a misunderstanding could be resolved through improved training or communication, but there were also situations, according to Shinwary, where the police were beholden to local officials who instructed them to obstruct observers.²⁴⁶ (For a more detailed exploration about how insecurity affects observer groups, see Chapter 8.) If true, the fact that the police who provided polling center security were typically from the same district or an adjacent district, and therefore were part of the area's social milieu, may have made them more vulnerable to co-optation by local authorities.²⁴⁷

Before the 2018 election, the UN warned that warlords with partisan interests would "challenge the neutrality of the police forces," implying that police forces may be intimidated into facilitating fraud.²⁴⁸ Warlords may indeed strong-arm local Afghan National Police, but there were other cases where the police seemed to need little coaxing. Zmarai Qalamiar, the IEC's former chief of field operations, portrayed the security forces as a potential local-level political actor which, along with local officials and powerbrokers, has a vested interest in influencing the outcome of elections.²⁴⁹

There were also signs of accountability in 2018: During the voter registration drive, the chief of police in Helmand's Nawa District was arrested on the orders of the provincial governor for alleged "electoral violations," marking the first time during the election cycle that a provincial administration in the south took action to combat such violations.²⁵⁰

Warlords and Powerbrokers Can Influence Elections, Especially in Insecure or Remote Areas

While government authorities may be able to use security forces to control polling centers in some areas, informal powerbrokers use private militias to shape outcomes in others. A report by the U.S.-based non-governmental organization National Democratic Institute noted that observers have described a range of tactics employed by militia commanders to influence voters, some of which afford commanders plausible deniability. These include staging fake Taliban attacks to stoke public perceptions of insecurity, or ordering their men to fire their weapons near polling centers the night before elections in an effort to lower turnout.²⁵¹

Armed groups also attempt to manipulate elections by threatening or intimidating polling center employees.²⁵² Ahmad Shah Zamanzai, the IEC's former chief electoral officer, told SIGAR that one of the greatest opportunities for fraud is at the polling center, where communication is poor and isolated poll workers are vulnerable to powerbrokers.²⁵³ In 2018, IEC employees and voters were targeted for intimidation on election day and while results were tallied in the weeks that followed.²⁵⁴

A brazen example of strong-arm tactics comes from freelance commanders who sell exclusive access to polling centers to the highest bidder.

Tactics comes from freelance commanders who sell exclusive access to polling centers to the highest bidder.²⁵⁵ Such hijacking of polling centers has been reported following all recent elections, at least through 2018.²⁵⁶ The Afghan government's security review of the 2018 election, for example, revealed that militia commanders and candidates in Paktiya seized ballot boxes from polling centers and moved them to their private residences in Janikhel, Mirzaka, Laja Mangal, and Jaji Aryub districts, as well as in Deh Sabz district of Kabul Province.²⁵⁷ According to Habibullah Shinwary, a program manager with ETWA, the last example occurred close to Kabul city, but observers have claimed that polling centers are captured more often in remote areas.²⁵⁸ The introduction of biometric voter verification technology in 2018 and 2019 may have mitigated the type of polling center capture described above.²⁵⁹

Islamic State Terrorists More Likely to Target Civilians

Based on the casualty figures from Taliban and Islamic State – Khorasan electoral violence incidents, it appears that the latter is more intent on killing civilians than the former. Based on UN data, in 2018 the Taliban were responsible for over 27 times as many election-related security events as Islamic State-Khorasan, but caused only 8.5 percent more civilian deaths (102 Taliban-caused fatalities versus 94 at the hands of Islamic State-Khorasan).²⁶⁰ On October 19, the day before the election, the Taliban's Military Commission said that the organization intended to close all major and minor roads and cautioned civilians against traveling on election day because they did not want "to harm any common Afghan."²⁶¹ At the same time, there were also reports that



An IEC official in Logar trains Afghan Army soldiers on voting procedures days before parliamentary elections, September 7, 2010. (U.S. Army photo by Pfc. Donald Watkins)

some local Taliban commanders were actually encouraging citizens to participate in the electoral process, contravening the objectives of the organization's leadership. In Badghis Province, a Taliban commander reportedly began encouraging citizens to register to vote after forming an alliance with local candidates.²⁶² According to National Democratic Institute, this also happened in Faryab, Ghor, and Balkh Provinces in 2010 when there were supposedly multiple accounts of Taliban figures either encouraging, or even threatening citizens for not participating in that year's Wolesi Jirga elections—albeit with instructions to vote for the local Taliban's preferred candidates.²⁶³

ELECTION SECURITY MANAGEMENT

The Independent Election Commission and the Afghan National Defense and Security Forces have shared responsibility for election security planning. The IEC provides key dates and security requirements to the ANDSF, which then develops plans to meet IEC requirements.²⁶⁴ Along with the IEC and ANDSF, the United Nations Assistance Mission in Afghanistan and NATO's Resolute Support mission also participate in election security planning for all phases of the election process, from the polling center assessment to voter registration, polling, and vote tallying.²⁶⁵ Meanwhile, the Electoral Complaints Commission is responsible for developing its own security plans, in conjunction with ANDSF.²⁶⁶

Elections security planning for the 2018 parliamentary elections began in earnest in March of that year when the IEC, with UNAMA's support, established the Elections Security Task Force, a body that comprised senior officials from relevant Afghan ministries, Resolute Support, and the UN.²⁶⁷ In the months that followed, periodic UN elections reporting described ongoing coordination among the various members of the task force.²⁶⁸

After the 2018 election, DOD praised the ANDSF for their outreach and coordination with the Afghan government's electoral institutions. The IEC's chief of field operations told SIGAR that coordination with security forces was better in 2018 than during any

previous election.²⁶⁹ Specifically, he said that multi-tiered, decentralized coordination and planning at the provincial level and below was a key improvement over the 2014 cycle, which was characterized by central planning in Kabul.²⁷⁰

While there may have been progress on interagency coordination over previous election cycles, U.S. military personnel supporting the Afghans in providing election security said there was still room for improvement at the provincial level—for example, by having an IEC liaison at the ANDSF provincial headquarters, where security information is housed, rather than an ANDSF liaison at the IEC provincial office.²⁷¹ The election commission’s own Concept of Operations document calls for IEC liaison officers to embed at all security command and control centers at the regional, provincial, and district levels, suggesting that the absence of an IEC liaison at the ANDSF provincial headquarters was caused by poor implementation or a lack of resources within the IEC, rather than a failure to recognize the importance of that additional level of coordination.²⁷² According to one U.S. military official, U.S. military personnel raised the issue on numerous occasions with the IEC’s UN partners, to no avail.²⁷³

Coordination challenges also may have existed at the highest levels of the IEC. According to a U.S. military official, the IEC security coordinator did not appear for weekly meetings with the Ministry of Interior “90 percent of the time” in order to avoid being held to account for various deliverables, ranging from the polling center assessments to timelines and other important guidance that the Ministry of Interior was requesting.²⁷⁴ That official also noted that the IEC’s absence and the delayed delivery of crucial information prevented the ministry from proceeding with critical security planning.²⁷⁵ The IEC did not deliver the final list of polling centers to the Ministry of Interior until two weeks before the 2018 election on October 20, even though the IEC’s own plans called for the list to be delivered in mid-August.²⁷⁶ The delayed release left the ministry with little time to figure out how to balance election security needs against normal policing activities.²⁷⁷ The UN observed that such situations compound the potential for damage by narrowing the margins for error and adaptation in a crisis-prone environment.²⁷⁸

According to a senior advisor to the Ministry of Interior’s deputy minister for security, many of the communication and coordination challenges that were evident in the 2018 election cycle had been hammered out by the 2019 presidential election. The advisor mentioned specifically that the IEC provided two liaison officers to the Ministry of Interior to partner with both the Afghan National Police planning cell and the National Police Communication Center. In the latter’s case, the IEC liaison collaborated with the National Police Communication Center on election material logistics. The advisor said the IEC also participated in exercises before the election, and attributed the IEC’s improved communication and participation to strong leadership among the police and at the Ministry of Interior.²⁷⁹

Since deadlines are well established and much of the security groundwork was established in previous election cycles, there should be little need for last-minute



IEC and MOI officials discuss security preparations for the upcoming presidential election at a press conference in Kabul, March 30, 2014. (UNAMA photo by Fardin Waezi)

electoral planning.²⁸⁰ According to a senior security advisor to the UN who participated in elections security planning for four election cycles from 2004 through 2010, international experts developed nearly all of the election security and logistics plans during the early elections, which then served as templates for future election processes.²⁸¹ The Afghan government reportedly became more involved around 2009 or 2010, and its level of involvement has continued to increase as foreign forces have drawn down.²⁸² Contemporary election security plans are modified iterations of plans developed in earlier years by the international community.²⁸³ Given that the 2018 election was the sixth national election to be held in the past 14 years, one might expect Afghanistan's electoral institutions to function better than they have.

AFGHAN SECURITY FORCES' PLANS AND PERFORMANCE

Polling centers are vulnerable on election day, which is a major challenge for Afghan National Defense and Security Forces. Polling centers are typically stationed in soft targets, such as schools, health facilities, and mosques, with the majority located in schools.²⁸⁴ The fact that the same facilities are used over several months for both registration and polling increases the time they are at risk.²⁸⁵ However, either increasing or decreasing the number of polling centers can have consequences. Having fewer polling centers allows security forces to concentrate their resources, but also gives insurgents the same advantage. More polling centers means committing to lighter security, but also requires insurgents to distribute their resources.²⁸⁶ Long lines caused by poll workers' inability to operate biometric voter verification devices or by a shortage of female searchers increased the risk to civilians by prolonging the time they spent at target sites.²⁸⁷ Some of these problems at the polling centers were the result of indecisive or incompetent bureaucrats in Kabul, illustrating how bureaucratic dysfunction creates real-world risks to citizens who participate in the democratic process.²⁸⁸

A range of elections experts, including international officials, observer groups, and employees of the IEC, praised Afghan security forces for their support on election days in 2018 and 2019.

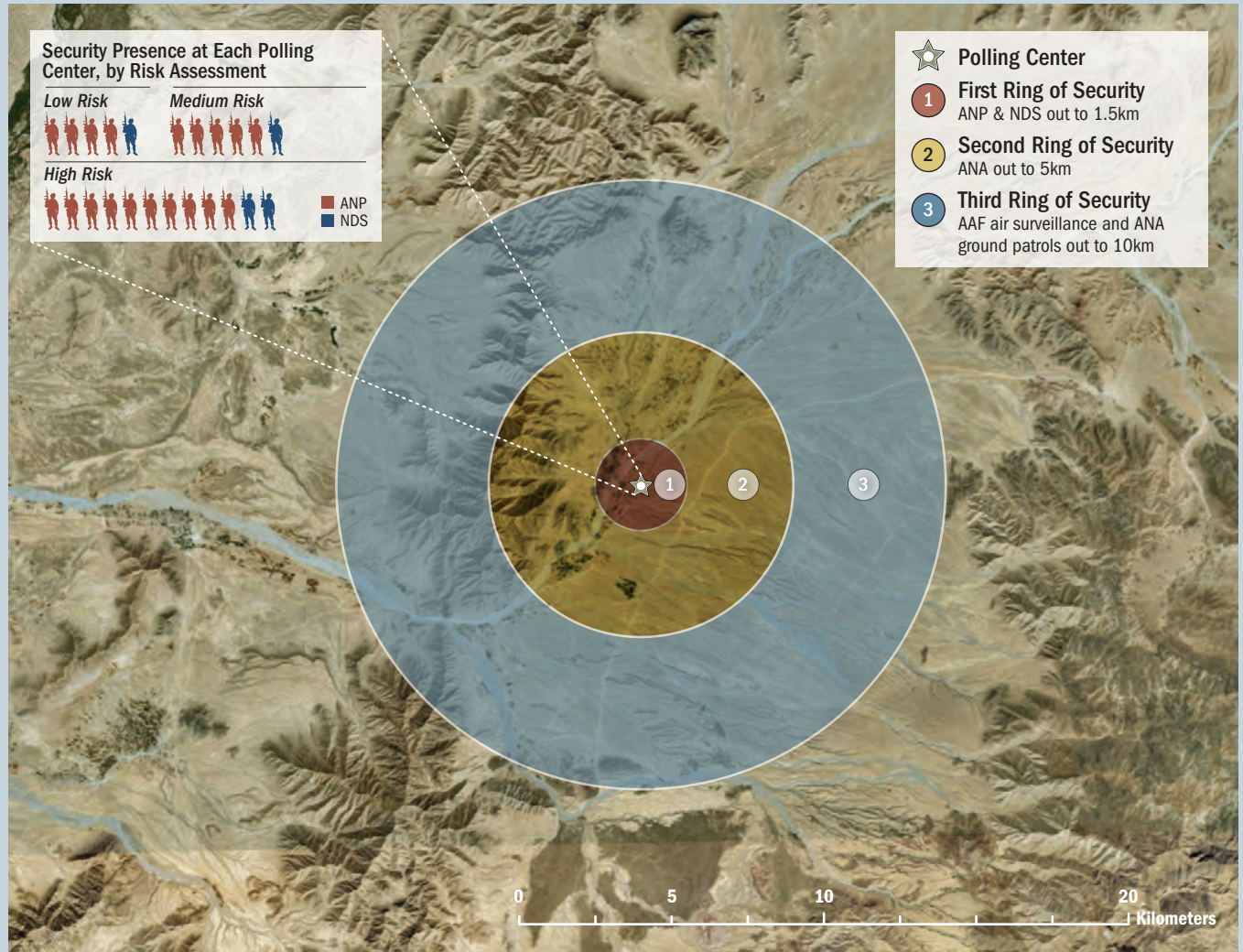
The 2019 election was the fourth election in which the ANDSF was fully responsible for securing election material and polling locations.²⁸⁹ The Afghan Ministry of Interior was the lead agency for electoral security, while the Ministry of Defense, the National Directorate of Security and, in extreme cases, NATO's Resolute Support mission provided additional support.²⁹⁰ The physical arrangement of forces, was the same as in previous elections: each polling place at the center of three concentric "rings of steel" security (see Figure 13).²⁹¹ The forces that conducted election security reported to a provincial operational command post.²⁹²

Other security operations included patrolling areas around polling centers.²⁹³ The Independent Election Commission's security plans called for ANDSF to continue securing polling centers after polls had closed and while ballots were tallied, and then escort electoral officials and materials from the polling centers to the IEC provincial offices.²⁹⁴

International officials, observer groups, and employees of the IEC all praised security forces for their performance on election day in 2018 and 2019.²⁹⁵ The U.S. Department of Defense observed that most attacks occurred outside population centers and noted that there were fewer high-profile attacks than expected, an outcome that they attributed to ANDSF's preparations.²⁹⁶

FIGURE 13

MINISTRY OF INTERIOR “RINGS OF STEEL” SECURITY CONCEPT FOR POLLING CENTERS



Note: Two female body searchers are present at each female polling center, regardless of security threat. ANA = Afghan National Army, AAF = Afghan Air Force, ANP = Afghan National Police, NDS = National Directorate of Security.

Source: U.S. military official involved in Afghanistan elections, SIGAR interview, January 17, 2019; Resolute Support elections official, email to SIGAR, March 11, 2019; Government of Afghanistan, Planning Directorate of the General Directorate of Operations and Plans, “Joint Report of the ANDSF, Independent Election Commissions and the Independent Directorate of Local Organs in reference After Action Review (AAR) of the Parliamentary Election 2018,” October 28, 2018, p. 7.



CHAPTER 3

CAPACITY OF THE INDEPENDENT ELECTION COMMISSION

DOD photo

Article 156 of the Afghan constitution, which establishes the Independent Election Commission, charges the organization with administering and supervising all Afghan elections.²⁹⁷ The IEC is responsible for elections from the level of the President down to district councils.²⁹⁸ Together with the Electoral Complaints Commission, it is one of Afghanistan's two election commissions and arguably the most important one since it plans and executes all elections. Because of this, it is also the Afghan election organization that has received the most attention from international organizations, donors, and program implementers, including the United States.

In theory, the IEC is a stand-alone, Afghan-led institution funded through the Afghan national budget that does not fall under the authority of either the executive, legislative, or judicial branches of government.²⁹⁹ However, the IEC remains highly dependent on the international community and at risk of being influenced by interests inside and outside the Afghan government.

To effectively prepare for and administer elections, the IEC must have certain qualities, both as an institution and at a staff level, that are in short supply. First, at the institutional level, the IEC must have the necessary structure to adequately address contentious issues. As it is, the laws, regulations, and conventions governing the IEC's roles, responsibilities, and internal communication hinder decision-making. Second, at the leadership level, the IEC needs individuals with the vision and discipline to plan for

long-term success and to quickly react to short-term developments. Instead, the IEC's leadership is often paralyzed by indecision and appears unwilling to take action today in preparation for tomorrow. Third, IEC staff must have the knowledge and skills to carry out their duties. However, post-election staff purges, inexperienced leadership, corrupt hiring practices, inadequate training, and a shortage of qualified job candidates have contributed to a poorly trained and poorly motivated workforce. Fourth, even for the leaders and staff who do have the knowledge and ability to do their jobs, the IEC must have the will and ability to hold them accountable. Yet with a few notable exceptions, IEC personnel have seldom faced consequences for incompetence or fraud, despite the existence of basic legal foundations for accountability.

THE INDEPENDENT ELECTION COMMISSION'S STRUCTURE

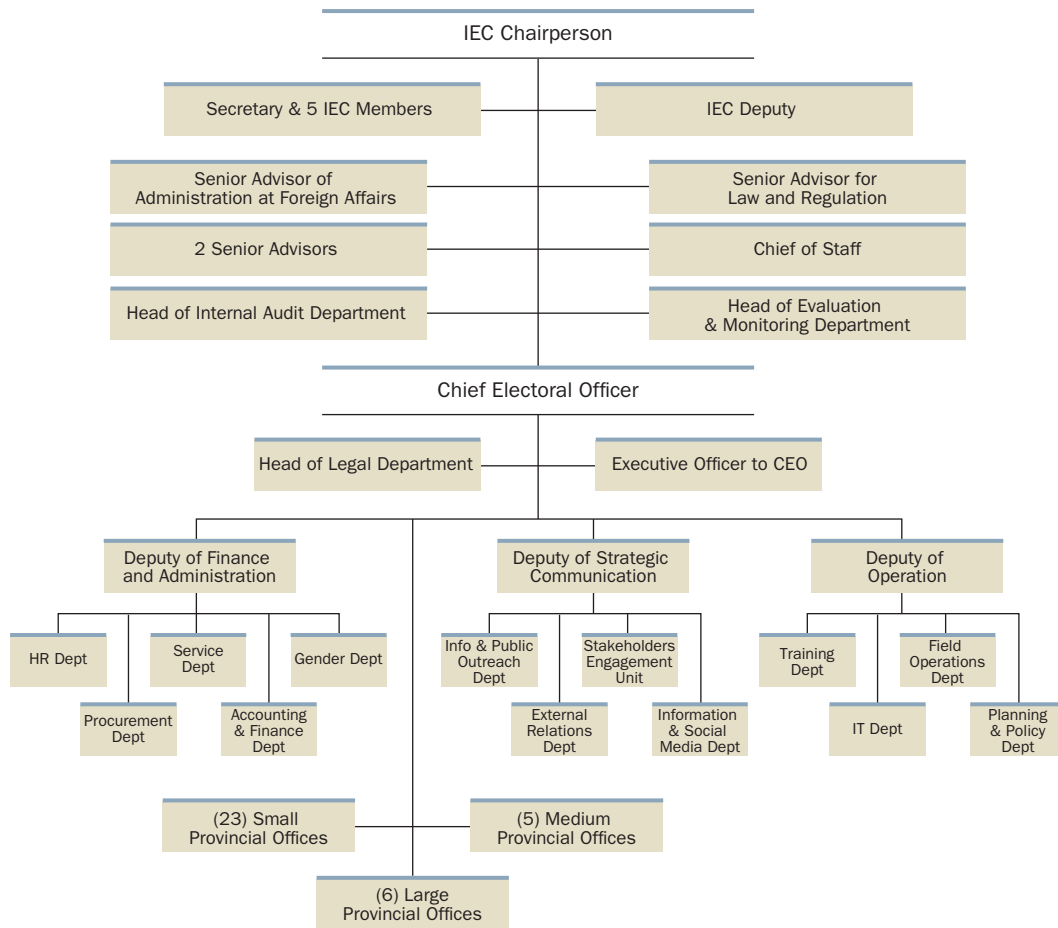
Within the IEC, the commissioners are referred to as “the Commission” and are responsible for policy development. The commissioners rank just above an operations-focused implementing body called the secretariat, which in turn presides over the provincial offices.³⁰⁰ The central commission is headed by a chairman, deputy chairman, and five additional members who develop policy and make decisions based on a majority vote of the seven total members.³⁰¹ The head of the IEC secretariat observes the commission's deliberations but does not vote on decisions.³⁰² The secretariat's chief electoral officer and three deputies—one for finance and administration, a second for operations, a third for strategic communication—are responsible for implementing the commission's decisions and regulations and for executing electoral operations, including candidate registration, voter registration, polling, and vote counting (see Figure 14).³⁰³

Below the secretariat, the IEC has eight temporary regional offices—in Kabul, Herat, Bamyan, Gardez, Kandahar, Kunduz, Jalalabad and Balkh—which oversee the 34 permanent provincial offices.³⁰⁴ The temporary regional offices, which operate only during election season, are meant to oversee the full range of electoral operations (such as logistics, public outreach, staff recruitment, and security monitoring) and to facilitate coordination between headquarters and the provincial offices.³⁰⁵

The 34 provincial offices each have four permanent staff members—a provincial electoral officer, a public outreach officer, an IT officer, and an administration and finance officer—who are sometimes helped by temporary staff.³⁰⁶ The provincial offices are also responsible for recruiting temporary staff, such as district field coordinators, civic educators, trainers, and polling center staff, to work at the district and polling center levels during elections.³⁰⁷ In 2019, for instance, the IEC tried to field approximately 200,000 polling staff spread across 5,373 polling centers and 29,586 polling stations.³⁰⁸ The same year, the IEC had 465 permanent government employees, and an additional 346 contractors, for a total of 811 personnel.³⁰⁹

FIGURE 14

STRUCTURE OF THE INDEPENDENT ELECTION COMMISSION



Source: SIGAR visualization of IEC, "IEC Structure," accessed September 8, 2020.

Vague Statutory Language Led to Mismanagement and Disputes at the Independent Election Commission

The IEC was established in 2006. In 2016, it underwent structural changes that reduced the number of commissioners from nine to seven, and reduced their appointments from six to five years. Throughout its first decade, other structural and organizational shortcomings became apparent. These ranged from province-level inefficiencies in the distribution of staff, who are currently apportioned by province rather than on the basis of population, to communication bottlenecks and problems with the organization’s legal foundations.³¹⁰

One basic problem is the vague statutory definition of the duties and powers of the secretariat and the commission.³¹¹ The 2014 “Law on the Structures, Duties, and Authorities of the Independent Election Commission and Electoral Complaints Commission” gave IEC commissioners the power to “monitor” the work of the secretariat and the IEC’s provincial offices, but it did not spell out what “monitoring”



The IEC commissioners and chief electoral officer hold a press conference after the disputed presidential run-off election, June 23, 2014. (UNAMA photo by Fardin Waezi)

entails.³¹² That law was superseded by the 2019 Electoral Law, which did little to add clarity.³¹³ This has led to disputes between the commission and the secretariat over their respective responsibilities.³¹⁴

It also led to micromanagement. According to Shahla Haq, the secretariat's former acting chief electoral officer, the administrative and operational aides assigned to each of the commissioners were so involved in the secretariat's work that they even interfered in the selection of the secretariat's drivers and cleaning staff.³¹⁵ Such micromanagement of secretariat hiring decisions slowed the process and delayed key appointments.³¹⁶

In interviews with an observer organization, the secretariat's staff described other ways in which the commission's meddling hindered the secretariat's work during the 2018 election. According to the 2016 Electoral Law, the chairperson of the commission has two deputies, one for operations and another for administration and finance, whose duties and responsibilities are delineated in an internal regulation, but not in the electoral law itself.³¹⁷ According to secretariat staff, the deputies' responsibilities overlapped with those of the secretariat's chief electoral officer. This made staff accountable to several supervisors, which meant that before taking any action, the staff needed to wait, sometimes for days, for multiple decision makers to reach a consensus.³¹⁸

The 2019 Electoral Law eliminated one of the commission's two deputies and gave the remaining deputy a more expansive role, which was never adopted in the IEC's internal documents, creating additional confusion.³¹⁹ Likewise, external efforts, such as the United Nations Electoral Support Program's 2018 attempt to "bridge the divide that exists between the commissioners and the secretariat in the interpretation of the law on their role, authorities and responsibilities" also failed to resolve leadership disputes.³²⁰ In comments to SIGAR, USAID noted that the 2019 Election Law amendments were designed to reduce confusion about roles and responsibilities between the IEC and ECC

on one hand, and between the Commission and Secretariat on the other. The impact of those amendments may become clearer over ensuing election cycles.³²¹

One senior elections advisor noted that laws governing elections have changed repeatedly, but the same problems persist.³²² While legal changes may have immediate and enduring impacts in international advisors' home countries, the effectiveness of legal solutions is diminished in countries like Afghanistan, where electoral management bodies do not necessarily follow formal rules.³²³ While this may complicate efforts to address the structural issues outlined above, it does not mean that structural dysfunctions should be ignored. The IEC needs both a clearly defined structure and accountability to ensure it benefits from established legal and regulatory frameworks. Finding a resolution to the IEC structural problems that would conform to international best practices is a challenge. The 2019 law was not enough to change the IEC, but instead had to be put into force via presidential decree—akin to an executive order in the United States.³²⁴ In theory, the commission should be able to tackle low-level issues such as the distribution of staff between provinces, but high-level structural reforms, channeled through a legitimate political process and involving agreement within and between the legislature and executive, will likely remain a challenge.³²⁵

Independent Election Commission Suffered from Poor Internal Communication

In theory, information at the IEC flows from polling centers through district field coordinators, provincial and regional IEC offices and then on to headquarters in Kabul, and vice versa. However, this model does not reflect the way the IEC operates in practice. In 2011, the IEC's own capacity-building plan highlighted "internal communications and coordination" as one of the key problem areas that needed to be addressed.³²⁶ The plan also cited communication between IEC headquarters in Kabul and provincial offices as a major problem.³²⁷

The 2011 plan also indirectly referred to poor coordination and poor understanding of roles among individual employees, noting that "each department must be aware of how their work impacts on others and also be committed to ensuring that their work is completed in a time frame that does not prevent others, who are dependent on them, from doing their own work in the required time frame."³²⁸

Seven years later, a 2018 lessons learned report produced by the UN Electoral Support Project described the same interdepartmental communication shortfalls and bottlenecks.³²⁹ Likewise, the UN Development Programme's 2018 Post Election Capacity Assessment Report mentions that the IEC's training and logistics departments, its gender unit, and its information and public outreach directorates all exhibited communication deficiencies.³³⁰ The IEC's 2018 lessons learned report, released in the wake of the 2018 Wolesi Jirga elections, also called for improved communication between the commission, the secretariat, and the provincial offices.³³¹ In early 2019, an international official and an IEC staff member recounted to SIGAR the persistent scope and scale of the organization's communication challenges.³³² The IEC's former chief of



IEC officials load ballot boxes onto a plane for the 2014 presidential audit, August 2, 2014. (UNAMA photo by Fardin Waezi)

field operations, Zmarai Qalamiar, told SIGAR that provincial IEC offices completely lose oversight of polling center operations in rural areas due to poor telecommunications connectivity and poor security.³³³

An international official with extensive experience working with the IEC offered SIGAR one insight into why communication and coordination problems have persisted for so long: “The IEC was so bad at communications that [another nation] even offered to send a communications specialist. . . . We tried to offer the IEC support and training on communications and in many other areas, but they refused. They said that they didn’t need any.”³³⁴ In comments to SIGAR, USAID said that the IEC had “outside strategic communications support provided by the international community,” with no further elaboration.³³⁵

Malpractice at the Independent Election Commission Exacerbates Fraud and Makes It More Difficult to Detect

Election malpractice is a failure to follow legal and regulatory processes and procedures due to carelessness, neglect, or incompetence.

Election fraud is a deliberate action to illegally influence, or otherwise undermine, the individual or collective will of the voters.

Electoral integrity is threatened by both **malpractice** and **fraud**. Malpractice plays a role in every Afghan election, but it was particularly evident in the 2018 parliamentary election. According to one election observer group, 38 percent of polling centers were missing critical materials, and only 12 percent opened on time.³³⁶ By noon on Election Day 2018, one of the country’s major observer organizations, the Free and Fair Election Forum of Afghanistan, had declared that “the situation is out of the control of the IEC.”³³⁷

Malpractice also makes it more difficult to discern fraud, giving perpetrators of fraud a convenient cover for irregularities.³³⁸ In addition, malpractice in the implementation of procedural safeguards undermines the effectiveness of key anti-fraud innovations, such as the introduction of biometric voter verification in 2018.³³⁹

Poll workers were not well trained on biometric voter verification technology in 2018 because it was adopted too late in the election cycle; training was either curtailed or nonexistent.³⁴⁰ Staff struggled to use biometric devices and many polling stations

Source: IFES, 2018 *Electoral Integrity Assessment*, p. 4; SIGAR analysis.

abandoned them altogether, which helps explain why approximately one in every five votes was cast without biometric voter verification.³⁴¹ In addition, many biometric devices reportedly malfunctioned or ran out of battery power, making them useless at locations without electricity.³⁴² In the aftermath of the election, the inconsistent use of biometric voter verification across polling centers made it difficult to determine whether the election was afflicted more by electoral malpractice or electoral fraud.³⁴³ Afghanistan analyst Martine van Bijlert observed that the Afghan government adopts fraud mitigation measures that are stringent on paper, but are not implemented properly or consistently.³⁴⁴

LEADERSHIP CHALLENGES AT THE INDEPENDENT ELECTION COMMISSION

The IEC leadership's performance has been found lacking by a range of domestic and international observers, analysts, and government officials, both foreign and domestic.³⁴⁵ Even in the most recent Wolesi Jirga elections, held nearly two decades after the country emerged from the Taliban era and well over a decade after the IEC was founded, the organization was widely criticized for management and implementation failures.

Independent Election Commission Leaders Struggled to Set and Meet Timelines

According to international elections experts and even the IEC's own staff, the inability to establish and follow timelines has been a recurring issue.³⁴⁶ In early 2019, Zmarai Qalamiar, the IEC's head of field operations, observed that time management was one of the biggest challenges confronting the organization in the 2018 Wolesi Jirga election, and he accurately predicted it would be a factor again in the 2019 presidential election.³⁴⁷

Part of the problem was that the timeline itself was delivered late. Shahla Haq, the former acting IEC chief electoral officer, said the seven-member commission that oversees the organization was apathetic and unable to properly prioritize tasks, which contributed to election timelines being announced closer and closer to election day. In 2014, for example, the election timeline was announced one year before voters went to the polls, but that lead time had fallen to just five months for the 2018 Wolesi Jirga election. Even the 2019 presidential election timeline was made official less than a year before election day.³⁴⁸ Another factor affecting timelines is interference from politicians who reportedly move deadlines, struggle to establish a final budget, or otherwise interfere in the work of the IEC.³⁴⁹

The compressed timelines put the secretariat—the operational component of the IEC—under a great deal of time pressure and has led to delays in implementation, including the creation and delivery of voter lists, which the IEC was still printing just two days before the 2018 Wolesi Jirga election.³⁵⁰ Voter lists arrived at polling centers at the last minute or not at all. One domestic observation organization said 21 percent of polling centers it observed did not have voter lists, and the remaining 79 percent suffered from missing names or other incorrect data.³⁵¹ Some polling centers received the wrong voter list, leaving voters to wander from center to center in hopes of finding their name.³⁵²

Although the compressed timeline was not the sole cause of this outcome, it was a contributing factor. Other aspects of implementation were likely affected, too. For example, short notice may have been one of the reasons some polling staff did not show up at polling stations on election day.³⁵³

The IEC's inability to make important but routine decisions not only disrupts IEC electoral preparations, but also those of critical partner institutions, including security services. One U.S. advisor to the Ministry of Interior said senior IEC officials instructed their liaison to skip meetings with the ministry to avoid being held accountable for critical deliverables, including the elections timeline. The advisor said that if the information the liaison was supposed to convey, such as a polling center assessment or pay rates for female searchers, was not ready, "most of the time the IEC tells him not to show [up]." As a result, "we were left struggling because we didn't have a timeline for guidance. Even for the planning for logistics, like the movement of materials, if we don't get the proper information, then our planning will not go any further."³⁵⁴

There are several reasons for the IEC's delayed delivery of the election timeline. Some delays are the result of factors beyond the control of the IEC, such as the passage of new legislation, the appointment of new commissioners, or the proposal of new methodologies late in the cycle.³⁵⁵ According to an international official, IEC decisions were also delayed because President Ghani did not effectively delegate responsibility for elections.³⁵⁶

The IEC's leaders struggled to reach a consensus on critical decisions even when urged to do so by international advisors, and wound up deferring a resolution until the last minute.³⁵⁷ In an interview, one international official described how members of the international Electoral Support Group spent hours urging commissioners to make a decision about how to address duplicate tazkeras (national identification cards). Despite their effort, the IEC did not make a decision for another 48 hours. As the international official observed, "It took a huge amount of diplomatic heavy lifting to get the IEC to make an essential decision. This shouldn't be the role of the international community at this stage of Afghanistan's democratic development."³⁵⁸ The UN had warned before the 2019 presidential election that delayed decision making was a risk to the election, along with poor security and fraud.³⁵⁹

"It took a huge amount of diplomatic heavy lifting to get the IEC to make an essential decision. This shouldn't be the role of the international community at this stage of Afghanistan's democratic development."

—International official

One international elections advisor pointed out that mature election management bodies in other countries rely on risk managers, who identify critical decision points that

could cause an election failure if they were missed—for example, a date when election materials must reach polling centers. The risk manager might determine how long it will take to get the materials from the capital to the polling centers, and if the election materials are not ready by that date, election managers will know the election needs to be canceled or adjusted. Asked why that role does not exist in Afghanistan, the elections advisor said, “It is my hunch that it is just a matter of human nature that we don’t want to know what is going wrong. Without a systematic approach to identifying these critical stress points, people tend to bury their heads in the sand and ignore the problem.”³⁶⁰

Limited Human Capital in Afghanistan

Recruiting talented civil servants is a problem that extends well beyond Afghanistan’s electoral commissions. According to the World Bank, Afghanistan suffers from “extremely low levels of human capital resulting from years of underinvestment.”³⁶¹ In 2018, the Bank ranked Afghanistan 133 out of 157 on its Human Capital Index. On average, each Afghan is 39 percent as productive as she or he would be with better education and healthcare.³⁶² Moreover, 57 percent of the population is illiterate; the life expectancy is less than 53 years; the average age of new mothers is less than 20; and the infant mortality rate is the highest in the world.³⁶³ After 40 years of conflict, these limitations create predictable constraints on the quality of the country’s civil servants—particularly at an institution like the IEC, which operates in a demanding, high-visibility environment.

Some advisors attributed the IEC’s inability to manage time and meet deadlines to a lack of foresight.³⁶⁴ By other accounts, though, the IEC’s shortcoming is a simple unwillingness to take action today in preparation for tomorrow.³⁶⁵ Both U.S. and international officials told SIGAR that Afghans they worked with tended to wait until the last minute to take action when confronted by a burgeoning crisis—until it is no longer feasible for them to handle the problem on their own and international advisors must intervene.³⁶⁶ Another western donor official said that when the IEC is not developing operational plans or budgets, or when they are not purchasing required materials, the UN will step in and complete the task for them. This raises questions about the IEC’s ability to operate independently.³⁶⁷

The Independent Election Commission’s Lack of Strategic Planning

Despite establishing a strategic planning committee in 2005, the IEC has done little actual strategic planning, and the plans it has made have been deficient.³⁶⁸ For example, one document stated that one strategic goal was “proving the IEC as one of the best institutions in the country.” The purpose and means for achieving that goal were unclear.³⁶⁹

While the IEC has professed the importance of planning so the agency can be productive in the periods between elections, it seems that existing plans were never followed.³⁷⁰ Rather, the IEC has been more reactive than proactive, constantly moving between issues without setting priorities.³⁷¹ In the run-up to the 2018 election, for instance, the IEC was reportedly working on basic institutional structural issues, such

as outlining the responsibilities of the commission versus the secretariat and voter lists—issues that could have been tackled at any point in the intervals between the six previous elections.³⁷²

IEC engagement on strategic planning also seems to rise and fall in tandem with donor funding. For example, strategic planning came to a standstill after the 2014 election, when donors pulled most of their funding from the IEC and decreased their political focus on elections.

The Independent Election Commission's Lack of Operational Planning

There are also gaps in the IEC's operational planning abilities.³⁷³ In mid-August 2018, just two months before the parliamentary election, a senior elections advisor told SIGAR that a true operational plan, which he argued should have been produced a year before election day, did not exist in the 2018 election cycle. That advisor was dismissive of a plan produced by the IEC in June 2018, calling it “terribly generic” and missing critical details.³⁷⁴ An April 2018 International Foundation of Electoral Systems (IFES) assessment of electoral preparations expressed similar concerns, noting that “neither the IEC nor ECC have begun developing operational plans to guide preparation of other fundamental parts of the electoral process, drastically increasing the risk of malpractice.”³⁷⁵ The IFES 2018 post-election assessment outlined how the IEC's poor planning, combined with weak institutional arrangements, undercut the agency's capabilities during the election. The report noted:

The absence of strategic and cyclical operational plans, risk mitigation strategies, and a comprehensive set of regulations and procedures upon which training programs must be built further impedes the training department's ability to carry out its duties in a timely and efficient manner. The IEC's piecemeal, short-term, and last-minute approach to planning and preparedness decreases the likelihood that the training department can deliver the right training, to the right people, at the right time with corresponding ramifications for election integrity. Taken together, these factors present significant vulnerabilities with correspondingly high probable impacts for election integrity.³⁷⁶

Likewise, IFES warned that “the IEC does not have in place, nor is it developing, a comprehensive fraud control plan to address acknowledged fraud risks (drawing on lessons from the highly-fraught 2014 election)” —even though IFES assessments had recommended that it create one in its 2013 report and again in 2015.³⁷⁷

INDEPENDENT ELECTION COMMISSION STAFF OFTEN LACKED THE KNOWLEDGE, EXPERIENCE, AND SKILLS TO DO THEIR JOBS

The IEC suffers from consistently high personnel turnover and a limited pool of qualified applicants, meaning that it is perpetually building itself almost from scratch.³⁷⁸ The IEC admitted as much in a report following the 2018 parliamentary elections, saying it has faced a shortage of human resources since its inception. That shortage has grown more acute as the international advisors who once filled the staffing void withdraw.³⁷⁹ The dearth of personnel stretches across all IEC departments and at all levels.³⁸⁰ Following the 2018 parliamentary elections, Zmarai Qalamiar described the situation from his perspective as the IEC's chief of field operations: “Four to five directors at the HQ are



With the help of UN advisors, IEC officials conduct a dry-run for data entry for the presidential election audit, August 10, 2014. (UNAMA photo by Fardin Waezi)

missing. At the [provincial IEC offices] we have a lot of provincial directors missing. Most of the officer-level people are missing. . . . [Little has been done to] fill the vacant positions and to build the capacity of the staff.”³⁸¹ Qalamiar’s concerns were echoed by a UN Development Programme assessment of IEC capacity, which also pointed out staff shortages, a lack of experience, and an inability to devise new ideas.³⁸²

Part of the reason for the IEC’s lack of staff is that the agency simply does not hire people, including for senior positions, even when advised to do so by their international counterparts.³⁸³ For all of 2018, the IEC’s vacancy rate exceeded 25 percent of its 457 full-time positions—yet at the end of the year, it submitted a request to the President’s office for another 144 full-time positions.³⁸⁴ It is unclear why an organization with such a high vacancy rate would want to add more positions before it filled the ones already open.

The IEC has also had problems with getting rid of unproductive or incapable staff. Two observer organizations alleged that IEC staff are hired based on their connections to hiring managers, not their knowledge and abilities.³⁸⁵ If those hires prove unable to perform their duties, rather than replace them, the IEC simply shifts their responsibilities to other staff.³⁸⁶ When made, firing decisions have often also been dictated by personal connections and political winds, according to an Afghan elections official and a senior elections advisor.³⁸⁷ A senior elections official told SIGAR that although the Civil Service Commission appropriately screens job candidates, the IEC chooses candidates based on social connections, favors, or bribes.³⁸⁸

The constant churn of personnel depletes knowledge, skills, and institutional memory.³⁸⁹ According to UNDP, it also has “administrative, operational, and financial implications.”³⁹⁰ Another senior elections advisor to the IEC said some senior staff who the agency appointed during his tenure were “less competent, undertrained, or

technically inexperienced” than the staff they were replacing.³⁹¹ A senior elections official shared a similar sentiment, saying higher-level management positions are actually more likely to be filled with underqualified candidates than mid- and junior-level staff.³⁹² Greg Minjack, an elections advisor with Democracy International, said there are not enough qualified people in the country to fill the open billets to begin with.³⁹³

The lack of knowledge exhibited at the most senior levels of the organization is reflected at the province level and below, where significantly more positions must be filled.³⁹⁴ Even in cases where qualified and educated staff were available, it may have been difficult to recruit and deploy them to insecure areas. Instead, the IEC was forced to rely on less capable candidates who live in insecure areas or are more comfortable traveling there.³⁹⁵

Qualified polling center staff, particularly female staff, are in short supply, and when staff are hired with inadequate training or skills, mistakes happen.³⁹⁶ Even the IEC’s senior officials have admitted that hundreds of results sheets were affected by incompetent polling center staff during the 2018 election. In some cases, staff were unable to correctly fill the results sheets or to pack elections materials properly.³⁹⁷ These problems were compounded as staff were introduced to new technologies, such as the biometric voter verification system.

As of the 2019 election cycle, there was reportedly only one permanent poll worker trainer at the provincial level, and most provincial-level trainers were short-term hires. This was also true at the district level, where training staff are hired anew each election cycle on a two-month contract. Within that two-month window, the temporary trainers, who often have little direct elections experience, must themselves be trained before training the next echelon of staff.³⁹⁸ This system has proven inadequate for the number of staff that must be trained. During one training window in 2018, for example, 113,070 trainees were generated by 33 training sessions over 71 days.³⁹⁹ There were reports of poor trainer conduct, including condensing multi-day trainings, skipping sessions, and attempting to train large groups. The International Foundation of Electoral Systems identified these problems in 2015, and witnessed them again in 2018.⁴⁰⁰

As one international official put it, “There’s been a lot of physical infrastructure investment, fixing up the IEC compound, buildings, and providing equipment, but I think the areas where we haven’t seen a huge benefit is in the investment of the people.”⁴⁰¹ Although there may indeed be examples of permanent IEC employees receiving training in Afghanistan, and even abroad, those efforts do not seem to be systematic. A senior IEC official with knowledge of the organization’s training activities reported in late 2019 that permanent staff had not received any training for at least a year.⁴⁰²

The IEC’s lack of investment in its people is reflected in its ineffective work culture. IEC personnel, elections experts, and observers have all noted poor time management, a lack of foresight and planning, low motivation, idleness, and neglect of official job duties.⁴⁰³ In a 2018 report, the UN Development Programme described how some IEC employees



A UN advisor mentors IEC officials as they prepare for the audit of the 2014 presidential election, August 14, 2014. (UNAMA photo by Fardin Waezi)

suffer from a lack of commitment, dedication, enthusiasm, and motivation, in part because of corrupt hiring practices that dole out positions to family and friends who do not fulfill their duties.⁴⁰⁴

One senior Afghan elections official suggested IEC staff would benefit from a long-term training program that included exposure to elections in other countries.⁴⁰⁵ The IEC has reportedly conducted capacity-building exercises that include trips abroad to see how elections are run elsewhere.⁴⁰⁶ However, brief interactions with knowledgeable elections experts may not be an effective means of imparting knowledge to IEC staff. Elections experts and Afghan officials told SIGAR that direct, daily exposure to international and national technical advisors with the knowledge and habits of effective employees is a key ingredient in knowledge transfer, and is not something that can be taught via short-term training.⁴⁰⁷ The risk of having international mentors working alongside Afghan staff, however, is that the trainer will assume responsibility for tasks when his or her Afghan counterparts do not rise to the challenge.

Moreover, having good plans, competent staff, and effective training are not enough to resolve any organization's challenges. As one international official observed, you cannot fix the root causes of election fraud in Afghanistan by building more technical capacity within the IEC.⁴⁰⁸

ACCOUNTABILITY WITHIN THE INDEPENDENT ELECTION COMMISSION REMAINS A CHALLENGE

Developing countermeasures to mitigate fraud and corruption of the electoral process is one of the IEC's primary responsibilities. In this regard, it has faced challenges. During the 2018 parliamentary election, for example, 10 of the 12 Afghan election commissioners—both from the IEC and the Electoral Complaints Commission—were

convicted of manipulating election results, and all 10 were sentenced to five-year prison terms. However, the Afghan attorney general office's report on the trial provided few details about the fraud or the role each commissioner played in committing it.⁴⁰⁹ The case and subsequent trial raised questions not only about the IEC's credibility, but also about the credibility of Afghanistan's anti-corruption efforts.

The illegality of electoral interference in Afghanistan is clear: The Electoral Law prohibits anyone from direct or indirect interference in the country's elections, as well as the use of government "assets, facilities, and resources" either in favor of or against candidates.⁴¹⁰ The law also stipulates that members of the IEC are required to "perform their duties impartially and responsibly" and avoid any influences that would damage the commission's impartiality.⁴¹¹

But fraud and corruption of the election process have been problems at all levels, beginning with the very first elections in the post-Taliban era. The recent parliamentary and presidential elections were no exception, as discussed in the chapter on fraud later in this report.⁴¹²

The IEC does have some formal institutional arrangements meant to impose accountability. Its leadership is legally responsible for monitoring the secretariat, including the organization's finances, removing the chief electoral officer of the secretariat for wrongdoing, and referring him or her to the judiciary for possible prosecution.⁴¹³ Likewise, the Law on the Structure, Duties, and Authorities of the IEC and Electoral Complaints Commission requires the secretariat to dismiss employees who violate the law and refer them to the judiciary.⁴¹⁴ But IEC commissioners have not devised any internal supervision mechanism that defines "wrongdoing" or specifies exactly how commissioners determine lawbreaking has occurred.⁴¹⁵

According to the executive director of Free and Fair Election Forum of Afghanistan, the IEC headquarters has also failed to develop the sort of institutional arrangements that one might expect an accountable leadership team to devise, such as anti-corruption benchmarks.⁴¹⁶ Another observer organization, Election Watch Organization of Afghanistan, has likewise reported that the commission has not developed internal anti-fraud supervision mechanisms, let alone enforced them.⁴¹⁷

That is not to say that no one is ever officially accused or punished for corruption. As noted above, 10 of the 12 commissioners during the 2018 parliamentary election were convicted of manipulating election results.⁴¹⁸ But so far, enforcement of anti-fraud laws has involved accountability not to any neutral legal standard, but to specific officials and powerbrokers—who are themselves unaccountable. Sibghatullah Tamim, the former legal director of the Electoral Complaints Commission, told SIGAR that he and his colleagues were fired in 2017 when they delivered evidence of official corruption to the attorney general's office.⁴¹⁹

The selective application of election laws has been a feature of Afghan elections for years, magnifying the perception of unaccountability and undermining institutional capacity.⁴²⁰ According to some IEC employees, shifting political winds can have devastating effects on the institution's capacity to perform its duties.⁴²¹

Holding Experienced Staff Accountable Led to the Hiring of Unqualified Staff

Afghanistan's presidents historically fire and replace commissioners at the end of every electoral cycle. This is partly because most elections have not gone well, and partly because commissioners are often viewed as the face of elections. However, this has failed to produce a truly independent commission or to ensure that new commissioners will not do the same thing. Replacing commissioners and secretariat staff likely hurts capacity more than it addresses corruption: If commissioners never serve for more than one election cycle, each election becomes a first.⁴²² Commissioners never have time to develop expertise and start to build any degree of authority, much less independence.⁴²³ Turnover in commissioners also begets staff turnover, as the new commissioners typically oust old staff and replace them with loyalists.⁴²⁴

Replacing commissioners and secretariat staff likely hurts capacity more than it addresses corruption.

The reality of the country's shallow labor pool of educated and qualified workers forces a tradeoff between competence and accountability. Not even high-level personnel changes can have an impact in the face of broad systemic issues.⁴²⁵ Accountability is further undermined when the pool of qualified people is so small that removing a corrupt commissioner or staff member may mean replacing him or her with someone who lacks the skills and qualifications the position demands.⁴²⁶



CHAPTER 4

VOTER REGISTRATION AND ACCESS TO THE POLLS

UNAMA photo by Fardin Waezi

Voters cannot vote if they cannot register or get to polling stations. In Afghanistan, these two critical aspects of elections are vulnerable to rigging, which can start well before election day. Manipulation and mismanagement of the national voter registry and the voter registration process undermine the registry's purpose of ensuring credible elections.

The creation of the country's first national voter registry in 2018 was a major accomplishment and helped reduce ballot stuffing by tying voters to specific polling stations for the first time. However, problems with the registry's implementation have hindered its ability to mitigate fraud. Registering requires a voter to have a tazkera (a government-issued identification card), which is easy to falsify and counterfeit, and there is currently no effective way to prevent or detect efforts to register with fraudulent documents. Registration numbers are improbably high, both for the population size and given the low turnout shortly after registering, pointing to the possibility of systemic registration fraud.

Malpractice and lack of transparency also undermine the credibility of the voter registry. On multiple occasions, hundreds of thousands of voters were removed from the registry under opaque circumstances. On election days in 2018 and 2019, large numbers of voters arrived at their polling station only to find themselves unable to vote because their names did not appear on the voter lists. To avoid disenfranchising a large number of



A poll worker examines a voter's stand-alone voter registration card at a polling center in Kunduz during the 2014 presidential runoff election, June 14, 2014. (UNAMA photo by Shamsudding Hamed)

voters, the Independent Election Commission allowed some voters not on the lists to vote anyway.

Without reliable population estimates, it is impossible to quantify the level of fraud in the country's current voter registry.⁴²⁷ But voter registration fraud may have been systemic in many parts of the country in each electoral cycle, including in 2018 and 2019. The executive director of one major domestic election observation group called the voter registry “the base for corruption” in the election.⁴²⁸ Since fraud in Afghan elections is so difficult to eliminate, a useful measure of whether the post-2018 voter registry has been successful is whether it curbed fraud more effectively than in past electoral cycles.

New Voter Registry Reduced Ballot Stuffing, but Some Registered Voters Were Prevented from Voting

From 2003 to 2018, the integrity of the Afghan voter registration process was undermined by a reliance on quick, ad hoc, partial solutions. The IEC issued an initial round of voter registration cards in 2003 and then conducted a voter registration drive before each election. Voters deemed eligible were issued a voter registration card on the spot, with no effort made to eliminate duplicate registration.⁴²⁹ Data from various waves of voter registration were often not combined with one another to create a single database.⁴³⁰ As a result, it was unclear how many duplicate registrations existed in the various voter registries.⁴³¹ By the lead-up to the 2014 elections, the list of registered voters was so bloated it threatened the credibility of the election, with 20 million voter registration cards issued in a country with an estimated 12 million eligible voters.⁴³²

In 2018, the IEC voided all existing voter registration cards and conducted a new registration drive.⁴³³ This marked the first time that each voter's registration was tied to a specific polling center.⁴³⁴ This change enabled the IEC to better estimate the number of voters at each polling center and thus send a more accurate number of ballots to each, a

critical check on ballot stuffing.⁴³⁵ Also for the first time, voter registration was indicated by a sticker on an individual's *tazkera*, instead of through the issuance of a stand-alone voter registration card.⁴³⁶

New Voter Registration Process

The switch to a polling center-based voter registry in 2018 meant that, for the first time, voters were required to register to vote at the same facility that would later serve as their polling center.⁴³⁷ The process was supposed to look like this:

- Voters would register at a polling center, knowing they would have to return to that same polling center on election day.⁴³⁸
- A unique voter registration sticker would be placed on their *tazkera*, which would become their voter ID.⁴³⁹
- Their *tazkera* information would be sent to Kabul and entered into a national voter registry.⁴⁴⁰
- The registry would allow the IEC to look for and remove underage voters, duplicate entries, and voters using counterfeit *tazkeras*.⁴⁴¹
- The IEC would then send the modified list of voters back to each polling center. There they would be publicly displayed so that voters could request corrections, resulting in increased transparency and confidence in the process.⁴⁴²
- Only voters whose name appeared on the polling center-specific voter registry for each polling center would be allowed to vote there.⁴⁴³

The *tazkera* is the primary Afghan personal identity document. *Tazkeras* are required in order to access many government services, including enrollment in school and treatment at public clinics and hospitals. The many different versions of the *tazkera* currently in circulation have been issued in different formats over the past four decades. They are easily forged.

Source: Samuel Hall and Norwegian Refugee Committee, *Access to Tazkera and Other Civil Documentation in Afghanistan*, August 16, 2016, p. 16; Zmarai Qalmiar, former IEC director of field operations, SIGAR Interview, January 24, 2019.

The introduction of the polling center-based voter registry was a significant achievement.⁴⁴⁴ In combination with the introduction of biometric voter verification, multiple stakeholders credited the polling center-based registry with curbing ballot stuffing, one of the main forms of fraud in past cycles.⁴⁴⁵ By reducing the number of registered voters nationwide and creating a maximum number of voters at each polling center, the new registry effectively created a ceiling beyond which fraudulent votes could not be claimed.⁴⁴⁶ But while the introduction of the new registry in 2018 likely reduced the number of fake registrants compared to 2014 and made adding fake votes more difficult, it did not eliminate either problem. Fake registrants reportedly still made it onto the registry in both the 2018 and 2019 elections, and some analysts believe this problem was one of the biggest irregularities of both elections.⁴⁴⁷

The hasty introduction of both innovations came at a cost.⁴⁴⁸ The poor rollout of the new voter registry and biometric voter verification caused chaos during the 2018 cycle. According to Scott Worden of the United States Institute of Peace, the 2018 election saw “greater operational problems than any other Afghan elections since the end of Taliban rule.”⁴⁴⁹ Many registered voters were unable to find their names on the list at their polling station, and both election commissions struggled to find solutions to mitigate the fallout without negating anti-fraud measures.⁴⁵⁰ The registry was improved by the 2019 election, but significant numbers of voters were still unable to find their names on the list.⁴⁵¹



A woman at a Bamyan polling station displays her tazkera with its registration sticker affixed to the back as she prepares to vote in a parliamentary election, October 20, 2018. (UNAMA photo by Abbas Naderi)

National ID Cards Confirmed Voter Identities, but Not All Afghans Have Them and Insurgents Use Them to Target Voters

In 2018, the IEC decided to affix registration stickers to the back of voters' tazkeras, rather than issue separate voter registration cards.⁴⁵² However, a significant number of Afghans, particularly women in rural areas, do not possess tazkeras.⁴⁵³ Before the 2018 voter registration campaign, the Afghan government office responsible for issuing tazkeras, the Afghanistan Central Civil Registration Authority, estimated there were approximately 10 million Afghans without tazkeras.⁴⁵⁴ Therefore, the IEC signed an agreement with ACCRA to launch a campaign to issue a large number of new tazkeras across the country.⁴⁵⁵

But affixing a sticker to tazkeras posed a new problem: it deterred potential voters from registering.⁴⁵⁶ Because Afghans are more likely to travel with their tazkera than a standalone voter registration card, the new system made it easier for insurgents opposed to the election to identify registered voters.⁴⁵⁷ At the beginning of the registration drive in spring 2018, according to the UN, the Taliban established checkpoints on major roads into multiple provinces to check for voter registration stickers, and threatened to kill those found with them.⁴⁵⁸

The IEC eventually reached a controversial decision to allow Afghans worried about being stopped by the Taliban to have an additional voided tazkera with a sticker on it that would only be used on election day.⁴⁵⁹ That solution was reached after ambassadors from multiple donor countries intervened. In the end, the guidance does not appear to have been disseminated to voter registration teams or the general public.⁴⁶⁰ Many voters were ultimately forced to choose between voting and protecting their security.⁴⁶¹

POLLING CENTER-SPECIFIC VOTER LISTS: A GOOD IDEA IMPLEMENTED POORLY AND TOO LATE

Many of the milestones for implementing the new polling center-based voter registry were hit too late or not at all. This had a cascading effect: when one milestone is delayed or missed, it affects downstream decisions. As one senior elections advisor predicted, attempting to input and reconcile the tazkera data of the more than 9 million people in the national voter registry only three months before the 2018 election crippled the IEC's ability to consolidate and disseminate unique voter lists to each polling center.⁴⁶² Instead, voter lists were sent to polling centers only days before the election. With no time to display voter lists at local polling centers, voters had no time to determine if their names were missing and complain.⁴⁶³

The result was chaos at polling centers across the country on Election Day 2018.⁴⁶⁴ One election observation organization said voter lists were missing at 21 percent of the polling centers its staff observed, while the remaining 79 percent suffered from missing names or other incorrect data.⁴⁶⁵ Poll worker responses to such problems were uneven: Some voters were allowed to vote and add their names to the list by hand, while others were turned away and prevented from voting.⁴⁶⁶

While there was a voter registry display and correction period before the 2019 election, it was conducted before new registrants were added and before **deduplication** took place.⁴⁶⁷ Numbers vary on how many formal requests to correct errors the IEC received, but it may have been somewhere between 20,000 and 25,000.⁴⁶⁸ In addition, according to a senior election official, many voter registration books were lost or stolen between registration and when the IEC entered these new names into the master voter registry in Kabul.⁴⁶⁹

Deduplication is the process of removing duplicate entries from a database to shore up its reliability and integrity.

On Election Day 2019, large numbers of voters in all 34 provinces still found their names missing from either the paper registry or the digital registry uploaded to the biometric machines in each polling station, or both.⁴⁷⁰ One of the country's election observation groups found that voters were turned away after their names could not be found on either list at almost a third of the polling stations they surveyed, and that discrepancies between the two lists caused further problems.⁴⁷¹ Even in Kabul, many voters, including an advisor to President Ghani, were reportedly turned away because their names were not on either list.

In response, the IEC initially ordered that if a voter's name could be found on one or the other, they should be allowed to vote.⁴⁷² However, at midday, after it became clear that there were widespread instances of properly registered voters who could not find their names on the devices or the paper list, and who would otherwise be disenfranchised, the IEC issued a new ruling.⁴⁷³ This ruling said that voters with voter registration stickers on their tazkeras (national ID cards) should be permitted to vote as long as they enrolled in biometric voter verification first.⁴⁷⁴



A poll worker looks for a voter's name on the polling center-based voter registry in Kabul on Election Day, October 20, 2018. (UNAMA photo by Fardin Waezi)

Further, the Afghanistan Analysts Network reported that some voters were allowed to vote without being enrolled in biometric voter verification.⁴⁷⁵ The official IEC ruling stated that this was only permitted if, when their name was entered into the biometric device, it responded “name of person has been removed.” Then, the decision mandated a process in the IEC headquarters to check whether this removal was justified. If it was, the vote would be invalidated.⁴⁷⁶ SIGAR was unable to verify the extent to which this procedure was followed. If this process was not strictly implemented, then this exception negated the entire fraud prevention rationale of the polling center-based voter list.

VOTER REGISTRATION CREATES OPPORTUNITIES FOR FRAUD

The adoption of the polling center-based registry was meant to curb ballot stuffing, particularly at **ghost polling centers**, by enabling authorities to determine how many polling centers to open and to base the number of ballots and other sensitive election materials sent to each center on the number of registered voters at each.⁴⁷⁷ Theoretically, it also prevented **multiple voting**, at least with the same tazkera (ID card).

Ghost polling centers are polling centers that do not open to voters, but at which ballots are stuffed for a candidate or candidates on whose behalf a local powerbroker captures the facility and orchestrates fraud.

Multiple voting is the practice of an individual illegally submitting multiple ballots in the same election.

As counter-fraud measures become more sophisticated, election fraud evolves to keep up.⁴⁷⁸ The decision to tie voter registration to tazkeras created a new market for counterfeit tazkeras, supplanting the old market for fake voter registration cards.⁴⁷⁹ Some political parties alleged that large numbers of counterfeit tazkeras were created in 2018 and used for voter registration.⁴⁸⁰ An analysis by Scott Worden, director of Afghanistan and Central Asia Programs at the United States Institute of Peace, found that if the 5.8 million men the IEC reported registered in 2018 was an accurate figure, it would represent approximately 84 percent of eligible male voters—an improbably high number, given insecurity, minimal voter outreach, and growing disillusionment with elections. (In comparison, approximately 64 percent of eligible Americans were



A voter registers during a top-up registration drive in Kunduz, May 26, 2013. (UNAMA photo by Hamedi)

registered to vote in 2018.⁴⁸¹) In 10 provinces, there were more male registrants than the estimated number of men eligible to vote. In Paktiya, 164 percent of estimated eligible male voters registered; in Kandahar and Nimroz, the number was above 150 percent.⁴⁸²

Especially in recent elections, registration fraud is tied to tazkera fraud. There is currently no effective way to prevent or detect efforts to register with fraudulent tazkeras because of interoperability issues between the tazkera database and the voter registry.⁴⁸³ In the summer of 2019, the National Statistics and Information Authority, which had absorbed ACCRA, began an effort to digitize all 21 million paper tazkeras that had been issued since 1973 in the hope of creating a digital database that could be automatically cross-verified with the voter registry. This would allow larger numbers of registrations based on fake tazkeras to be removed.⁴⁸⁴ The IEC gave NSIA a spreadsheet with all 9.6 million voter registration records to be compared to the tazkera database that NSIA was developing. However, according to the head of NSIA, Javed Rasooli, not enough voter registry data was collected by the IEC to be compared to NSIA's tazkera database, so NSIA could not identify which voters had used fraudulent tazkeras to register. With nothing to compare tazkera data against, NSIA audited its database again and sent the names of 27,000 fake tazkera holders in the hope that the IEC would find some of them in the voter registry.⁴⁸⁵ Of those, the IEC was able to locate and remove only 250 registrations before election day.⁴⁸⁶

Thus, efforts to weed out ineligible registrations in 2018 and 2019 were mostly limited to what could be accomplished within the registry itself: eliminating underage registrants and eliminating multiple registrations at different polling centers tied to the same tazkera.⁴⁸⁷

Ali Adili, a researcher with the Afghanistan Analysts Network, said the process of creating fake tazkeras has taken two main forms, both of which are difficult to detect: (1) corrupt officials use government resources and equipment to create real tazkera



Voters register during a top-up registration exercise in Kunduz, May 26, 2013. (UNAMA photo by Hamed)

documents but with falsified information, which are then given to influential people for distribution, and (2) people print their own counterfeit tazkeras.⁴⁸⁸ In 2018, the attorney general's office arrested hundreds of people, including government and elections officials and candidates, in Paktika Province for producing fraudulent tazkeras for the purpose of inflating the voter registry.⁴⁸⁹ The IEC accused the provincial civil servants in Paktiya of doing the same. According to Afghan media, the attorney general's office said it prosecuted at least 60 people for producing fake voter registration stickers in Paktiya Province.⁴⁹⁰

Like fake voter registration cards, fake tazkeras could be used by powerbrokers to build banks of fake voters to facilitate ballot stuffing, particularly in rural or insecure areas where observers are scarce.⁴⁹¹ According to the UN, a sitting member of parliament was even discovered with hundreds of fake tazkeras.⁴⁹²

The Afghanistan Analysts Network exposed a third method of inflating the voter registry in 2018. When the government issues a paper tazkera, there are two originals: one is given to the registrant and the second is kept at the department. However, in Paktika, according to the Afghanistan Analysts Network, officials sold their office's originals to candidates, who then bribed IEC officials to use them to register fake voters. Once the IEC became aware of the scheme, it invalidated both originals and removed the corresponding name from the voter registry—thus disenfranchising legitimate voters because of someone else's tazkera fraud.⁴⁹³ This caused widespread issues in 2019, as registered voters discovered their names were missing from the voter registry and were turned away. If this account is accurate, even after the problematic 2018 list had reportedly been corrected, it would suggest the scheme may have been widespread. According to a senior election advisor, this may explain some of the 157,142 duplicates the IEC identified and removed from the registry before the 2019 election.⁴⁹⁴

The voter registration period is an opportunity for the Afghan government to demonstrate its seriousness in the prosecution of electoral crime. During the 2018 registration process, charges were brought against some perpetrators of fraud.⁴⁹⁵ In May 2018, one of Helmand's district police chiefs was arrested for electoral crimes. According to UN reporting, this may have been the first instance of concrete measures taken in response to electoral fraud in southern Afghanistan.⁴⁹⁶ (However, given the risk of and opportunities for fraud, this lack of accountability may suggest the majority of electoral crimes went unpunished in 2018 and 2019, as they had in previous election cycles. For more on Afghanistan's history of prosecuting electoral crime, see p. 91.)

Political Manipulation of Access to the Polls

In their 2018 book on election rigging around the world, Nic Cheeseman and Brian Klaas found voter suppression to be common and difficult to combat.⁴⁹⁷ Further, they found that donors tend not to focus as much attention on the manipulation of poll access as they do on other types of fraud—in part, because it occurs so long before election day, when their attention is generally on other issues. Further, the practice of withholding statements about electoral integrity until after election day means that by the time donors raise an issue, it is often too late to do anything.⁴⁹⁸ Analysts and observers have alleged that access to the polls was manipulated for political gain during the following stages of the 2018 and 2019 electoral cycles:

- **In 2018, when the Afghanistan Central Civil Registration Authority decided how many resources to expend in different areas in its effort to issue tazkeras to people who lacked them, in order to enable them to register to vote:**

The IEC reported that potential voters complained they had no way to register, even in Bamyan, one of the country's most peaceful provinces, because of insufficient ACCRA outreach to issue tazkeras to those who lacked them.⁴⁹⁹ Cheeseman and Klaas have found that restricting access to IDs is a common method of voter suppression in other countries, documenting specific allegations in Kenya, Tanzania, Malawi, and Zimbabwe.⁵⁰⁰

- **In 2018, when decisions were made about which polling centers were safe enough to open in order to conduct the new voter registration from scratch:**

According to UN reporting, security concerns prevented a third of polling centers from opening for voter registration in 2018. The UN Development Programme also documented allegations that decisions about which centers to open were politically motivated, disenfranchising some communities and favoring others.⁵⁰¹

- **When decisions were made about which polling centers could open on election day 2018:**

A former senior election official SIGAR interviewed alleged that in 2018, security officials falsely claimed there was insecurity in some areas—and staged fake attacks—in order to close polling centers where their preferred candidates' rivals were expected to win. He also said that security officials falsely reported polling centers were safe enough to open in insecure areas to create opportunities for allied strongmen to capture those centers and rig the outcome for their favored candidate.⁵⁰² Former IEC chief electoral officer Abdullah Ahmadzai has described



A voter registers in Nangarhar during a top-up registration exercise, July 28, 2013. (UNAMA photo by Shafiqullah Waak)

the latter phenomenon as simply “giving away control [of the election] to powerful people.” He also said the political manipulation over which polling centers open has occurred in every election, alleging that powerful candidates and parties exert pressure on the President, the Ministry of Interior, and the National Directorate of Security, and that they in turn manipulate access to the polls.⁵⁰³ Margie Cook, a former UN Development Programme chief election advisor, has documented pressure on the IEC from the Ministry of Interior and Ministry of Defense to open polling centers that could not be secured for the purpose of electoral fraud during the 2009 election cycle.⁵⁰⁴ However, there may be an additional incentive for security forces to push to open more polling centers: The number of polling centers the government opens may be perceived as a proxy for the extent of government control. This rational reason for exerting pressure makes it difficult to determine when pressure is motivated by fraud.

- **During the process of discarding duplicate or fraudulent registrations from the voter registry before the 2019 election:**

A committee of political parties and 2019 presidential campaigns accused the IEC of intentionally deleting legitimate voters from the registry in order to support a particular candidate during an effort that resulted in the removal of hundreds of thousands of registrants just before the election.⁵⁰⁵ This was in addition to the previously noted problem, widespread in both 2018 and 2019, in which people who claimed to have been registered were unable to find their names on the registry.⁵⁰⁶ The absence of some of the properly registered voters in 2018 was likely the result of errors in the data entry process and voter registry books.⁵⁰⁷ But that does not explain why some voters were able to find their names on the list in 2018 but not in 2019. In the absence of detailed information about how decisions were made about whom to remove, including a geographic breakdown, it is impossible to parse whether there is truth in these allegations. Speaking to SIGAR, the executive director of a domestic election observation group said, “In order to monitor the voter registration process,

I need to truly understand deduplication.”⁵⁰⁸ The only statement the IEC made about that effort is that 427,000 records were removed, approximately 4.5 percent of the cumulative registrations as of 2019.⁵⁰⁹

- **When decisions were made about which polling centers could open just before election day in 2019:**

Most of the polling centers that were open during the 2018 election but later declared too insecure to open just before election day in 2019 were concentrated in northern provinces considered relatively safe. Given that these closures were announced days before the election and most were in areas likely to vote for then-Chief Executive Officer Abdullah Abdullah, multiple observers believed security concerns to be a pretense. Approximately 20 percent of closures were in Balkh, a relatively safe province that strongly backed Abdullah in 2014. However, the commander of the 209 Shaheen Military Corps in Balkh also claimed in a press report that his forces were actually able to secure the polling stations in question.⁵¹⁰ Thomas Johnson of the Naval Postgraduate School compared the provinces where the highest number of polling centers were closed just prior to the 2019 election with the provinces where Abdullah Abdullah would have been expected to have received the most votes, had the results from 2014 been at least partially replicated. He found strong positive correlations and argued that it could be interpreted as evidence that polling stations where Abdullah was expected to get more votes had been deliberately closed through subterfuge, saying that these polling centers “could have possibly produced 172,400 votes.”⁵¹¹ Similarly, Colin Cookman of the United States Institute of Peace claims “Abdullah appears to have suffered disproportionately” from last minute closures of polling stations in the country’s north and east.⁵¹² Coincidentally or not, these sudden closures occurred just as aides to Balkh strongman Mohammad Atta Noor apparently shifted their allegiance from Abdullah to President Ghani.⁵¹³ An election official told SIGAR that, across the north, complaints were received that government officials fired rockets in the area of polling centers where voters were expected to vote for candidates they opposed in order to force those centers to remain closed. He cited instances in Takhar and Sar-e-Pul Provinces.⁵¹⁴



CHAPTER 5 FRAUD

UNAMA photo by Fardin Waezi

Election fraud is a significant problem in Afghanistan. Following the 2018 parliamentary election, 10 of the 12 election commissioners were convicted of manipulating election results and sentenced to five years imprisonment.⁵¹⁵ But even this fact does not tell the whole story. In addition to experts and staff from international organizations, foreign governments, and U.S. government agencies, SIGAR spoke with current and former Afghan election officials, members of parliament, unsuccessful parliamentary candidates, and leaders of domestic observation groups. Some of the people we spoke to were successfully elected to public office, others were not, and some have been accused of fraud themselves. While SIGAR cannot prove or disprove statements made by these individuals—as noted in the report—they are included to help policymakers understand the competing narratives that shape Afghanistan’s electoral landscape.

Afghan elections are at risk of manipulation through bribes, threats, or both. According to some of the sources cited in this report, fraud has been organized by some of the country’s political leaders, who exert influence over senior Afghan election officials and, through them, lower-level staff. Commissioners and other senior election commission staff have allegedly sold their services for financial gain. Senior election officials can thus play an ambiguous role, serving variously as part protector of the process, part perpetrator of fraud, part illicit collaborator with senior government officials, and part victim of their abuses. Fraud has also reportedly been perpetrated by local

powerbrokers trying to curry favor with candidates in the anticipation of reward in the form of government contracts or positions, or simply looking for a payoff.⁵¹⁶

At times, election fraud in Afghanistan resembles a type of competitive sport: Even a candidate who commits large-scale fraud may fail to secure a seat if a competitor's efforts are more audacious. Fraud takes place throughout the entire election cycle, from the hiring of election officials and staff, as detailed in this chapter, to the electoral dispute resolution process, covered in Chapter 6. Addressing fraud is difficult, both because anti-fraud measures are at risk of being co-opted to perpetrate more fraud, and because properly addressing fraud can suppress legitimate votes, sometimes in ways that favor one interest group over another. Recognizing the enormity of the challenge to eliminate fraud, the goal of the Afghan election commissions' anti-fraud efforts is simply to mitigate it enough that election results are credible.

CENTRALIZED VS. DECENTRALIZED FRAUD

Retail fraud is the illegal addition or subtraction of a single vote, including multiple voting, underage voting, forcing people to vote for certain candidates, and vote buying.

Wholesale fraud is the illegal manipulation of many votes at once, including ballot stuffing, changing results forms, proxy voting, and the capture of polling places.

Fraud that occurs at polling centers on election day tends to be the most visible and most frequently discussed.⁵¹⁷ These types of fraud are sometimes referred to as “**retail fraud**” to distinguish them from “**wholesale fraud**” through which many votes can be changed at once. Retail fraud includes, for example, multiple voting, underage voting, and vote buying.⁵¹⁸ Retail fraud requires the complicity of many individuals, making it a high-effort, low-reward form of fraud.⁵¹⁹

More problematic is wholesale fraud which is committed at the polling center or station, rather than at the individual voter level. In this category, perpetrators change the results en masse through methods such as ballot stuffing and changing result sheets, also known as tally fraud.⁵²⁰ Nic Cheeseman and Brian Klaas, authors of a 2018 book about election fraud around the world, concluded that “fudging the numbers is perhaps the most efficient of all forms of election fraud.” Ballot stuffing and tally fraud tend to be employed in tandem: If the number of votes on a tally sheet is the same as the number of ballots in a ballot box, subterfuge is difficult to detect.⁵²¹ The introduction of biometric voter verification in 2018 and the improvements made to its implementation in 2019 created significant new protections against both forms of fraud, however.⁵²²

There are two main types of ballot stuffing: top-up ballot stuffing, in which ballots are added to the box after legitimate voting ends, and wholesale ballot stuffing, in which no actual voting takes place, or all the legitimate ballots are tossed and replaced with fraudulent ones.⁵²³ Ballot stuffing can be perpetrated by election commission staff or it can be compelled via bribes or threats from outside powerbrokers.⁵²⁴

Although ballot stuffing was a problem in the 2018 and 2019 elections, it was less prevalent than in previous cycles, according to a number of stakeholders.⁵²⁵ Due to a series of new anti-fraud measures that target fraud at polling centers, it now requires “a lot more planning and covering up to do massive ballot stuffing,” according to Martine van Bijlert, co-founder of the Afghanistan Analysts Network. As a result, fraud has moved



Poll workers in Nangarhar count the votes after the 2010 parliamentary election, September 19, 2010. (UNAMA photo by Jawad Jalali)

“up the chain to the [more centralized] count and disqualification processes.”⁵²⁶ Abdullah Ahmadzai, former IEC chief electoral officer, said that in 2018 fraud was common at the National Tally Center and less common outside Kabul, compared to past elections.⁵²⁷

If ballot stuffing and tally fraud are conducted by competing parliamentary campaigns, or, for example, powerbrokers trying to curry favor with a presidential candidate, it can result in an implausibly high turnout.⁵²⁸ According to an Afghanistan Analysts Network report by Scott Worden, none of the results from the 2018 election were demographically improbable—unlike previous election cycles. Presumably the introduction of the polling center-based voter registry and biometric verification reduced ballot stuffing.⁵²⁹ For the 2019 election, the Independent Election Commission invalidated tens of thousands of ballots because they lacked biometric data in one way or another.⁵³⁰

Over time, the IEC recognized that the more decentralized a given election process was, the harder it was to hijack. The commission decentralized where it could: during the counting process. In 2005, IEC staff counted ballots at five regional tally centers, while in 2009 they were counted at the IEC’s provincial offices. In 2010, the IEC moved counting to polling stations, where it has remained ever since.⁵³¹

But Greg Minjack, elections advisor with Democracy International, has cautioned that counting at the polling center level may provide more people with an opportunity to change the results sheets as they move through the district and provincial levels before reaching the National Tally Center in Kabul.⁵³² Changing results sheets has historically been a huge problem in Afghanistan, the pervasiveness of which was shown by a 2010 American Economic Review study that found discrepancies between the polling center-level and in Kabul after aggregation in 80 percent of stations studied.⁵³³ Allegations of widespread tampering with results sheets in 2014 made the process through which they were manually transmitted from the polling centers to Kabul one of the most contested

stages of that cycle. A UN Electoral Support Program analysis of the 2014 election placed particular blame on the district field coordinators charged with transporting results sheets from individual polling centers to the IEC's provincial offices.⁵³⁴ The introduction of biometric voter verification in 2018 and 2019 reduced these problems by creating a second record of the vote tally on the device, in addition to the paper tally sheet. If there is a disparity of more than five votes between the two tallies, the ECC ruled that a recount should be conducted.⁵³⁵

ELECTION COMMISSION STAFFING CONTRIBUTES TO THE RISK OF FRAUD

While it is normal in many countries for senior government officials to have loyalists appointed as election commissioners and staff, it can also be the first step in rigging an election.⁵³⁶ These individuals have the power to change the largest numbers of votes with the least effort and the complicity of the fewest people. According to the IEC's former chief electoral officer, Abdullah Ahmadzai, "We can [deal] with fraud happening in certain polling centers. That is why there are checks and balances in the IEC. But if it is centralized, there is no hope."⁵³⁷

"We can [deal] with fraud happening in certain polling centers. . . . But if it is centralized, there is no hope."

—Abdullah Ahmadzai, former IEC chief electoral officer

Several Afghan election stakeholders told SIGAR that in 2018, central and provincial IEC commissioners and senior staff used a variety of mechanisms to rig the election during the vote aggregation process. According to their accounts, these mechanisms included increasing or decreasing vote counts on results sheets, "losing" results sheets with unfavorable results, and changing the results directly in the database at the National Tally Center in Kabul.⁵³⁸ All of these techniques are also risks for rigging results during the electoral dispute resolution process (covered in Chapter 6). Shahm Mahmood Miakhel, former member of the Special Elections Reform Commission and former country director for the United States Institute of Peace, told SIGAR it was more common for results to be changed after they were announced at the polling center in 2018 than in previous cycles.⁵³⁹ However, it is difficult to distinguish what percentage of changes took place during aggregation versus electoral dispute resolution.

According to Ahmadzai, candidates for election commission positions in recent years have been selected primarily for their political loyalty.⁵⁴⁰ According to multiple former Afghan election officials, experience can be seen as a disadvantage for these candidates, because it reduces the likelihood they will be politically malleable. By that reasoning, election professionals with reputations to protect have more incentive to call out political interference.⁵⁴¹ After a decade of working for the IEC, Shahla Haq resigned her position as acting chief electoral officer when President Ghani ordered the commission



Staff at IEC headquarters in Kabul review candidate nominations for the 2014 presidential election, October 29, 2013. (UNAMA photo by Duarte Branco)

to allow voters to register using copies of their national IDs, which would have opened the door to mass registration fraud. Her resignation brought public attention to President Ghani's order, leading to its reversal.⁵⁴²

One way of disqualifying candidates with experience in favor of political loyalists is to create highly subjective evaluation criteria. According to Walid Sarwary, former deputy chief electoral officer of the Electoral Complaints Commission, one criterion for ECC chief electoral officer applicants in 2018 was how well the candidates were dressed. He said this category was used as a pretext to reduce the scores of less pliable candidates.⁵⁴³ The ECC senior staff who were eventually hired were rarely qualified for their new positions. The new head of adjudication was a dentist, while the new director of plans and policy had previously worked in information technology.⁵⁴⁴ The same scenario was repeated in 2019. Ahmadzai told SIGAR that of the 84 candidates nominated by political parties and civil society to be IEC or ECC commissioners, only five or six had electoral experience.⁵⁴⁵

“Of all of the places I’ve worked on elections, I have never met a more corrupt or dysfunctional [election management body].”

—International elections advisor

Disregarding experience as a hiring criterion has been detrimental to the functioning of election commissions. In 2018, the International Foundation of Electoral Systems assessed that the IEC had had a “serious regression in . . . capacity since 2014.”⁵⁴⁶ Another international official with extensive election experience said about the 2018 IEC: “Of all of the places I’ve worked on elections, I have never met a more corrupt or dysfunctional [election management body].”⁵⁴⁷



IEC commissioners and senior staff hold a press conference after the 2014 presidential run-off election, June 23, 2014. (UNAMA photo by Fardin Waezi)

Even hiring experienced staff may not address the problem. An international official told SIGAR “after these commissioners get appointed, they quickly become political actors rather than custodians of the process.” The official added that this has been true in all of the country’s modern elections.⁵⁴⁸ Margie Cook, the former UN Development Programme chief electoral advisor who ran the Enhancing Legal and Electoral Capacity for Tomorrow project during the 2009 elections, described the IEC as lacking impartiality and characterized by pervasive corruption at both the headquarters and field levels.⁵⁴⁹ As van Bijlert has noted, the post-2014 electoral “reforms” were really just “a tug of war over who controls the electoral bodies—and, through them, the election’s outcome.”⁵⁵⁰ The degree to which the IEC may have been compromised in that cycle was illustrated by an election observation report that showed more complaints were filed against IEC employees than against the presidential campaigns.⁵⁵¹

Fraud via Selecting Commissioners

Afghanistan’s successive election laws have sought to create checks on partisan influence over the process of identifying election commissioners. In particular, these laws have sought to curb presidential influence. In 2009, the President had sole authority for appointing all IEC commissioners and significant influence over selecting ECC commissioners. Starting in 2010, President Karzai appointed all Afghan commissioners on both bodies. Even the UN’s nominations of international members to serve on the ECC were also subject to presidential approval.⁵⁵² In order to increase the neutrality of the election commissions, the 2013 Election Law created a selection committee consisting of other Afghan government officials who propose candidates from whom the President selects the commissioners. The selection committee has been retained in every subsequent election law, although its composition has repeatedly changed over time.⁵⁵³

A number of factors have undermined the selection committee’s effectiveness. First, only one of the country’s election laws has ever been passed by parliament; the rest

were presidential decrees that were never referred to the parliament for consideration.⁵⁵⁴ This makes the election commissions particularly beholden to the President.⁵⁵⁵ Second, while the composition of the selection committee has changed with each new election law, under the 2013 and 2016 election laws, at least half of its members came from government entities whose leaders were themselves appointed by the President. These include the Supreme Court, the Afghan Independent Human Rights Council, and the Independent Commission for Overseeing the Implementation of the Constitution.⁵⁵⁶

The selection process for election commissioners was improved in the 2019 Election Law.⁵⁵⁷ It requires that candidates for election commissions be proposed by political parties registered with the Ministry of Justice, as well as by election-related civil society organizations.⁵⁵⁸ Further, it stipulates that when the President is himself a candidate for reelection, all of the presidential candidates vote on nominees for commissioners when there are vacancies. However, when the President is not running for re-election, he still has sole authority for election commission appointments.⁵⁵⁹

Third, in a context in which both President Karzai and President Ghani have filled the election commissions and passed election laws by decree, these laws have been treated as suggestions, rather than binding legal guidance. For example, after firing the IEC chairman in November 2017, President Ghani ignored the requirement that he appoint his replacement from among the remaining candidates proposed by the selection committee. Instead, he ordered the selection committee to reconvene. As a result, the IEC selected a candidate that he and other senior Afghan government leaders had already agreed to.⁵⁶⁰

“The likelihood of a credible election is inversely proportional to the degree to which the ruling regime directly controls the election management body.”

—Nic Cheeseman and Brian Klaas, *How to Rig an Election*

As this incident illustrates, the palace can play an outsized role in selecting, and directing the actions of, election commissions. But the palace is not necessarily synonymous with the President. Under the National Unity Government, there were constraints on the President’s ability to dictate what the IEC and ECC did. But these constraints were not contained in law; instead they were informal terms negotiated behind closed doors between President Ghani and other senior government leaders.⁵⁶¹ The Afghanistan Analysts Network described the 2013 selection committee as “a pragmatic patching together of lists provided by powerful people,” adding that “when push comes to shove, they will probably be pressured to do the bidding of either the palace or their backers (or both).”⁵⁶² According to Nic Cheeseman and Brian Klass, “The likelihood of a credible election is inversely proportional to the degree to which the ruling regime directly controls the election management body.”⁵⁶³



A poll worker writes a voter's registration information during parliamentary elections, September 17, 2010. (USAID photo)

Fraud via Staffing at the Provincial and District Levels

The President has even more influence over the appointment of the leadership and staff of each election commission's provincial offices than he does over hiring at the national level. Election commissioners nominate two candidates to be provincial commissioners, while the Independent Human Rights Commission of Afghanistan appoints a third. The President then confirms or rejects these appointments.⁵⁶⁴

The International Foundation of Electoral Systems found that in 2018, the President used his authority to appoint officials at the provincial IEC offices "to establish control over and to influence the electoral process."⁵⁶⁵ The Electoral Complaints Commission's former deputy chief electoral officer alleged that in 2018 candidates were able to plant supporters in provincial ECC offices as well.⁵⁶⁶ The 2019 IEC Operational Plan implicitly acknowledged that the 2018 hiring process needed improvement when it promised to place "a greater emphasis on staff recruitment and vetting."⁵⁶⁷

The process for hiring lower-level election commission staff may also bring risks for election rigging.⁵⁶⁸ In interviews with SIGAR, a domestic election observation organization staffer, a former election commissioner, and a former Special Electoral Reform Commission member alleged that, in 2018, commissioners and candidates ensured that staff loyal to them were hired to work in the National Tally Center and provincial headquarters in order to rig the election during recounts.⁵⁶⁹

One attempt at reducing this type of fraud has been to prevent provincial election officers and district election officers from working in their home constituencies and by moving them around periodically, on the theory that assigning them to a new area will sever their links to local candidates and powerbrokers.⁵⁷⁰ The IEC had a policy

that provincial election officers could not serve in their home provinces during the 2010, 2018, and 2019 elections.⁵⁷¹ While this policy is less effective than prosecuting individuals responsible for committing fraud, it is also the safest option politically, given that some of them have powerful allies. A report by the National Democratic Institute about the aftermath of the 2010 election describes how the IEC rotated 100 district field coordinators to different areas after discovering that they had ties to candidates.⁵⁷²

Provincial IEC commissioners and district election officers have not accepted this rotation policy without a fight. The IEC's internal lessons learned report from 2018 indicated that district election officers resisted being reassigned to new areas, particularly to remote districts, and it sought to mitigate these issues by assigning them by lottery.⁵⁷³ Overall, the policy of moving provincial election officers to new provinces comes at a cost: Some officials resigned rather than accept reassignment, lowering the overall level of technical electoral experience within these bodies.⁵⁷⁴

In 2018, the IEC used standardized exams to rank candidates and, at least in theory, avoid bias in the hiring process for lower-level IEC staff.⁵⁷⁵ In practice, the IEC's 2018 lessons learned exercise found that powerbrokers still selected candidates even if they performed poorly on the test.⁵⁷⁶ Walid Akhbar Sarwary, former ECC deputy chief electoral officer, told SIGAR that loyalists who failed the exam were still hired.⁵⁷⁷ This approach had been tried before: District field coordinators were hired through a process that involved a standard exam and the use of a computer program to screen candidates in 2010.⁵⁷⁸

The 2019 Election Law created a legal requirement that election commission staff be hired through a competitive process.⁵⁷⁹ This was an effort to address the fact that as many as a third of the IEC's staff had been hired non-competitively in the spring of 2019. (Neither commission assesses candidates' integrity through reference checks.)⁵⁸⁰ These provisions have been effectively ignored. In 2019, a spokesman for the Independent Reform and Civil Service Commission, the body responsible for government hiring, issued a statement saying that there was no agreed-upon process for hiring at the election commissions.⁵⁸¹

After the 2009 and 2014 elections, the election commissions used blacklists of staff implicated in fraud to prevent them from being rehired.⁵⁸² The lists were unsuccessful for a number of reasons. They failed to include sufficient detail to identify candidates years down the line, and they sometimes included the names of everyone who had worked in a polling center in which fraud had been detected, without singling out culprits.⁵⁸³ In practice, even being caught perpetrating fraud does not seem to have been disqualifying. Election and Transparency Watch Organization of Afghanistan program manager Habibullah Shinwary told SIGAR that when IEC staff were discovered committing fraud during the 2018 election, they were sometimes simply moved from one team to another.⁵⁸⁴ According to a senior Afghan election official, 5 to 10 percent of temporary employees hired by the IEC in 2019 had previously been blacklisted.⁵⁸⁵

POLLING CENTER-LEVEL FRAUD IS WORSE IN INSECURE, RURAL AREAS

Election fraud is not confined to insecure and rural regions; in fact, 23 percent of the complaints received by the ECC about election fraud in 2018 were from Kabul Province, according to the UN Development Programme.⁵⁸⁶ But polling center-level fraud has historically been concentrated in insecure and rural areas.⁵⁸⁷ According to USAID, two-thirds of the votes invalidated by the IEC in 2014 came from 10 provinces that had been characterized by high levels of fraud in previous elections.⁵⁸⁸

The IEC effectively loses control over its election materials and its staff in inaccessible and remote areas.⁵⁸⁹ The IEC regularly has trouble even determining which polling centers open on election day.⁵⁹⁰ Poll workers in these areas, for a variety of reasons, may have allegiance or otherwise have to answer to local powerbrokers and insurgents, not the IEC or Afghan government. Fraud in these areas can take on more flagrant forms than it does elsewhere.⁵⁹¹ Local strongmen, who may themselves be candidates, can capture ballot boxes and take them out of the polling center for stuffing, preventing the polling center from opening at all.⁵⁹² An unsuccessful candidate for parliament from Paktiya told SIGAR that a fire had broken out between two other candidates over control of territory and, thus, polling centers to enable ballot stuffing.⁵⁹³ Powerbrokers may also use threats to reduce turnout by groups likely to vote against their wishes or to force captive populations to vote according to their guidance.⁵⁹⁴

Election commission staff can face significant political pressure and assume great personal risk to do their jobs. Poll workers spend two to three weeks working from their assigned polling centers without dedicated security.⁵⁹⁵ As a senior elections advisor explained: “It has become very unsafe to have an IEC badge.”⁵⁹⁶ Given this reality, some IEC officials and poll workers perpetrate fraud not because they want to, but because they have no other choice.⁵⁹⁷ Greg Minjack, an elections advisor with Democracy International, told SIGAR that in many areas, “whoever runs the town or village is going to decide where the votes go.”⁵⁹⁸

“Whoever runs the town or village is going to decide where the votes go.”

—Greg Minjack, elections advisor with Democracy International

A senior elections advisor, citing increasing insecurity, told SIGAR, “It’s never been more difficult to implement elections than it is now.”⁵⁹⁹ A 2018 Ministry of Interior assessment found that 43 percent of polling centers were under a medium- or high-security threat, or were simply outside government control.⁶⁰⁰ In 2019, security forces were able to secure fewer polling centers than ever before. (For a more detailed analysis of how insecurity impacts elections, see Chapter 2.)

FRAUD MITIGATION EFFORTS RISK DISENFRANCHISING VOTERS IN INSECURE AREAS

There are generally two ways to mitigate fraud: it can either be prevented, or it can be detected and nullified after the fact. The best way to maximize both efforts is to focus on the most fraud-prone areas. In Afghanistan, these are typically in the south and southeast, where the Taliban and terrorist organizations have the strongest presence. Since these areas also have Pashtun majorities, fraud mitigation efforts are often seen as disenfranchising Pashtuns to the benefit of others groups.⁶⁰¹

To candidates and residents of fraud-prone areas, special government efforts to reduce votes of any kind (even fraudulent ones) in their area may look suspiciously like wholesale vote suppression or even a stolen election. Thus, a rapid assessment review conducted by USAID after the 2014 presidential election found that “the IEC’s fraud mitigation strategies, which were supported by the international community, had a one-size-fits-all character that inadequately addressed the specific dimensions of fraud in the most problematic areas.”⁶⁰² The IEC, at the behest of its international advisors, considered approaches that would have applied more intense and selective scrutiny in these areas, but ultimately did not implement them.

Among the countermeasures considered and ultimately rejected were automatically auditing polling centers with a history of fraud, as well as scrutinizing any ballots transported by air, under the assumption that hard-to-reach polling centers were at higher risk. Just before the National Unity Government compromise was finalized, the IEC also considered a selective audit based on numerical criteria, such as ballot allocations that did not track with past voting trends.⁶⁰³ In theory, using either criteria would apply the same standard across the country, but if the impact is that certain areas receive more scrutiny, the perception is the same and just as potentially destabilizing. Nevertheless, with good reason, USAID’s 2014 analysis recommended prioritizing fraud mitigation measures in high risk areas.⁶⁰⁴

Moreover, while the IEC had no fraud mitigation strategy for the 2018-2019 cycle and declined to use countermeasures like those described above, it did implement (if poorly) the polling center-based voter list and biometric voter verification (see Chapter 7). The IEC went a step further and implemented perhaps the most radical fraud mitigation measure available to it: Recognizing the deteriorating security across the country, the IEC shuttered a third of the country’s polling stations in insecure (and often Pashtun majority) areas to protect the integrity of the vote.⁶⁰⁵ Despite disenfranchising perhaps hundreds of thousands of voters in both the 2018 and 2019 elections, the decision has not created widespread instability.



CHAPTER 6

ELECTORAL DISPUTE RESOLUTION

UNAMA photo

Electoral dispute resolution is the adjudication of election-related disputes, complaints, objections, or alleged violations of the law, the most serious of which can challenge election outcomes.⁶⁰⁶ Effective electoral dispute resolution lends credibility to an election by serving as a peaceful means for contesting election results.⁶⁰⁷ When Kenya's election commission ignored fraud during a recount in the country's 2007 presidential election, popular outrage resulted in the deaths of more than 1,000 people and the displacement of hundreds of thousands more.⁶⁰⁸ In the United States, the most famous example of electoral dispute resolution is the 2000 Supreme Court decision in *Bush v. Gore*, which settled a dispute over a recount in the presidential election in Florida.⁶⁰⁹ While *Bush v. Gore* was memorable because disputed presidential elections are rare in the United States, extralegal, opaque, and ad hoc electoral dispute resolution is common in Afghanistan and has repeatedly damaged the credibility of the electoral process.

The transparent resolution of disputes is a critical safeguard for ensuring an election's credibility. However, Afghanistan does not have a credible dispute resolution process. The Electoral Complaints Commission—which is responsible for adjudicating election complaints—is overwhelmed. Its provincial offices are weak, vulnerable to political influence, and operate with little oversight. ECC officials are unable to make decisions quickly and almost never justify or share them with the public, and referrals for and prosecution of electoral crimes is minimal.

These problems are both a cause and an effect of a worrying trend: Election fraud is increasingly centralized in the dispute resolution process at the provincial and central headquarters, where fraudsters can have the biggest impact for the least effort, as well as the fewest witnesses and the thickest smokescreen. Chaos and malpractice in the central and provincial electoral bodies in the resolution of disputes creates ideal conditions for both election commissions to make changes to the results, and since there is no expectation of transparency, perpetrators can commit fraud with impunity. The process that is supposed to rout out fraud is, instead, when some of its most potent forms occur.

Election fraud is increasingly centralized in the dispute resolution process, where fraudsters can have the biggest impact for the least effort, as well as the fewest witnesses and the thickest smokescreen.

Afghanistan's two electoral management bodies—the IEC and the ECC—share responsibility for electoral dispute resolution. Having two such bodies is unusual. In most countries electoral disputes are adjudicated by the judiciary or a single election management body, which is also responsible for administering elections.⁶¹⁰ The ECC would not be necessary in the first place if either the IEC or the judiciary were fully functional and credible. But the IEC has been unable to persuade the voters of its credibility. A large percentage of the ECC complaints filed are about IEC fraud or malpractice.⁶¹¹ In 2018, for example, almost half of the complaints filed to the ECC implicated IEC staff, as did approximately 40 percent in the second round of the 2014 presidential election.⁶¹² In most countries, these allegations would be handled by the judiciary.⁶¹³ But the Afghan judiciary suffers from a lack of political independence and a low degree of public trust, necessitating the creation of a second election commission—the ECC—to police the first.⁶¹⁴ However, even the ECC lacks sufficient credibility to play this important role. As one senior elections advisor put it, “If the problem is that rule of law is terrible, creating another body is not going to solve that.”⁶¹⁵

The IEC and the ECC have distinct roles to play in electoral dispute resolution. During the vote tabulation process, the IEC is responsible for determining which ballots are fraudulent and excluding them from preliminary results. The ECC is tasked with investigating complaints filed by voters, candidates, and political parties and making decisions about which votes to invalidate based on these investigations.⁶¹⁶ The IEC uses this ECC guidance to determine which additional ballots to exclude before announcing the final results.⁶¹⁷ Both commissions can order recounts and audits, but these are always conducted by the IEC, with the ECC observing.⁶¹⁸ The ECC is also responsible for referring allegations about criminal violations to the attorney general's office for prosecution.⁶¹⁹

In reality, the lack of clarity about the roles of the two election commissions, and open conflict between them, has repeatedly led to disputes that can undermine confidence in both the electoral dispute resolution process and the credibility of the election overall.⁶²⁰

For example, in 2018 the two commissions reached a stalemate when the ECC ordered all of the ballots in Kabul Province invalidated and a new election to be held there—while, at the same time, the IEC announced that the ECC did not have this power.⁶²¹ Similarly, in 2009, the IEC released the “final” results in the presidential election before the ECC was able to finish adjudicating complaints. The result of the ECC’s adjudication led to a change in the outcome of the election: The ECC invalidated a third of the votes for President Karzai, costing him an absolute majority and forcing him into a runoff.⁶²² There was similar conflict between the two commissions in 2019, covered in depth below.

The lack of clarity about the roles of the two election commissions has repeatedly led to disputes that can undermine confidence in both the electoral dispute resolution process and the credibility of the election overall.

ELECTORAL DISPUTE RESOLUTION IN AFGHANISTAN IS AN ALMOST IMPOSSIBLE TASK

The volume of fraud reported in Afghan elections can overwhelm the system. Fraud is also difficult to prove. Many complaints are dismissed for insufficient evidence.⁶²³ Further, an expectation that the election commissions will ensure that results roughly reflect the ethnic mix of a given constituency can lead to election commissions abandoning a strictly procedural approach to determining which ballots to count.⁶²⁴ Finally, the majority of decisions about complaints to the ECC are made by provincial election complaint commissions, where technical skills and oversight are weak.⁶²⁵ Moreover, the election commissions tend to lack transparency and share little information about their actions with the public.

Electoral Dispute Resolution System Is Overwhelmed with Fraud and Unable to Address It All

The volume of complaints of electoral fraud in Afghanistan presents a capacity challenge for the ECC, in particular. In 2018, the ECC received approximately 19,000 complaints, a massive increase over the approximately 6,500 received during each of the country’s previous parliamentary elections in 2005 and 2010.⁶²⁶ In 2019, there were about 16,500 complaints, and then roughly 6,000 more appeals to the central ECC about decisions made by provincial election complaint commissions.⁶²⁷ This was also a substantial increase from the 5,437 complaints filed during the 2014 presidential election.⁶²⁸

The flood of complaints that election commissions must contend with in each cycle can be so overwhelming that they end up ignoring a large portion of fraud allegations. In 2009, the IEC’s criteria for quarantining and recounting ballot boxes were those polling centers where 600 or more people had voted, or those which reported 95 percent of all votes going to a single candidate. But so many polling centers met this criteria that the IEC determined it could not investigate each instance.⁶²⁹ After the ECC raised concerns



Senior UN officials visit the ECC to discuss progress in adjudicating complaints after the presidential election, October 10, 2019. (UNAMA photo by Fardin Waezi)

about this, the UN worked with both commissions and came up with a solution: auditing a random sample of ballot boxes.⁶³⁰ As a result of this audit, 1.1 million votes were invalidated.⁶³¹

Complaints made to the ECC can be difficult to prove, partly because the ECC has little ability to conduct independent investigations. The ECC often must rely on evidence submitted by candidates and candidate agents, as well as reporting and testimony from domestic observers.⁶³² However, candidate agents and domestic observation organizations may not be able to prove the fraud they allege, and a large percentage of complaints are dismissed.⁶³³ (For more on the challenges to and shortcomings of election observers and partisan agents, see Chapter 8.) According to former ECC Chair Aziz Ariaye, 80 percent of complaints filed in 2018 were dismissed.⁶³⁴ While this percentage dropped to 60 percent in 2019, it was still significant.⁶³⁵ A senior elections advisor described the bulk of the ECC's work as "just receiving complaints and dismissing them on procedural grounds."⁶³⁶

Provincial Election Complaint Commissions, the First Line of Adjudication, Are Weak and Vulnerable to Political Influence

Since 2010, responsibility for primary adjudication of complaints has been delegated to provincial election complaint commissions.⁶³⁷ This has yielded some success: Out of the 19,266 complaints filed after the 2018 election, 87 percent were adjudicated by these provincial commissions.⁶³⁸ The ECC can still perform primary adjudication of complaints under certain conditions, and complainants can appeal decisions made at the provincial level to the central body. In 2018, 6 percent did so.⁶³⁹



Residents in Jalalabad gather to file complaints to the ECC after the presidential election, April 16, 2009. (UNAMA photo by Tilak Pokharel)

But delegating most cases to provincial commissions also comes with risks. Provincial commissions have fewer technical skills, less political neutrality, and less transparency in their decisions than their central counterpart, and often lack standard complaint processes.⁶⁴⁰ Further, the central ECC does not have much ability to oversee the provincial commissions' work.⁶⁴¹ According to multiple stakeholders, the central ECC did not obtain all of the complaints received or considered at the provincial bodies, because some simply “disappeared.”⁶⁴² As a result, the quality and transparency of these provincial commission decisions varied, contributing to a perception of arbitrariness in electoral dispute resolution.⁶⁴³ According to one election official, the lack of guidance from the central ECC in 2019 led different provincial commissions to make conflicting decisions about whether to validate votes cast outside of polling hours.⁶⁴⁴

Despite legal requirements concerning how far in advance of election day provincial election complaint commissions must be established, they have repeatedly been created at the last minute and staffed by unqualified provincial commissioners with minimal training.⁶⁴⁵ The 2019 Election Law required provincial commissions to be established one month before candidate and voter registration begin, approximately five months before election day.⁶⁴⁶ However, before the 2014 and 2018 elections, these provincial commissions were created only a few weeks before election day.⁶⁴⁷ According to the UN Electoral Support Program, the 2018 provincial commissioners received only 6 days of training on complaints adjudication, which is highly technical.⁶⁴⁸ According to Walid Sarwary, former deputy chief electoral officer of the ECC, in 2018—as in 2014—the provincial commissions were established too late to allow for sufficient training.⁶⁴⁹ A senior electoral advisor told SIGAR that one of the top five things he would advise donors to change about their approach to electoral assistance would be to invest in training election officials below the national level.⁶⁵⁰

In the Most Insecure Areas, Fraud Is Viewed as a Way to Reduce the Effects of Disenfranchisement

Potential voters in insecure areas are more at risk of being disenfranchised due to security issues: They are prevented from registering and/or find that polling centers in their areas have been closed on election day due to violence or threats of violence.⁶⁵¹ In 2018, the lowest turnout as a proportion of registered voters was in the south and southeast of Afghanistan, where the Taliban and terrorist organizations have the strongest presence.⁶⁵²

In such areas, fraud and election rigging are also more common, according to multiple stakeholders and analysts.⁶⁵³ A former senior Afghan election official said that election rigging is so widespread in some areas that it is simply considered part of the voting process.⁶⁵⁴ As one former member of parliament, Mullah Tarakhel, described it, “You have to cheat to be fair.”⁶⁵⁵ In other words, election rigging is sometimes viewed as necessary to offset the disenfranchisement of voters in insecure areas. A large spike in turnout between the first and second rounds of the 2014 presidential election in several remote and insecure provinces was one of the major bones of contention that led former Chief Executive Abdullah to withdraw from the election, alleging fraud.⁶⁵⁶ Likewise, according to analysis by Scott Worden, the number of registered voters in Paktiya in 2018 was higher than that province’s estimated population, indicating high levels of fraud in this insecure province.⁶⁵⁷

Because votes are often invalidated in bulk when fraud is suspected, the effect is to further disenfranchise all voters in insecure areas, including legitimate voters.⁶⁵⁸ For example, 72 percent of votes from Kandahar were invalidated through the electoral dispute resolution process in 2010.⁶⁵⁹ Invalidation decisions can affect ballot boxes from specific polling stations, entire polling centers, or even whole districts.⁶⁶⁰

A USAID report about the 2014 election also raised concerns that these issues can have a disproportionate effect on certain ethnic groups. That report said there is “a tension between fraud mitigation, which would reduce the total vote and levels of political representation in many Pashtun areas, and principles of fairness and inclusion, which seek to avoid disenfranchising Pashtuns who may not be able to vote because of an insurgency they do not support.”⁶⁶¹ Proposals to focus anti-fraud measures where fraud was the worst have been considered but rejected for fear they would produce ethnically unrepresentative outcomes and provoke political opposition.⁶⁶²

The fears are well founded. According to multiple senior ECC officials independently recounting their stories, during the 2018 election, a large number of fraudulent votes in Wardak were ignored after preliminary results were tallied. One official said that 35 percent of the votes in the province had been initially invalidated by the provincial ECC office due to fraud, and that all of those invalidations had been overruled in Kabul, allowing the fraudulent votes to be counted.⁶⁶³ Two other senior ECC officials, who had direct access to the deliberations, said that the reason those fraudulent votes were counted was to ensure some Pashtuns would win seats. Excluding the fraudulent

votes, these officials claimed, would have led Hazaras to win all five seats in Wardak, an outcome that was deemed unacceptable given the province's sizable Pashtun population.⁶⁶⁴ SIGAR was unable to confirm these claims beyond interviews.

The electoral dispute resolution process has caused concern in cases where it results in the selection of representatives whose ethnic backgrounds are not representative of the population. While not proof of fraud, an outcome that is not representative of a province's ethnic make-up can be viewed by some as fraudulent, even if it was achieved through a legal process.⁶⁶⁵ As a result, both election commissions have faced political pressure to change their decisions to ensure the selection of a more ethnically representative group, as occurred in Ghazni in 2010. President Karzai spoke publicly about his (ultimately unsuccessful) demand that the election commissions go back to the drawing board to ensure that the candidates who won in the province were ethnically representative of the population.⁶⁶⁶

Failure to Prosecute High Profile Offenders and the Arbitrariness of Electoral Dispute Resolution Incentivize Fraud

The Afghan government's failure to prosecute election fraud has been a longstanding problem.⁶⁶⁷ It undermines electoral dispute resolution, encourages more fraud, and ultimately threatens the credibility of Afghan government institutions. As early as 2009, U.S. Admiral Mike Mullen, then chairman of the Joint Chiefs of Staff, said that, as a result of this failure, the Afghan government's legitimacy "is, at best, in question right now and, at worst, doesn't exist."⁶⁶⁸ According to some experts, perceptions have not changed in the interim. Afghanistan researchers Jennifer Brick Murtazashvili and Mohammad Qadam Shah described the 2019 presidential election as the most corrupt the country had ever held.⁶⁶⁹

Before 2019, Afghanistan prosecuted only a small fraction of low-level offenders because high-profile individuals could use their political clout to block them from being prosecuted. In fact, an internal USAID review of the 2014 election noted that "several prominent election officials associated with fraud during past elections were promoted or given ministerial appointments."⁶⁷⁰

Typically, the only officials held accountable for fraud are junior staff. According to USAID, after the 2019 election, the ECC referred a number of staff from provincial IEC offices to the attorney general's office.⁶⁷¹ Rarer is the prosecution of high-level staff and commissioners. The exception was 2018, the year when all seven IEC commissioners and three of the five ECC commissioners were convicted of fraud for rigging votes in favor of specific parliamentary candidates.⁶⁷²

LACK OF TRANSPARENCY AND TIMELINESS HURTS THE CREDIBILITY OF THE DISPUTE RESOLUTION PROCESS

Providing clear explanations of how electoral dispute resolution decisions were made, not just to complainants but to the general public, prevents the manipulation

of information about the election that could call the process into question.⁶⁷³ Transparency about the rationale behind decisions increases the accountability of election commissions, prevents attacks on their mandate, makes it easier to gain acceptance for and enforce their decisions, and increases faith in the process.⁶⁷⁴

One of the most critical components of this transparency is the public release of decisions.⁶⁷⁵ In Mexico, for example, the Federal Electoral Tribunal does not conduct public hearings, but case information, including written legal decisions and judges' voting records, are freely available.⁶⁷⁶ Likewise, timeliness is critical, because delays can provide more opportunity for malfeasance. The legitimacy of both the Afghan presidency and Wolesi Jirga were repeatedly questioned after their terms expired during the multiple delays in holding the 2018 and 2019 elections.⁶⁷⁷ In addition, the long delays in releasing the 2018 election results undermined transparency, raised the risk of corruption in vote tabulation, and lowered voter confidence in the results.⁶⁷⁸

Electoral Dispute Resolution in Afghanistan Lacks Transparency; Election Commissioners Disagree on Facts and Figures

Promoting electoral transparency is a key goal of the U.S. government's strategy for Afghanistan. However, a review of the election commissions' websites reveals limited public information about the electoral dispute resolution process, a key component of making elections more transparent. The ECC received close to 20,000 complaints about the 2018 election and issued approximately 19,000 decisions—but released only 21 decisions on its website, and only one in which votes were invalidated.⁶⁷⁹ None of the provincial electoral complaints commission decisions were posted.⁶⁸⁰ When the Election and Transparency Watch Organization of Afghanistan, which conducts election observation, requested provincial commission decisions for the 12 provinces in which it observed the 2018 election, five of the 12 failed to comply, a violation of the legal and regulatory requirements that ECC decisions be publicly released.⁶⁸¹ Similarly, the IEC's website provided no explanations for its decisions to exclude certain ballots during the 2018 election. As a result, there is no public explanation for why more than 10 percent of the ballots cast in that election were not counted, a decision that affected election outcomes.⁶⁸²

The ECC received close to 20,000 complaints about the 2018 election and issued approximately 19,000 decisions—but released only 21 decisions on its website, and only one in which votes were invalidated.

Disagreements over basic facts and figures between the two election commissions, as well as between commissioners serving on the same commission, are also a problem. In 2019, IEC Commissioner Mohammad Abdullah reported on his personal Facebook page that the initial turnout number was nearly 2.7 million.⁶⁸³ A senior elections official and an international official both told SIGAR they believed that number was inflated due to poor communication between the IEC in Kabul and their provincial counterparts.⁶⁸⁴ The ECC put the number at nearly 2.2 million.⁶⁸⁵ Another IEC commissioner, Rahima Zafiri,



ECC officials hold a meeting to share results from 700 complaints related to the April presidential election, May 8, 2014. (UNAMA photo by Fardin Waezi)

reported in a press conference that 1,932,673 votes had been biometrically verified. However, IEC Commissioner Awrangzeb subsequently announced a lower figure of 1,929,333.⁶⁸⁶ The IEC never explained the discrepancies.⁶⁸⁷

Between tallying votes and determining the preliminary results, the IEC invalidated more votes, bringing the total number of votes down to 1.84 million.⁶⁸⁸ The IEC published these decisions on their website in 2019, but they lacked sufficient detail for observation groups and other analysts to determine how these invalidations affected the results.⁶⁸⁹ Three USAID-funded observation groups protested the IEC's lack of transparency in not releasing information about how many ballots were used overall, or the breakdown between those that were valid, wasted, invalid, and blank.⁶⁹⁰

The lack of reliable and transparent data makes it difficult for election observers and analysts to understand election outcomes, and often leads to widely divergent and unverifiable figures. The problem is also compounded by poor recordkeeping. It is possible that the IEC did not have a detailed accounting of changes to the vote numbers. A senior election official told SIGAR the IEC had no written record of which polling stations these invalidated votes came from.⁶⁹¹ In comments to SIGAR, USAID disagreed, but SIGAR was unable to confirm.⁶⁹²

If such records do not exist, it would increase the potential for fraud. According to Thomas Ruttig of the Afghanistan Analysts Network (AAN), another 20,000 ballots were subsequently invalidated with no explanation, bringing the total number of preliminary votes to 1.82 million.⁶⁹³ It is not clear if those 20,000 votes were invalidated in the audits and recounts that the IEC conducted prior to the release of the preliminary results. According to the AAN, it had to conduct a forensic analysis of information released by the IEC to come up with this 20,000 figure because the IEC failed to publicly disclose how many votes it had invalidated overall. Another AAN analyst, Ali Adili, estimated that

the IEC had invalidated closer to 100,000 ballots overall.⁶⁹⁴ In an interview with SIGAR, a senior election official put that estimate at 150,000.⁶⁹⁵

The ECC had similar recordkeeping and transparency issues. According to Ali Adili, the ECC's publicly released figures and decisions were missing critical information about whether large categories of votes had been counted or invalidated, and why.⁶⁹⁶ Much of the publicly available information was shared via press conferences, rather than published, as required under the Election Law. The ECC failed to release any of its decisions from 2019 on its website.⁶⁹⁷ A senior elections advisor told SIGAR that the lack of transparency about ECC decisions has been an issue for many election cycles.⁶⁹⁸

In 2018, information on vote invalidation was not conveyed to candidates whose races were affected by the changes. Eleven parliamentary candidates—five winners and six losers—told SIGAR they witnessed widespread irregularities in the tallying of preliminary and final results. Many stated that election commission officials failed to respond to questions about why vote counts had changed between the preliminary and final results.⁶⁹⁹

Candidates faced similar issues in 2014, when the ECC also failed to provide clear and substantiated reasons for its decisions. Democracy International deemed this one of the ECC's "most critical failures."⁷⁰⁰ In fact, one of the most important recommendations in the ECC's own 2014 lessons learned report remains unimplemented: to "share detailed complaints reports [including the] allegation, complainant, and respondent status, decisions, appeals, and breakdown by provinces."⁷⁰¹ ECC decision-making regarding pre-election complaints in 2018 was similarly opaque. It was not always clear on what basis the commission was making its decisions, even on far-reaching decisions such as the disqualification of all of a candidate's votes across a constituency.⁷⁰²

The ECC also shared insufficient information regarding the 21 decisions it actually released following the 2018 election. It provided little explanation for its legal reasoning and few details on the evidence it considered.⁷⁰³ Similarly, the decisions of provincial electoral complaints commissions made available on the ECC's website in 2010 contained incomplete explanations; others were handwritten and difficult to read.⁷⁰⁴ The ECC's lessons learned report from 2014 contains a plaintive plea that provincial electoral complaints commission decisions "should include legal reasons," adding that *most* decisions did not.⁷⁰⁵ Democracy International reported that when the ECC held its first public round of hearings after the 2014 provincial council elections, the lack of standard procedures, rules of evidence, and established burden of proof led candidates and observers to question the competency and fairness of the commissioners.⁷⁰⁶ According to Afghanistan election expert Martine van Bijlert, even when the ECC held public hearings, it was unclear on what basis they were making their decisions: "It seemed as if the commission felt it had to act, but didn't know based on what."⁷⁰⁷

Delays in Resolving Electoral Disputes Led to Months of Political Uncertainty

Delays in the electoral dispute resolution process can lead to prolonged political crises. In 2018, complainants had two days to submit complaints. Provincial electoral complaints commissions then had 15 working days to adjudicate, and complainants had three days to appeal, after which the central complaints commission had 15 more days to adjudicate these appeals. In comments to SIGAR, USAID noted that this process should take approximately 3 months to complete.⁷⁰⁸ In 2018, it took almost 7 months for final results to be released.⁷⁰⁹

One reason for the delays is that the volume of fraud complaints in the early stages of the election leaves the IEC and ECC overwhelmed by the time results reach Kabul. Decisions regarding what to do about these complaints no doubt take time.⁷¹⁰ However, the IEC's failure in 2018 to take the procedurally required step of announcing partial results while waiting for all votes to come in raised suspicions that the delays could have been intentional to allow time to manipulate results.⁷¹¹ The IEC failed to release partial results during any of the following stages in 2018: tabulating votes, verifying preliminary results, adjudicating complaints, conducting recounts, and preparing the final results.⁷¹² It took the IEC more than a month to release preliminary results from 28 provinces and almost three months to release the preliminary results from Kabul.⁷¹³ This failure to release any partial results was new, since the IEC had released them in 2014.⁷¹⁴

Lack of Transparency Raises Suspicions about Dispute Resolution Credibility

While SIGAR cannot verify allegations that delays in dispute resolution were manufactured to allow time for election commission staff to manipulate results, these allegations are discussed in this section to provide some insight into the perceptions of some election stakeholders.⁷¹⁵

Organizing vote tabulation “is not rocket science, unless you don’t want to do it. Anytime I see a really chaotic tally center, I am always suspicious that that is not an accident.”

—Senior elections advisor

The lack of transparency in the dispute resolution process in 2018 continued through the 2019 cycle.⁷¹⁶ Organizing vote tabulation “is not rocket science, unless you don’t want to do it,” one senior elections advisor with more than two decades of experience working with election management bodies around the world told SIGAR. “Anytime I see a really chaotic tally center, I am always suspicious that that is not an accident.”⁷¹⁷

According to several stakeholders, including former IEC chief electoral officers Abdullah Ahmadzai and Ahmad Shah Zamanzai, chaos in the dispute resolution process

creates smoke to disguise fraud. In their opinion, recounts are ordered not to adjudicate contested results, but to provide an opportunity to change the results at the provincial level.⁷¹⁸ The former deputy ECC chief electoral officer from the 2018 cycle, Walid Sarwary, told SIGAR that the ECC lacked a case management system—even though the ECC and its provincial commissions have only 15 days each to process tens of thousands of complaints.⁷¹⁹ According to him, complaints at the provincial level were not tracked in a spreadsheet, enabling provincial commission staff to “lose” complaints unfavorable to the candidates they supported before they could be documented.⁷²⁰

The Afghanistan Research and Evaluation Unit said that in 2009 the IEC had repeatedly refused to allow observers or agents to monitor the inspection of quarantined ballot boxes. The same report also alleged that same year that the commission revalidated previously excluded boxes with results favoring former President Karzai.⁷²¹

Several Afghan officials and stakeholders working on elections alleged that the lack of transparency in the dispute resolution process in 2019 was a conscious choice by officials at the central and provincial offices of the IEC and ECC to conceal fraud, citing their refusal to make critical information public, their broken promises to invalidate specific controversial votes, and their determination to leave their preliminary results virtually unchanged.⁷²² In addition, according to the Transparent Election Foundation of Afghanistan, the IEC conducted an ECC-ordered audit late at night and without domestic or international observers or even ECC representatives present.⁷²³

Fear may also be a reason for the lack of transparency. In 2018, as previously noted, 10 of the 12 IEC and ECC commissioners were arrested and sentenced to 5 years imprisonment. An international official told SIGAR that, in his opinion, the reason the 2019 commissioners have not been forthcoming with information is that they feared that any decision they made—fraudulent or not—might be used to prosecute them.⁷²⁴

MOTIVATIONS FOR FRAUD IN THE ELECTORAL DISPUTE RESOLUTION PROCESS

Many of the candidates SIGAR spoke to said they were either asked for or actually paid bribes to election commission officials, ranging from commissioners of the central election commissions to provincial commissioners to lower-level staff working on the recounts.⁷²⁵ While SIGAR cannot verify these accounts, they are illustrative of opinions, perceptions, and experiences that policy implementers will likely encounter when navigating Afghanistan’s electoral landscape. Afghanistan’s Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC) said that most of the candidates and virtually all of the losing candidates it interviewed said they were approached for bribes. Of the 17 candidates interviewed by SIGAR, 10 also said they were approached to pay bribes or heard of others being asked for bribes.⁷²⁶

According to some stakeholders, one 2018 election commissioner reportedly commanded bribes nearing \$1 million in order to secure a seat for a single candidate.

Securing the services of lower-level IEC staff reportedly cost at least \$10,000.⁷²⁷ The MEC report documented a candidate saying that the IEC would guarantee their support for a bribe between \$500,000 and \$800,000, while for \$800,000 to \$1 million he could buy support from both election commissions and guarantee himself a seat in parliament.⁷²⁸ The large amounts of money involved reportedly spawned a system which worked like an auction, according to one international official: Bribes were paid to an account held by a money changer (*sarafi*) in Kabul, where the money was held in escrow until the highest bidder was identified.⁷²⁹ Only the highest bidder paid—and only once seated—while the remaining money was returned to the others.⁷³⁰ An unsuccessful 2018 candidate detailed a similar process when describing his private meeting with a commissioner to discuss the mechanics of a possible bribe.⁷³¹

Hilla Mujtaba, an unsuccessful candidate for parliament from Paktika, told SIGAR she was asked for bribes not just in order to add votes to her totals, but also to avoid the exclusion of votes in her favor by the IEC or their invalidation by the ECC.⁷³² Another candidate alleged that she was told that she was winning but needed to pay a bribe to “secure” her votes from the two election commissions.⁷³³ The Afghan press reported an incident in which a candidate paid a bribe to a senior palace official to get a seat, secretly recorded the interaction, and then used the recording as blackmail to secure his seat *and* get his money back.⁷³⁴

Why Elected Office Is So Desirable in Afghanistan

One reason candidates may be willing to pay such high prices for seats in parliament is to protect ill-gotten fortunes. Some may be businessmen who earned their money through fraud on government contracts, smuggling commodities to avoid taxes, and other illegal means.⁷³⁵ By becoming members of parliament they can gain access to new sources of illicit revenue and immunity from prosecution.⁷³⁶ According to the Afghanistan Analysts Network, cabinet ministers have paid parliamentarians as much as \$1.5 million to ensure they survive votes of confidence.⁷³⁷ In addition, members of parliament reportedly obtain contracts for their construction businesses through their political influence. The director of Integrity Watch Afghanistan has said that “a lot of people believe the majority of the members of parliament are involved in illegitimate businesses.”⁷³⁸ Under the Afghan constitution, members of parliament can be prosecuted and temporarily arrested, but they cannot be detained for any crime, whether it is related to their official capacity or not, without the permission of an administrative board of their fellow members.⁷³⁹ As of May 2019, neither house had ever granted the attorney general permission to detain a member, and only one member had been convicted of corruption by the Anti-Corruption Judicial Center.⁷⁴⁰

Committing Fraud by Falsifying Results during Recounts

In 2018, the ballots from all 33 provinces in which elections had been held were recounted. In interviews with SIGAR, many stakeholders, including candidates and representatives of domestic observation organizations, alleged that this process was replete with fraud.⁷⁴¹ SIGAR could not confirm these accounts but included them in this report because these perceptions—whether accurate or not—are important for U.S. policy and program implementers to be aware of as they navigate Afghanistan’s electoral landscape.

The IEC’s failure to provide criteria or a rationale to explain its decisions on which ballot boxes to recount did nothing to allay widespread suspicions that those decisions were driven by a desire to commit fraud.⁷⁴² According to the MEC, without integrity in the election commissions, “an otherwise transparent process tends to become opaque, usually at the precise moment and place that corruption occurs—for instance, when a vote recount succumbs to bribery.”⁷⁴³

Recounts were initially conducted in provincial capitals, but allegations of fraud in those processes forced a second recount effort at the National Tally Center in Kabul.⁷⁴⁴ The MEC has cautioned that recounts “lack the safeguards of vote tabulations and are [vulnerable to] tampering.”⁷⁴⁵ For this reason, a senior IEC official described the ECC’s initial decision to invalidate all votes in Kabul Province as “doomsday,” because of the high risk for fraud in the subsequent recount.⁷⁴⁶



ECC officials hold a press conference to discuss complaints in the April provincial council elections, June 2, 2014. (UNAMA photo by Fardin Waezi)

The alleged mechanisms for changing the results during the recount varied. Several candidates from Kabul—some who won and some who lost—provided SIGAR with what they claimed was evidence of fraud in the electoral dispute resolution process. Their claims, and SIGAR interviews with other candidates, reveal plausible paths for fraud. Again, the following examples could not be confirmed; they are listed in the belief that they could be useful for those working to mitigate fraud in future elections:

- Manually editing result sheets—for example, by adding digits to the vote count or even scratching out numbers;⁷⁴⁷
- Replacing original results sheets with fake ones, requiring fraudsters to tamper with barcodes or falsify observer signatures on results and recount sheets;⁷⁴⁸
- Conducting multiple recounts for a polling station in a single day;⁷⁴⁹
- Combining the tallies from multiple versions of results sheets from the same polling station;⁷⁵⁰
- Intentionally disposing of ballot boxes or results sheets;⁷⁵¹
- Making decisions about which ballots to exclude or invalidate in order to ensure specific candidates win or lose;⁷⁵²
- Changing results in the National Tally Center database (which, according to the UN Electoral Support Program, two IEC employees were arrested for doing in 2018);⁷⁵³
- Selling blank results sheets, so candidates could fill them out in their favor and use them to contest the result—a strategy that could have been particularly effective when the IEC lost hundreds of original results sheets in Kabul in 2018.⁷⁵⁴

Irregularities in the 2018 Kabul tabulation process may have added to suspicions of fraud. According to Ali Adili, of the Afghanistan Analysts Network, the ECC stated publicly at one point that it would allow the Kabul election to stand if the IEC would share with it 50 percent of the original results sheets from election day. As Adili noted, if true, that would be a startling statement from a body that should have had access to all of them.⁷⁵⁵ After the head of the Kabul provincial office of the IEC was fired for allegedly taking bribes, his replacement resigned, saying that fraud in the province “had been designed and conducted by a corrupt circle led by the head of the IEC secretariat.”⁷⁵⁶ According to Sibghatullah Tamim, former ECC legal director, only 10 to 20 percent of the votes announced for Kabul Province were legitimate.⁷⁵⁷

Committing Fraud by Failing to Adjudicate Complaints in 2018 and 2019

Another way to commit fraud through the election dispute resolution process may be to simply decline to eliminate fraudulent votes. According to SIGAR’s analysis of 35 constituencies where parliamentary elections were held in 2018 (33 provinces plus the Kuchis and Sikhs), there were seven where not a single vote was changed between preliminary and final results: Wardak, Baghlan, Kunduz, Daykundi, Badakhshan, Kuchis, and Sikhs.⁷⁵⁸ Similarly, SIGAR obtained a series of internal ECC decisions that cite “the sensitivity of the timeframe” to justify announcing preliminary winners as final winners without changing any votes in Wardak, Baghlan, Kunduz, and the Kuchi constituency.⁷⁵⁹ According to four current and former election officials, the ECC explicitly chose not to adjudicate any complaints in these provinces.⁷⁶⁰



ECC officials hear complaints in the aftermath of the presidential election runoff, August 28, 2014. (UNAMA photo by Sayed Mohammad Shah)

Similarly, according to two election officials from the 2019 cycle, the IEC refused to conduct the audit ordered by the ECC in the manner instructed.⁷⁶¹ According to a senior election official, the ECC had instructed the IEC to conduct the audit by re-opening the ballot boxes in question, which were stored at the provincial IEC offices. Instead, the IEC allegedly reviewed only the documents corresponding to those contested polling stations that were available at its headquarters in Kabul.⁷⁶² An Afghan election stakeholder, in an interview with SIGAR, argued that the lack of specificity contained in the ECC's instruction to the IEC was intentional and was designed to enable the IEC to leave the preliminary vote count virtually unchanged.⁷⁶³ In the end, only 453 votes were invalidated, allowing President Ghani to avoid a runoff with approximately 20,000 votes to spare.⁷⁶⁴

ECC Deputy Chairman Mawlawi Din Muhammad Azimi asserted that between 65,000 and 80,000 additional votes would have been invalidated if the IEC had properly carried out the audit and recount—an assertion that ECC Chairwoman Zohra Bayan Shinwari denied.⁷⁶⁵ There were also allegations by an observation organization and an election official SIGAR spoke to that the IEC announced the final results before the ECC had even completed its work and submitted all of its decisions, leaving approximately 20 percent incomplete.⁷⁶⁶

After a detailed analysis of the numbers, Colin Cookman with the U.S. Institute of Peace determined that even if the IEC had carried out the ECC-ordered audits as instructed, the number of ballots invalidated because they were initially missing biometric data would not have triggered a runoff in and of itself.⁷⁶⁷ He also found that, even if all of the out-of-time votes had been invalidated, it would not have triggered a runoff.⁷⁶⁸ Finally, he

found that almost 15,000 votes had been added between the preliminary and final vote totals, something that is theoretically impossible, since the only changes between the preliminary and final total should be invalidations.⁷⁶⁹ Taken together, the impact of these discrepancies remains unknown.

Lack of Transparency in Dispute Resolution: Observers Lack Sufficient Access

Across seven Afghan elections in recent years, election observers and candidate agents have consistently complained that they have not been given the opportunity to adequately monitor recounts or the information necessary to understand vote total changes over time.⁷⁷⁰ The situation was no different in 2018 or 2019. The ECC refused to provide the formal decisions that the law obligates them to produce.⁷⁷¹ In fact, Cookman assessed the audit ordered by the ECC and conducted by the IEC in 2019 as having been “concluded in a rapid fashion, with little clarity on the details of some of its outcomes and with some apparent discrepancies evident in the final results published by the IEC.”⁷⁷² Lastly, the same year, the IEC did not release any details on the process through which it identified and invalidated 86,000 duplicate votes or explain the threshold it set with Dermalog for establishing a match.⁷⁷³

Naeem Ayubzada, founder of the Transparent Election Foundation of Afghanistan (TEFA), said that his organization determined in 2018 that more than 65 percent of the results sheets they documented at the polling center level were later changed without explanation, resulting in incorrect outcomes in 15 provinces.⁷⁷⁴ To Abdullah Ahmadzai, the former IEC chief electoral officer, the fact that the IEC refused to release vote tallies before and after recounts supports his conclusion that they are mechanisms for election rigging.⁷⁷⁵

When candidate agents and observation organizations have been able to observe, they have seen obvious fraud. ETWA and TEFA have both documented that political parties and candidates openly interfered in the 2018 recount process, including negotiating with IEC officials to fix the election for a price. Reporting by both organizations also alleges that staff in charge of the recount that year displayed party bias and worked to assist their preferred candidates.⁷⁷⁶ TEFA and a candidate from Kabul Province both reported that there was a relatively fixed rate for IEC staff to add votes to the count, ranging somewhere from \$50 to \$200 per vote.⁷⁷⁷ TEFA also documented instances in which IEC staff were fired for committing fraud during the recount, only to be rehired in short order.⁷⁷⁸



IEC photo

CHAPTER 7

THE USE OF ELECTION TECHNOLOGY

Election technology has not had a significant impact on the credibility of Afghan elections, but has merely added another means of contesting them. The 2018 and 2019 elections showed the Afghan government was unable to use technology to improve the credibility of its elections. Despite this, both the government and political parties have sought to continue and even expand the use of technology. Though it did reduce ballot box stuffing, election technology created new vulnerabilities to the transparency and credibility of Afghan elections. In 2018, the Independent Election Commission adopted new technology less than a month before the election, leading to several failures. In 2019, it failed to follow its own procedures for determining how data collected by biometric devices would be used to invalidate ballots, creating opportunities to contest the election. The use of technology in Afghan elections is not inherently problematic, but political and technical challenges are likely to recur if each election continues to feature new, poorly understood, and untested technology.

Election technologies considered for use in Afghanistan fall into four categories: biometric voter registration, biometric voter verification, electronic voting, and electronic results processing. While all four have been used in elections around the world, all have mixed records and are not in common use.⁷⁷⁹ A fifth type, the e-tazkera (an electronic version of the national identification card), is not specific to elections but has significant application to them. While all four technologies have been proposed in Afghanistan, only biometric voter verification and electronic results processing have been attempted on a national scale.

Types of Technological Approaches

Biometric Voter Registration is the collection of biometric data, such as fingerprints, for the purpose of identifying voters.⁷⁸⁰

Biometric Voter Verification is the collection of data from voters on election day, which is then compared either to data collected from that voter during registration or to data collected from all other voters on election day.⁷⁸¹

Electronic Voting involves the use of a machine to record votes.⁷⁸²

Electronic Results Processing can include electronic tallying, transmission, and management of election results. It can be done with or without electronic voting.⁷⁸³

E-Tazkera is a standardized Afghan identification card tied to a computerized civil registry and voter registry database.⁷⁸⁴

Adopting new technology is expensive and time consuming, and its usefulness is only as good as its implementation.⁷⁸⁵ Given the already limited capacity of Afghan election commissions and steadily declining donor funding and technical support, diverting money and attention away from core electoral tasks carries risks.⁷⁸⁶ The tendency in Afghanistan has been to adopt a new approach too soon before election day to properly roll it out, fail to spend the time necessary to improve it between elections, and then add yet another new technology just before the next election. Enthusiasm for adopting additional technology for future elections, including biometric voter registration and expanding biometric data collection to include iris scanning, may result in a repeat of the problems new technology added to past elections.⁷⁸⁷

Expertise in technological approaches is lacking among Afghanistan's election commissioners and staff, the political parties advocating for new technologies, the observers monitoring them, and even the donors who still provide much of the funding.⁷⁸⁸ As a result, the contractor implementing the technological solution drives the process, rather than the government's election commission.

While the introduction of biometric voter verification in 2018 and electronic results processing in 2019 has been credited with reducing ballot stuffing in those elections, it did not reduce fraud overall; it just displaced it to other parts of the electoral cycle.⁷⁸⁹ Technological solutions, like other kinds of anti-fraud measures, cannot address problems that stem primarily from a lack of political will.⁷⁹⁰ Fraud evolves in response to the introduction of each new measure, and one set of vulnerabilities is simply replaced by another.⁷⁹¹ In the words of John Githongo, Kenya's former anti-corruption czar, "You cannot digitize integrity."⁷⁹² Indeed, in the 2018 election, biometric voter verification simply displaced the worst fraud to the opaque election dispute resolution process. By 2019, disputes over the validity of biometrically verified votes had become the primary issue contested between the candidates (see pp. 112–118).⁷⁹³ The election commissions' decisions regarding roughly 300,000 votes based on biometric data were a factor in President Ghani's narrow victory.⁷⁹⁴

RECENT HISTORY OF ELECTORAL TECHNOLOGY IN AFGHANISTAN

The scale of fraud in Afghan elections in recent years has made technological “silver bullet” solutions attractive to both Afghans and donors. According to a senior elections advisor, electoral support to the country “has been a bit of an experimentation ground” (see Figure 15). He said that a number of senior elections advisors have made their names in Afghanistan trying things like weighing ballot boxes and putting cameras in each polling center. But these efforts, he warned, distracted from the essential grunt work of “long-term, unsexy technical assistance and keeping the model steady to build capacity over time.”⁷⁹⁵

A debate between President Ghani, donors, and the UN about whether or not donors would fund election technology impeded preparations for the 2018 parliamentary elections and ultimately delayed them by at least a year.⁷⁹⁶ In the spring of 2017, President Ghani began pressuring the election commissions to adopt all four types of election technology, and urged the donor community to provide funding.⁷⁹⁷ In response, the IEC commissioned a panel of experts to examine each option.⁷⁹⁸ The resulting study recommended against electronic voting. It gave lukewarm endorsements to the other three technologies, though listing a number of concerns about their adoption.⁷⁹⁹ Then the IEC announced in April 2017 it would ignore its own study and adopt all four technologies, triggering a debate between donors and the government over whether donors would pay for this.⁸⁰⁰ After donors told the IEC in November that they would not, the IEC scaled back plans to adopt any new technology, explaining that insufficient time remained before the 2018 election.⁸⁰¹

However, donor messaging has not always been consistent. As recently as May 2018, the European Union said that biometric voter registration was “welcomed” by the international community as an important reform for holding elections.⁸⁰² An international official interviewed by SIGAR said the enthusiasm for technological approaches grew out of a 2017 pitch by an election technology company that she described as “a used car salesman’s dream” because the President and political party representatives had little understanding of the technology.⁸⁰³ Likewise, the IEC-commissioned study described “a lack of awareness [among Afghan stakeholders] that technology alone will never solve all problems in election processes and will, in fact, bring many challenges.”⁸⁰⁴

Pressure to adopt new election technology continued in the lead-up to the 2019 election. In February 2019, a new law mandated the use of technology.⁸⁰⁵ In April 2019, six months before the presidential election, the IEC announced it would undertake biometric voter registration of all voters. As many predicted, this was impossible in the limited time remaining. The IEC ultimately attempted only two of the four potential technological approaches: a second, more sophisticated, round of biometric voter verification, and electronic results processing.⁸⁰⁶ At the same time, the latest e-tazkera (national identification card) pilot, launched in February 2018, generated significant political controversy over whether and how nationality and ethnicity would be displayed.⁸⁰⁷

FIGURE 15

ELECTION TECHNOLOGY: KEY EVENTS

2003

Then-Finance Minister Ashraf Ghani proposes biometric voter registration.

2006–MAY 2008

A pilot biometric voter registry tests iris scanning and facial recognition, ultimately recommending facial recognition.

OCTOBER 2008–FEBRUARY 2009

Biometric voter registration (fingerprints) is conducted in nationwide voter registration exercise that adds 4.5 million new voters.

2009

Afghan government announces e-tazkera.

2014

Population Registration Act, the legal basis for e-tazkera, is signed into law without resolving controversy about (1) the proposed inclusion of the word “Afghan” as the nationality on each card, and (2) designation of the holder’s ethnicity.

MID-2015

U.S. withdraws financial support for e-tazkera on the grounds that no progress had been made on the project.

DECEMBER 2015

The Special Electoral Reform Commission recommends the adoption of the e-tazkera “as soon as possible.”

EARLY-2016

National Statistics and Information Authority chief, Ahmed Javid Rasooli, shows 2-3 minute promotional video by Smartmatic pitching election technologies to a group of stakeholders at the Serena Hotel.

2016

European Union withdraws funding for e-tazkera on the grounds that they cannot support identification cards that designate ethnicity.

APRIL 2017

The Independent Election Commission releases a feasibility study on election technology.

FEBRUARY 2018

The first pilot round of e-tazkera cards are issued to President Ghani and his wife, along with other top government officials.

AUGUST 2018

In response to political parties’ protests forcing the closure of Independent Election Commission offices, a presidential decree prompts the National Statistics and Information Authority to procure biometric voter verification technology.

OCTOBER 2018

Biometric voter verification used for the first time in Parliamentary elections.

FEBRUARY 2019

Amended electoral law issued by presidential decree requires the use of “electronic system and biometric technology” in all phases of elections, subject to a feasibility assessment by credible national and international authorities.

APRIL 2019

Independent Election Commission signs a memorandum of understanding with the National Statistics and Information Authority tasking the latter to provide technology to be used to conduct biometric voter registration before the 2019 Presidential election.

MAY 2019

Independent Election Commission backtracks, deciding that insufficient time remains for biometric voter registration, choosing instead to implement a slightly more sophisticated approach to biometric voter verification, wherein the voter registry is preloaded on the hand-held devices before election day.

SEPTEMBER 2019

Biometric voter verification used for the second time in Presidential election. Electronic transmission of results also attempted for the first time.

Source: Scott Seward Smith, “Elections and Decriminalization,” *State Strengthening in Afghanistan: Lessons Learned 2001–2014*, United States Institute of Peace, January 14, 2016, p. 40; Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 20; Boneo, Collin, George-Coker, and Slavu, *Mid-Term Evaluation of the Project Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)*, pp. 29-30, 90; Boneo, Collin, George-Coker, and Slavu, *Mid-Term Evaluation of the Project Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)*, pp. 29-30, 90; Jelena Bjelica and Martine van Bijlert, “The Troubled History of the E-Tazkera (Part 2): Technical Stumbling Blocks,” *Afghanistan Analysts Network*, January 26, 2016; Bahara Hussaini, “E-Tazkera: Evolution, Opportunities, and Challenges,” *Journal for Women and Public Policy*, p. 388; SIGAR, *Quarterly Report to Congress*, July 30, 2015, p. 137; Special Electoral Reform Commission, *Final Detailed Report*, December 23, 2015, p. 41; UN elections official, SIGAR interview, October 15, 2018; EU, *Commission Implementing Decision on the Financing of the Annual Action Program*, Annex 4, May 2, 2018, p. 10; IEC, *Feasibility Study*, April 17, 2017, p. 17; Wais Payab, Deputy Minister for E-Tazkera, SIGAR interview, February 12, 2019; Jelana Bjelica and Ali Adili, “The E-Tazkera Rift: Yet Another Political Crisis Brewing?,” *Afghanistan Analysts Network*, February 22, 2018; Ali Adili, “Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn a Host of New Problems,” *Afghanistan Analysts Network*, October 19, 2018; Government of Afghanistan, *Election Law*, Article 19(2), February 12, 2019; Ali Adili, *Afghanistan’s 2019 Elections (5): “Slow Preparations for a High-Stake Election,” Afghanistan Analysts Network*, June 17, 2019; Ali Adili, “Afghanistan’s 2019 Election (9): Presidential Poll Primer”, *Afghanistan Analysts Network*, September 25, 2019.

INTERNATIONAL BEST PRACTICES ON THE USE OF TECHNOLOGY IN ELECTIONS

According to the economic research organization Center for Global Development (CGD), the successful adoption of election technologies depends on three conditions—the first of which is a minimum level of administrative and logistical capacity.⁸⁰⁸ A prescient internal USAID memo from 2016 provided a list of reasons Afghanistan was not an appropriate environment for electoral technology. This analysis proved true after the 2018 introduction of biometric voter verification and the 2019 introduction of electronic transmission. Among the challenges that USAID predicted were the lack of a tech-savvy workforce at the polling center level, electricity to charge devices at many polling centers, and a nationwide network for data transmission.⁸⁰⁹

The last constraint makes all four categories of election technologies difficult to use.⁸¹⁰ According to a 2017 study by the IEC, approximately 35 to 40 percent of the country’s polling centers were covered by a telecommunications network. Using expensive satellite connections, roughly 50 percent of polling centers could be reached. But 10 to 15 percent were inaccessible even by satellite because of high surrounding mountains.⁸¹¹

The second condition, according to CGD, is that a country must have a history of punishing fraud.⁸¹² The CGD paper cited Ghana and Pakistan as promising candidates for electoral technology, based on their existing levels of infrastructure and human resources, as well as popular expectations of electoral integrity. Both countries are significantly better off than Afghanistan by all of CGD’s measures.⁸¹³ As one international elections expert told SIGAR, “Technology brings more confidence where there is already confidence, but it doesn’t increase trust in an environment where there is none.”⁸¹⁴

“Technology brings more confidence where there is already confidence, but it doesn’t increase trust in an environment where there is none.”

—International elections expert

The third condition listed by the CGD depends on the answer to the question of “whether the approach, if it worked, would solve the most serious credibility problems.”⁸¹⁵ Afghanistan does not meet this condition, either. While biometric voter verification curbed ballot stuffing in the 2018 and 2019 elections, it may not have reduced fraud overall; it instead prompted powerbrokers to focus their efforts on other means of manipulating the election.⁸¹⁶ By making ballot stuffing more difficult in 2018 and 2019, biometric voter verification displaced fraud to the electoral dispute resolution process.⁸¹⁷ Because dispute resolution occurs after votes are collected and tallied, biometric voter verification did not address fraud in that process, nor would have any of the other technologies that have been proposed. Moreover, the poor implementation of biometric voter verification in 2018 and controversies over which votes should be invalidated based on biometric voter verification data provided justifications

for manual recounts in that cycle, leading to allegations that the vote count was fraudulently changed.⁸¹⁸

Technology that is inappropriate to the context or poorly implemented can actually undermine confidence in elections. It can also provide political insiders exclusive opportunities to commit fraud. Nic Cheeseman and Brian Klaas warned that because governments often control electoral commissions and the procurement of election technology, they are well placed to use it to commit fraud.⁸¹⁹ The introduction of technology can also weaken the ability of political parties and observation groups to detect fraud. Even in more developed countries, election observers and opposition parties rarely possess the expertise necessary to understand and monitor the use of technologies.⁸²⁰

In 2018, the International Foundation for Electoral Systems, supported by USAID, sent an electoral technology expert to support the IEC, and the UN Electoral Support Program hired additional advisors for the body, including a cybersecurity advisor. However, donors did not provide technical assistance to observation groups or parties.⁸²¹ A USAID implementing partner told SIGAR this lack of support, compounded by the lack of detailed information from the IEC about the proceedings at the National Tally and Data Centers, raised questions about how biometric voter verification data was being used.⁸²² Donor support was more comprehensive in 2019, enabling IFES to train observation groups at the National Tally Center, and the National Democratic Institute to provide some training to election observers.⁸²³

The introduction of biometric voter verification created a new category of information which observers do not have to access but need in order to oversee elections.⁸²⁴ Donors often do not receive the information they need, either.⁸²⁵ This lack of transparency creates opportunities for fraud.⁸²⁶ New electoral technology can also create a false sense of security among election stakeholders that is not matched by actual improvements in electoral integrity.⁸²⁷

In 2019, the IEC told Yousuf Rasheed, the executive director of the observation group Free and Fair Election Forum of Afghanistan, that it could not share information about how votes accompanied by biometric data were being reconciled against the paper results that contained both biometric and non-biometric votes. The reason, the IEC claimed, was that the contractor, Dermalog, controlled that process. These are no mere technical details: The winners of many seats in the 2018 parliamentary elections were determined by decisions about vote exclusion that were at risk from bribery and political influence. Other victories may have been driven by ballot stuffing during recounts by perpetrators who viewed the use of biometric voter verification as unfairly disadvantaging their cause.⁸²⁸ Moreover, the use of biometric voter verification did not change the fact that Afghan elections tend to hinge on controversial decisions made during the electoral dispute resolution process. In 2014, before biometric voter verification was introduced, conflict between Ghani and Abdullah's campaigns over

the dispute resolution process led the country to the brink of more violence and necessitated the creation of the National Unity Government.⁸²⁹

The high cost of electoral technology leaves less donor funding for political party development and election observation in Afghanistan. Proponents of electoral technologies often view them as one-time investments, but the opposite is true: Election technologies require ongoing updates, replacements, and refinements.⁸³⁰ Only a year after Afghanistan invested in biometric voter verification, it spent another \$30 million to purchase more devices and train staff on their use prior to the 2019 election.⁸³¹ Donor representatives in Kenya and Zimbabwe have also documented how the expense of purchasing technological equipment crowded out investment in observation in those countries.⁸³²

International best practices have shown that electoral technologies are most likely to succeed when their adoption is slow, transparent, and consultative—the opposite of how events unfolded in Afghanistan’s 2018 and 2019 elections.⁸³³ Gradual introduction allows time to test technologies, identify human resources and logistical constraints, and formulate mitigation strategies.⁸³⁴ According to an IFES assessment, “every compression of available time is likely to impact the quality of the product and increase the risk of something going wrong.”⁸³⁵ The study recommended that before moving forward with a particular technology, the IEC should create a timeline for completing the necessary contracting steps, including agreeing on functional specifications. If the deadlines established by that timeline were not met, it recommended postponing technology deployment until a future election.⁸³⁶

Electoral technologies are most likely to succeed when their adoption is slow, transparent, and consultative—the opposite of how events unfolded in Afghanistan’s 2018 and 2019 elections.

Since biometric technologies involve the collection of sensitive information, it is critical that countries adopt data privacy laws and processes.⁸³⁷ In 2015, six years after the second e-tazkera (electronic ID card) attempt was announced, a government review found that data protection measures were virtually nonexistent. According to the study, biometric data was transmitted and stored unencrypted, and “cybercrime, data privacy laws, and other related legislative infrastructure” concerning digital privacy did not exist. Nor was the data properly backed up. The report described the primary data center itself as having “dangly wooden doors” that were inadequate to control access.⁸³⁸

The government’s treatment of biometric data in the 2018 election was alarming. A December 2018 internal UN Development Programme report revealed the IEC did not have direct access to the data, nor was it clear who did, either in or outside the Afghan government. It was also unclear what data protection measures had been adopted. The UN Development Programme concluded that the Afghan government’s handling of the biometric voter verification contract was “not only dumbfounding, but . . . also highly irregular.”⁸³⁹



An IEC poll worker photographs a voter's tazkera during parliamentary elections, October 20, 2018. (IEC photo)

TECHNOLOGY UNDER CONSIDERATION

Biometric Voter Registration

Biometric voter registration is the collection of biometric information, such as fingerprints, for use in the identification of voters as a precondition for allowing them to vote on election day.⁸⁴⁰ It typically involves a photograph of the voter and scans of one or more fingerprints, with reliability increasing as more data is captured.⁸⁴¹ Other types of biometric information, such as iris scans and facial recognition technology, have also been used.⁸⁴² The resulting biometric data is then added to the national voter registry to buttress its integrity.⁸⁴³

According to a 2016 report by the International Institute for Democracy and Electoral Assistance, approximately 35 percent of the election management bodies surveyed around the world captured biometric data as part of their voter registration process.⁸⁴⁴ In some countries, biometric voter registration significantly improved the quality of the voter registry.⁸⁴⁵ More often, election management bodies adopt it to boost their credibility for implementing additional anti-fraud measures. However, they sometimes fail to actually rout out fraud, either by **deduplicating** or removing fake registrants, because doing so could have political ramifications.⁸⁴⁶ In these cases, the true purpose of adopting election technologies may not be to actually reduce fraud, but to create the illusion of doing so.

Deduplication is the process of removing duplicate entries from a database to shore up its reliability and integrity.

In 2008, the IEC conducted a biometric voter registration pilot exercise with support from UN Development Programme's Enhancing Legal and Electoral Capacity for Tomorrow program. The exercise suffered from flaws concerning interoperability and the deduplication process, foreshadowing similar problems with biometric voter verification in 2018.⁸⁴⁷



An IEC poll worker examines the registration sticker on the back of a voter's tazkera during parliamentary elections, October 20, 2018. (IEC photo)

The standard procedure for biometric voter registration in places without a reliable nationwide wireless network involves two steps. Voter biometric information is first collected and sent to the central database, where it is compared against existing records. If no duplicates are detected, a voter card is printed and sent back to the place of registration, where the voter collects it.⁸⁴⁸ In the 2008 pilot exercise, biometric information was collected and a voter card issued at the same time, before registrants' data could be compared to the database, making it impossible to prevent multiple registration. It is unclear from the project's reporting what the initial plan for deduplication had been, but in reality it did not take place until after the election.⁸⁴⁹

Some of the problems with the 2008 biometric voter registration effort resulted from poor training and oversight. Registration workers scanned different fingers for different people, and male family members were allowed to use their own fingerprints to register their female relatives—another impediment to detecting duplicate registrations.⁸⁵⁰ The data also could not be compared to existing voter registrations. As a result of these issues, the data collected was ultimately discarded.⁸⁵¹ The mid-term evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow program that funded it concluded that the \$1 million spent on the effort was “clearly wasted.”⁸⁵² In 2018, similar problems reduced the effectiveness of biometric voter verification. The devices collected two fingerprints—in theory, the index finger from each hand. But according to the International Foundation for Electoral Systems, poll workers could allow someone to vote up to five times by using five unique combinations of fingers and the names of people on the local voter registry who had not yet voted.⁸⁵³ As with the biometric voter registration data collected in 2008–2009, the biometric voter verification data collected in 2018 was scrapped, once again, rather than used to create the beginnings of a biometric voter registry, as some had proposed.⁸⁵⁴

Effective biometric voter registration requires planning: According to the International Institute for Democracy and Electoral Assistance, preparations for biometric voter registration must begin 18 to 24 months before an election.⁸⁵⁵ But proponents of the technology in Afghanistan have resisted this timeline.⁸⁵⁶ Just 5 months before the September 2019 election, the IEC announced that it was going to conduct full biometric voter registration from scratch. It was forced to reverse course a month later, admitting that only a non-biometric campaign to update the existing voter registry was possible in the time remaining.⁸⁵⁷

Because of its cost, biometric voter registration makes sense only when coupled with a continuously updated civil registry.⁸⁵⁸ Afghanistan has never had a civil registry, nor does the country currently possess the infrastructure and capacity to create one.⁸⁵⁹ According to a senior election advisor, the only way to do biometric voter registration would be to do it from scratch every five years before each presidential election, with biometric voter registration drives before each of the intervening parliamentary, provincial, and district council elections.⁸⁶⁰

Yet given the Afghan enthusiasm for adopting biometric voter registration in the 2018 and 2019 elections, it may be introduced before the country's next elections. Donors and international stakeholders should insist that a decision is made with enough time for proper implementation, in line with international best practices. In addition, helping political parties and domestic observation groups understand the limitations of biometric voter registration could help anchor the debate about technology to the reality of its capabilities.

Biometric Voter Verification on Election Day

In 2017, the International Institute for Democracy and Electoral Assistance found that 25 percent of the election management bodies it surveyed use some form of biometric information to verify voter identities on election day. Most simply ask poll workers to check photographs on voter identification documents against voters' faces to verify their identities.⁸⁶¹ Biometric voter verification is much harder to successfully implement than biometric voter registration because it has to operate under stringent time constraints. (Biometric voter registration is typically conducted over a period of several months.)⁸⁶² For this reason, biometric voter verification is rare.⁸⁶³ Only 9 percent of election management bodies surveyed by the International Institute for Democracy and Electoral Assistance used advanced technology for biometric voter verification, and in some of these cases it was only used in certain areas, not in the whole country.⁸⁶⁴ Biometric voter verification has also frequently been associated with technical challenges.⁸⁶⁵

More advanced biometric voter verification takes two main forms. First, fingerprints or other types of biometric data collected on election day can be compared to biometric data already in the national voter registry. This requires biometric voter registration to have already happened. Second, a voter's fingerprints can be compared to the fingerprints collected from other voters on election day, which prevents multiple voting



An IEC poll worker places a biometric voter verification confirmation sticker on the back of a ballot during parliamentary elections, October 20, 2018. (IEC photo)

in real time. This does not require biometric voter registration to have occurred, but does require that devices all over the country to be networked in some way.⁸⁶⁶

Just 9 weeks before the 2018 election, President Ghani mandated the use of biometric voter verification, directing the National Statistics and Information Authority to use it to collect biometric information from voters. This was in response to protests from a coalition of political parties, led by Jamiat-i-Islami, which had shut down IEC offices around the country. One of their demands was that voter registration be redone using biometric technology—a step which would have delayed the election by months.⁸⁶⁷ The IEC had repeatedly rejected this proposal on the grounds that there wasn't enough time before the election for successful implementation. This prediction proved to be true.⁸⁶⁸

Because the IEC had not previously conducted biometric voter registration and Afghanistan did not have nationwide connectivity for the biometric devices, the National Statistics and Information Office was unable to implement either of the two standard uses of the technology, so it adopted a third approach: a version in which photographs of voter identifications and scans of both of their index fingerprints were captured on un-networked devices and compared long after election day.⁸⁶⁹

The adoption of the new polling center-specific voter lists had been one of the major reforms promised by Abdullah Abdullah and Ashraf Ghani in the National Unity Government agreement that resolved the contested 2014 election.⁸⁷⁰ It was also one of the main recommendations of the Special Electoral Reform Commission and had been discussed since at least 2009.⁸⁷¹ However, biometric voter verification diverted the IEC's attention away from preparations for the new voter lists in the final months before the election and forced it to focus instead on ensuring that the devices arrived in

country, and on rewriting regulations and training plans for using them.⁸⁷² The process of obtaining and setting up the biometric voter verification devices was a desperate scramble that ended only after the last of the devices arrived in the country two days before election day. As a result, the new voter lists were only finalized in late October, which did not allow sufficient time for the planned display and correction period.⁸⁷³ The late arrival of the devices also prevented live demonstrations on biometric voter verification during poll worker training and made it impossible to test the system before election day.⁸⁷⁴ The Transparent Election Foundation of Afghanistan estimated that some biometric devices were missing in 15 percent of polling centers and malfunctioned in another 43 percent.⁸⁷⁵

The 2018 biometric voter verification effort did not make multiple voting impossible. The IEC determined that 37,000 voters (1.2 percent of all biometric entries) were tied to duplicate biometric information, but because the devices were not networked in real time, this determination was not possible to make until the biometric voter verification devices had been gathered in Kabul, long after election day.⁸⁷⁶ The plan had been to expunge duplicate votes and prosecute multiple voters during the tally process—but second and third ballots cast by the same voters were never identified and invalidated.⁸⁷⁷ According to former IEC Director of Field Operations Zmarai Qalamiar, the biometric voter verification information collected in 2018 was disassociated from voters' identities in order to preserve the secrecy of the vote—a decision that also made it impossible for the IEC to identify individuals who voted more than once.⁸⁷⁸ A senior elections advisor told SIGAR that the same was true in 2019.⁸⁷⁹ Thus, on two occasions, the Afghan government designed a biometric voter verification process that had no way of identifying multiple voters. Even if doing so had been possible, it would have required a massive effort of individually reviewing millions of ballots, matching biometric voter verification codes to find fraudulent ballots, and manually removing those votes.⁸⁸⁰

The flawed eleventh-hour rollout of biometric voter verification and the chaos that ensued was described variously as useless, “the biggest threat to the 2018 election,” and “madness” by the IEC’s former chairwoman, former director of field operations, and former spokesman.

The flawed eleventh-hour rollout of biometric voter verification and the chaos that ensued was described variously as useless, “the biggest threat to the 2018 election,” and “madness” by the IEC’s former chairwoman, former director of field operations, and former spokesman.⁸⁸¹ The only thing biometric voter verification in 2018 may have been successful at deterring was multiple voting by voters who feared detection and prosecution. However, given the lack of prosecutions in 2018 and 2019, this deterrent effect is unlikely to last.⁸⁸² Biometric voter verification did not prevent ballot stuffing, either. In 2018 in Faryab Province, for example, biometric voter verification data was somehow collected from 103 percent of voters.⁸⁸³



UN Special Representative to the Secretary General Tadamichi Yamamoto examines BVV devices returned to the IEC in Kabul after the presidential election, October 1, 2019. (UNAMA photo by Fardin Waezi)

Other problems arose from the hasty procurement process. The Afghan government originally sought to purchase just the biometric voter verification devices without technical support. Instead, the National Statistics and Information Authority anticipated it would directly hire “necessary human resources to . . . provide technical support, collect data on election day, and synchronize and analyze data.”⁸⁸⁴ It was clear from the start that this approach was not going to work. One of the companies bidding on the job, Smartmatic, wrote the IEC to explain that it was withdrawing from the competition because “the way [the tender] was structured exposed the automation project to a high risk of implementation failure, since it did not include essential implementation services but simply involved the purchase of off-the-shelf hardware.”⁸⁸⁵

NSIA ultimately hired a company, Dermalog, which had little experience supporting elections. Most of its work had been on national ID cards and passports in Southeast Asia.⁸⁸⁶ While NSIA eventually procured limited training services and technical support, Dermalog’s technical experts were not present in Kabul on Election Day 2018. Instead, they were available remotely from an office in Armenia.⁸⁸⁷ Because there was not enough time to tailor the software to the circumstances, device operators could falsify the date and time, allowing them to add votes before and after election day.⁸⁸⁸ Of course, these errors could also have been accidental, which made it difficult to know which votes to invalidate after the fact.⁸⁸⁹

In 2018, voters’ information was entered in the devices by poll workers on election day; in 2019, the polling center-based voter registry was pre-loaded. The IEC initially declared that any voters whose names could not be found on the devices would be ineligible to vote. According to the Afghanistan Analysts Network, when it became clear that there were widespread instances of properly registered voters who could not find their names

on the devices, voters with registration stickers on their tazkeras (national ID cards) were permitted to vote as long as they enrolled in biometric voter verification.⁸⁹⁰ The official IEC ruling was that this was only permitted if, when their name was entered into the biometric device, it responded “name of person has been removed,” and the removal was later found not have been justified. SIGAR was unable to verify the extent to which this procedure was followed.⁸⁹¹

The Transparent Election Foundation of Afghanistan reported that voters encountered this problem in 93 percent of the polling stations it monitored in 2019.⁸⁹² To allow voters who were not on the registry to vote anyway, the biometric voter verification machines required headquarters to issue a one-time-use code that enabled the poll worker to skip the requirement for that voter.⁸⁹³ According to a senior elections advisor, this created a back door to ballot stuffing.⁸⁹⁴ Poll workers realized that these codes were sequential.⁸⁹⁵ They did not need to continue requesting codes but could input the next number and use them for any purpose.⁸⁹⁶

Even without poll worker complicity, any fraudsters who had registered with fake tazkeras would face few restrictions in casting multiple votes on election day. The IEC had intended for the devices to identify and reject duplicate fingerprints in real time. But just a month before Election Day 2019, the IEC and Dermalog representatives acknowledged in a meeting with other election stakeholders that the IEC’s contract with the company had not required this functionality. As in 2018, in 2019 duplicate fingerprints could only be detected if the same finger had been used more than once. Therefore, it appears that again in 2019, as in 2018, poll workers could allow someone to vote up to five times by using five unique combinations of fingers and the names of people on the local voter registry who had not yet voted.⁸⁹⁷ Also, because the machines were not networked, the invalidation of votes tied to duplicate fingerprints collected by different biometric devices was deferred to the central server after the fact.⁸⁹⁸

These various challenges had significant implications for the election’s results. The IEC deployed technology in a more sophisticated manner than in 2018, allowing it to quickly identify and exclude multiple votes, but it also identified a number of other categories of controversial votes based on biometric voter verification data.⁸⁹⁹ According to Ali Adili of the Afghanistan Analysts Network, these controversial votes totaled 300,000, or 16 percent of the total.⁹⁰⁰ Approximately 100,000 of these 300,000 votes appeared to have been recorded outside of polling hours and should have been invalidated, according to a strict interpretation of the IEC’s own procedures.⁹⁰¹ Still, in November 2019, according to Afghanistan Analysts Network, the IEC included these out-of-time votes in its audits and recounts, and in February 2020, the IEC validated all of these contested votes. As Thomas Ruttig, co-founder of the Afghanistan Analysts Network, noted, “Procedures began to crumble when the time came to take decisions that would make the difference between who won and who lost” (For a more detailed analysis of the 2019 dispute resolution process, see Chapter 6).⁹⁰²



An IEC poll worker takes the fingerprints for a voter in front of election observers during parliamentary elections, October 20, 2018. (IEC photo)

A senior government official alleged that before the 2019 election the government refused to fix the previously identified problem in which the date on the device could be changed. He claimed that this decision “raises a lot of questions,” and implied that this loophole may have been intentionally left open.⁹⁰³ In 2019, Dermalog reported that it had uncovered attempts by poll workers to fraudulently submit biometric voter verification entries before polling began.⁹⁰⁴

But detecting those attempts may have been useless: When it became clear in 2019 that thousands of biometric voter verification entries were entered outside of voting hours, the IEC sought to reassure critics by arguing that these entries merely demonstrated that election workers were manually entering the wrong dates, so the problem was malpractice, not fraud.⁹⁰⁵ However, the problem was that poll workers continued to have the ability to change the date and time at all. In this case, USAID told SIGAR that the IEC checked polling station journals and results sheets to corroborate the malpractice claim. The goal was to separate errors that were accidental, the result of operator error from fraudulent entries, in order to avoid disqualifying large numbers of legitimate votes based on the mistakes of poll workers. In comments to SIGAR, USAID said that non-partisan observers and candidate agents had signed the results sheets in most cases.⁹⁰⁶ SIGAR was unable to independently assess those efforts.

After a detailed analysis of the numbers, Colin Cookman of the United States Institute of Peace determined that, even if all of the out-of-time votes had been invalidated, that decision, in and of itself, would not have triggered a runoff.⁹⁰⁷ However, Cookman found that almost 15,000 votes had been added between the preliminary and final vote totals, something that is theoretically impossible, as the only changes between the preliminary and final total should be invalidations.⁹⁰⁸ These votes were sufficient to have potentially

forced the candidates into a runoff by eroding President Ghani's razor-thin majority, estimated between 12,000 and 20,000 votes.⁹⁰⁹

Electronic Voting

As of 2013, only four countries have used electronic voting across the entire electorate: Ireland, the Netherlands, Australia, and Germany.⁹¹⁰ Of the 14 countries that have tried it, a few have already reverted to paper-based systems, having determined that there was no specific problem that electronic voting addressed, and thus it was not worth the effort.⁹¹¹ The adoption of electronic voting on a national scale in other places has often been a decades-long process.⁹¹²

In Afghanistan, arguments for electronic voting mostly center on a belief that it will reduce election fraud. However, an internal USAID assessment from 2016 found that evidence for “the extensive claim of fraud control using the [electronic voting system] remains nonexistent.”⁹¹³ Electronic voting is also expensive. An IEC-commissioned study found that the approximately \$88 to \$100 million cost of purchasing electronic voting machines made electronic voting by far the most expensive of the four proposed election technologies.⁹¹⁴ In addition, the study found that even with electronic voting and results processing, it is likely that manual recounts would be required of at least a portion of the ballots to confirm that the electronic system had not been hacked.⁹¹⁵ This would simply reintroduce opportunities for ballot stuffing and manual changes to the tally during the recount.

“There is no difference between stuffing 100 ballots and pressing a button on an electronic voting machine 100 times.”

—International elections expert

For those reasons, of the four major types of election technologies that have been proposed in Afghanistan, electronic voting makes the least sense. Considering the costs, capacity constraints, and connectivity challenges, not to mention the ability of fraudsters to adapt their tactics, it offers little of value. Despite pressure both from President Ghani and donor representatives who wanted to meet the President's demands, the IEC-commissioned study argued against the adoption of electronic voting.⁹¹⁶ An international elections expert working in Afghanistan during these 2017 deliberations told SIGAR that had electronic voting been adopted, he would have resigned. He rejected the argument that it prevents ballot box stuffing. “There is no difference between stuffing 100 ballots and pressing a button on an electronic voting machine 100 times,” he said.⁹¹⁷ Nor can e-voting prevent a local powerbroker in a remote village from compelling or bribing residents to vote for a certain candidate—one of the biggest challenges to electoral integrity in earlier cycles.⁹¹⁸ More importantly, it would not have prevented the fraud during the recount process that was a problem during the 2018 election, nor the controversy over dispute resolution decisions that led both Ashraf



IEC staff tally votes for the presidential election, September 30, 2019. (UNAMA photo by Fardin Waezi)

Ghani and Abdullah Abdullah to declare themselves the winner and set up competing governments after the 2019 election.⁹¹⁹

Yet proposals to adopt electronic voting continue. The IEC's former director of field operations, Zmarai Qalamiar, has circulated a concept paper calling for electronic tallying using optical mark reader machines. These automatically tabulate a person's vote by scanning their ballot, similar to the technology used to score SAT answer sheets in the United States.⁹²⁰

Electronic Results Processing

Once ballots are counted in the polling centers, their results sheets must be transported to Kabul to be tallied. But rugged terrain, insecurity, and other challenges can create substantial delays after each election. In previous elections it took two weeks for results to reach Kabul.⁹²¹ In addition, fraudulent changes to the results between the count at the polling station and the release of the preliminary vote totals by the IEC in Kabul have been a problem going back to at least 2005.⁹²² The UN Development Programme called results processing "one of the most contested elements of the electoral process" in both 2014 and 2018.⁹²³ A **parallel vote tabulation** conducted during the 2010 election found that the results had been fraudulently changed in 78 percent of polling centers surveyed. The changes were made after the count at the polling station and before vote tallies were combined.⁹²⁴

Electronic results transmission was first tried in Afghanistan in 2019. In theory, once polling was completed, poll workers would use the biometric voter verification devices to take a picture of the results sheet. These pictures would be transmitted to the IEC in Kabul as soon as the device was connected to the internet either at the polling center, assuming there was connectivity, or, if not, when the devices reached the provincial

Parallel vote tabulation involves an independent body, such as a domestic observation group, recording the results at a randomly selected sample of polling stations. This data is then used to estimate the national result in the same way that an opinion poll is used to estimate the most popular politician.

Oxford Analytica, "Daily Brief Service: Africa Election Monitoring Will Need Domestic Focus," April 18, 2017.

IEC headquarters. However, the IEC's claim that 90 percent of polling centers had connectivity to Kabul and that they would immediately transmit the results proved to be unrealistic.⁹²⁵ At least 24 percent of polling centers had no connectivity. Attacks on the country's communications infrastructure in the days leading up to the election further reduced coverage in 14 of the country's 34 provinces.⁹²⁶ Only 25 to 30 percent of the devices transmitted the results on election day.⁹²⁷

Before it was tried in 2019, proponents of electronic results processing argued it would speed up the process of manually transporting the results sheets and reduce opportunities to change results in transit.⁹²⁸ But once again, the IEC had to wait weeks for the rest of the biometric voter verification devices to be transported to Kabul in 2019, and even then there were problems. Many of the devices failed to connect wirelessly to the server from within IEC headquarters. In comments to SIGAR, USAID said that software issues had contributed to this failure.⁹²⁹ Eventually the IEC resorted to physically inserting the memory cards from the rest of the devices into their computers in order to transfer the data.⁹³⁰ The issues with electronic transmission were unsurprising, given that the haste with which the technology was rolled out did not allow for field testing. Nor had it allowed the IEC to do testing to determine whether bottlenecks would arise when many devices tried to connect to the central server simultaneously.⁹³¹

The IEC's decision to permit registered voters whose names were missing from the voter registry on the biometric devices to vote anyway created a challenge after the 2019 election. The IEC had to sort through three different sources of vote counts: the hard copies of the results sheets from each polling station, the photographs of the results sheets taken by the biometric devices, and the biometric data confirming the number of voters in each polling station.⁹³² Afghanistan's electoral history suggests that any ambiguity about which votes to count presents opportunities for manipulation of the process.⁹³³ In addition, the time saved in wireless transmission of the preliminary results was more than offset by delays caused by the difficulty in getting data off the devices and the controversies over which votes to count. Nor did electronic results transmission allow the election commissions to avoid recounts. All ballot boxes that showed a discrepancy of five votes or more between the number of votes indicated on the paper results sheet and on the biometric devices were manually recounted at the provincial level in 2019 anyway.⁹³⁴

E-Tazkera: Electronic National Identity Cards

In the longer term, a solution to many of the challenges with Afghanistan's voter registry may require a national identity card tied to a digital database that includes each cardholder's biometric information.⁹³⁵ The issuance of computerized identity cards as quickly as possible was one of the key principles that Ghani and Abdullah committed to in the agreement that created the National Unity Government in 2014.⁹³⁶ This national identification card is known as the e-tazkera. The e-tazkera effort aims to collect an ambitious amount of biometric data: ten fingerprints, two iris scans, and facial photographs, all retained in a chip on each card and in a central database (see

Figure 16).⁹³⁷ Globally, fewer than half of countries that collect biometric information as part of their civil registries require information beyond fingerprints.⁹³⁸ E-tazkera is not an election reform, but a government reform with long-term implications for elections, now that a paper or electronic tazkera is required to register to vote.⁹³⁹

There are several different formats of tazkeras in circulation, which makes searching the existing database difficult. In addition, tazkeras are printed on white paper which deteriorates quickly and makes them easy to counterfeit.⁹⁴⁰ However, the relative benefits of the e-tazkera for elections are considerable. When compared to a biometric voter registry collected from scratch before every election, e-tazkera has more robust identity verification safeguards. It would be done gradually by better trained permanent staff, not temporary election workers; a constantly updated e-tazkera database would be less expensive and would yield higher-quality data.⁹⁴¹ Moreover, the e-tazkera would assist the government in improving population estimates, which could help define electoral constituencies below the provincial level.⁹⁴² Unlike the current stand-alone voter registration cards, it would not be possible for insurgents to identify a person's voter registration status based on their e-tazkera, which would reduce the risks associated with registering to vote. E-tazkera would also have all the benefits of any national civil registry: Unlike a stand-alone voter registry, it has the potential to improve government service delivery.⁹⁴³ Still, as the last seven years of attempts show, the e-tazkera project is complex. Even if donors and the government move past the current obstacles, successful rollout is a long-term endeavor.

Complications and Controversies around National ID Cards

The e-tazkera project has been launched and stopped a number of times since 2007, because the process is complicated and requires the completion of a number of controversial steps.⁹⁴⁴ There has also been infighting between different parts of the government over ownership, as well as a risk of corruption in its implementation.⁹⁴⁵

The current e-tazkera pilot, which began in 2018, has distributed hundreds of thousands of cards.⁹⁴⁶ However, e-tazkera is at least a decade-long project. The Afghan Ministry of Interior has estimated that “70 percent of the distribution could be completed within three years,” while “for the remaining 30 percent of the population, living mainly in remote or insecure areas, it could take another three to six years.”⁹⁴⁷ Afghanistan's deputy minister for e-tazkera told SIGAR that 15 to 20 million Afghans could be issued e-tazkeras in three to four years if approximately 80 percent of the Afghanistan Central Civil Registration Authority's 420 offices were given the necessary equipment and staff.⁹⁴⁸

Still, distribution will be challenging in a country where security is deteriorating and only about 38 percent of women possess the current paper tazkera.⁹⁴⁹ Limited connectivity in much of the country would also hamper efforts to establish enrollment centers. Without a fiber-optic connection, the Afghan government has argued that e-tazkera distribution would be costly and offer questionable data security.⁹⁵⁰ In addition, enrolling a single individual takes time—reportedly, an hour even after paperwork is

completed.⁹⁵¹ As with other types of election reform, interest in e-tazkera peaks in the months prior to an election and fades afterwards.⁹⁵²

A proper e-tazkera effort depends on first improving a number of related systems. For example, the country's system for tracking birth and death records is unreliable.⁹⁵³ A 2015 Afghan government feasibility study estimated that a proper e-tazkera rollout would cost an estimated \$222 million.⁹⁵⁴ Donors are unlikely to sign up to pay for the effort until they see evidence that their funding will not go to waste if it is again scrapped.⁹⁵⁵ As with previous attempts to launch e-tazkera, the project is unlikely to get very far on the limited funding the Afghan government is able to provide.⁹⁵⁶

One of the controversies holding up the e-tazkera process is how nationality should be displayed on the cards (see Figure 16). Stakeholders have disagreed about whether the term "Afghan" will appear on the cards, which some see as shorthand for "Pashtun."⁹⁵⁷ Some stakeholders fear that displaying the holder's ethnic identity on the card could alter Afghanistan's ethno-political balance of power by revealing the differences between public perceptions and the actual numbers of certain communities. This could, in turn, change the number of parliamentary and provincial council seats a community can expect to win. Therefore, staffing decisions for the e-tazkera project are sensitive because of the potential incentives to manipulate the program for political ends, and because even a good-faith effort to roll it out could have consequences.⁹⁵⁸

Stakeholders have disagreed about whether the term "Afghan" will appear on the cards, which some see as shorthand for "Pashtun."

By 2015 the original e-tazkera effort had stalled, and the lack of progress caused the United States to withdraw its support.⁹⁵⁹ The next year the European Union, the project's sole remaining donor, ended its support on the grounds that displaying ethnicity on the cards "goes against national unity," according to one Western official.⁹⁶⁰

President Ghani relaunched the program in February 2018 with the word "Afghan" as the nationality, as well as a designation of "Islam" as the religion, although the original legal grounds for the e-tazkera did not include either category. The relaunch was achieved through a controversial legal process and in the face of opposition by then-CEO Abdullah and a number of other Afghan politicians.⁹⁶¹ The relaunch of the e-tazkera effort led to protests in several provinces by those opposed to its inclusion of "Afghan" as the nationality for all holders.⁹⁶²

As an apparent compromise, a separate field for ethnicity was also included, which created additional problems.⁹⁶³ As the pilot continues, it is unlikely that any donor will step forward to fund the effort until a consensus is reached on the ethnic identity controversy.

FIGURE 16

E-TAZKERA TEMPLATE



Source: Wais Payab, senior ACCRA official.

Potential Integration with Elections

Because of the e-tazkera’s political and funding challenges, donors and the Afghan government continue to seek other improvements in the identification process to benefit elections. Creating a polling center-specific voter registry and advocating for biometric voter registration were both attempts to secure some of the benefits of e-tazkera without its political and financial baggage. As one senior U.S. embassy official observed, “We could talk and talk and talk about” e-tazkera, but “it will not happen until the Afghans come to a consensus about what data they want to put on the card.” In the meantime, he noted, we need “back-up options . . . we should not just be waiting around.”⁹⁶⁴

Thus, using Afghan funding, the National Statistics and Information Authority is in the process of digitizing more than 21 million paper tazkeras to create a relational, searchable database of all tazkeras dating back to 1973. Until e-tazkera leaves the pilot phase and is fully funded, the Afghan government is attempting to shore up the credibility of its voter registry by making it interoperable with some kind of tazkera database. That way, attempts to register with fake tazkeras can be detected and expunged from the registry. However, according to a USAID implementing partner, efforts to cross-verify these two databases have been severely limited and would benefit from donor attention (see p. 67).⁹⁶⁵

To invest further in advanced election technology uncoordinated with the nascent e-tazkera project could also be wasteful. The e-tazkera project is likely to be a long-term one. In Pakistan, the process of improving the civil registry enough to integrate it with voter registration records took 20 years.⁹⁶⁶



CHAPTER 8

ELECTION OBSERVATION

UNAMA photo

Around the world, observers act as neutral monitors of the electoral process, seeking to increase voter confidence by deterring fraud.⁹⁶⁷ In Afghanistan, domestic observers play an especially critical role, for several reasons. First, both of Afghanistan's election commissions have been compromised by political manipulation and fraud committed by their commissioners and staff. As a result, in addition to deterring and exposing fraud committed by political campaigns and other external actors, observers in Afghanistan must contend with significant allegations of fraud on the part of election commissions themselves.⁹⁶⁸ Second, the weakness of political parties in Afghanistan means that most candidates run unaffiliated, without an established support system. There are a number of challenges associated with the resulting multitude of candidate agents, compared to the agents who represent strong national political parties in other countries. Third, in recent Afghan elections these responsibilities have fallen almost entirely on domestic, rather than international, observers. While the numbers of the latter were always few compared to their domestic counterparts, insecurity so limited the ability of international observers to work in Afghanistan that there were none in the 2018 and 2019 elections.

As detailed below, electoral observation holds promise for helping ensure transparent and credible elections in Afghanistan, but it is plagued by multiple sets of compounding problems. First, observers are often intimidated, co-opted, or are themselves corrupt. Insecurity often makes polling centers inaccessible to observers, and even when

observers are present, powerbrokers with a stake in the election often coerce them into falsifying reports and ignoring irregularities. Sometimes observers submit false observation reports because the observers are for sale or are otherwise unreliable.

Second, even when insecurity and observer integrity are not issues, problems with observer quality are numerous. Election officials rarely share with observers the critical information necessary for them to detect fraud, like which polling stations will be open on election day. Funding for observation organizations and candidate agents is often insufficient and has repeatedly come too late, which leads to poor training. As a result, evidentiary standards in observer reporting are inadequate, often making their reports useless for the electoral dispute resolution process.

Types of Election Observers

The people tasked with observing elections from polling centers all the way up to the National Tally Center fall into four categories, and all require accreditation from the IEC.⁹⁶⁹

International observers are funded mainly by donor governments and are usually specialists in elections or the host country more generally.⁹⁷⁰

Domestic observers have diverse funding sources, but in Afghanistan, most are associated with civil society organizations funded by western donor governments. Observers are expected to be impartial observers of the electoral process.⁹⁷¹

Candidate agents are paid by candidates to be their advocates and representatives on the ground. They observe the electoral process with the specific goal of ensuring it does not illegally disadvantage their candidates. The assumption is that that such advocates, along with other observers, help ensure transparent and fair elections.⁹⁷²

Political party agents are similar to candidate agents but represent parties. Afghanistan's sordid history with political parties means most candidates in Afghanistan run as independents. As a result, there are far more candidate agents than party agents.⁹⁷³

INTERNATIONAL OBSERVERS

The main role of international observers is to assess the integrity and credibility of elections by drafting public statements and reports, and by providing private feedback to election management bodies and governments.⁹⁷⁴ Since there are fewer of them and they are in fewer places than domestic observers, their reporting—when in agreement with that of domestic observers—can help validate the credibility of domestic observation reports. International observers also add value by analyzing topics such as election management, the participation of women, and election technology.⁹⁷⁵ International observation missions are often viewed as more credible than their domestic counterparts because they are perceived as having less of a stake in the outcome and because their staff tend to have a greater depth of experience.⁹⁷⁶ In Afghanistan, however, growing insecurity has steadily reduced the number, size, and geographic reach of international observation missions, starting with the 2009 election.⁹⁷⁷ Their reports have tended to be more cautious about criticizing Afghan elections than those of their domestic counterparts.⁹⁷⁸



Poll workers and international observers work at a polling station in the 2010 parliamentary elections, September 17, 2010. (USAID photo)

A 2009 attack on a UN guesthouse in Kabul was a turning point in international observers' ability to move around the country.⁹⁷⁹ That year, the head of the EU-sponsored mission declared that security restrictions had made the effort "largely ineffective."⁹⁸⁰ In 2014, access was further reduced as the international troop drawdown coincided with a series of high-profile attacks, one of which resulted in the death of an international observer.⁹⁸¹ In response, the EU limited the deployment of its international observers during polling to just three provinces, and another international observation group reduced the size of its team to just seven people.⁹⁸² As a result, the deputy head of mission for the UN Assistance Mission to Afghanistan said that responsibility for monitoring the 2014 polls fell "entirely on domestic observers."⁹⁸³

The value of international observers tends to lie in buttressing the credibility of what domestic organizations are reporting.

Even given the security-based reasons for limiting the reach and access of international observers, they could provide oversight at places like the headquarters of the Independent Election Commission, where the National Tally Center is located and where some of the most serious allegations of fraud were leveled in 2018. While various embassies and implementing partners did obtain accreditation for their staff during the 2018 and 2019 elections in order to observe the proceedings at the National Tally Center, the Transparent Election Foundation of Afghanistan recommended international observers be present on a regular basis, and not just rely on one-time observation.⁹⁸⁴ In particular, oversight by international observers with expertise in biometric election technology and results databases would likely have increased the credibility of the proceedings.

DOMESTIC ELECTION OBSERVERS ARE KEY TO ACCOUNTABILITY

Domestic election observers have several advantages over their international counterparts: They know the politics, culture, language, and geography, and are on the ground for much longer.⁹⁸⁵ They can discern dynamics that international observers may not see. They are also cost effective, particularly in Afghanistan, where the security costs associated with international staff are high.⁹⁸⁶ While international election observation has been prevalent since World War II, it is only more recently that donor funding has supported domestic observation efforts.⁹⁸⁷ In each modern Afghan election, domestic observers have dramatically outnumbered international observers. They are also almost completely dependent on donor funding, the ebbs and flows of which have undermined efforts to build their capacity (see Chapter 9).

Domestic observers play a few different roles in Afghanistan. First, their field staff deter fraud through their presence at polling centers.⁹⁸⁸ Second, they document and publicly report fraud.⁹⁸⁹ The Electoral Complaints Commission, which is overwhelmed by complaints and lacks the ability to thoroughly investigate them, relies heavily on this reporting.⁹⁹⁰ Third, the ECC asks them to testify about electoral irregularities and uses their documentation of fraud when adjudicating complaints.⁹⁹¹ Fourth, they sign results sheets in polling centers, and election commissions have sometimes allowed them to observe audits and recounts.⁹⁹² The IEC and the ECC have used the presence or absence of these signatures as a criterion guiding decisions about invalidating votes.⁹⁹³ Finally, a change to the election law in 2019 gave observation organizations, as well as political parties, a more prominent role in the selection of election commissioners. Observation organizations nominated 15 of the 84 candidates from whom President Ghani selected the 12 new commissioners who oversaw that year's election.⁹⁹⁴ A USAID implementing partner told SIGAR that this new process increased public confidence in the commissions.⁹⁹⁵

In the absence of international observers or an independent judiciary, domestic observers are one of the few checks on election fraud.

In the absence of international observers or an independent judiciary, domestic observers are one of the few checks on election fraud.⁹⁹⁶ The UN Assistance Mission in Afghanistan, USAID, and elections experts have variously called Afghanistan's domestic observers the "guardians of the electoral process" and one of the most important tools for electoral accountability and oversight, without which Afghan elections are "wide open to abuse."⁹⁹⁷

Donor Funding and Support for Domestic Observation

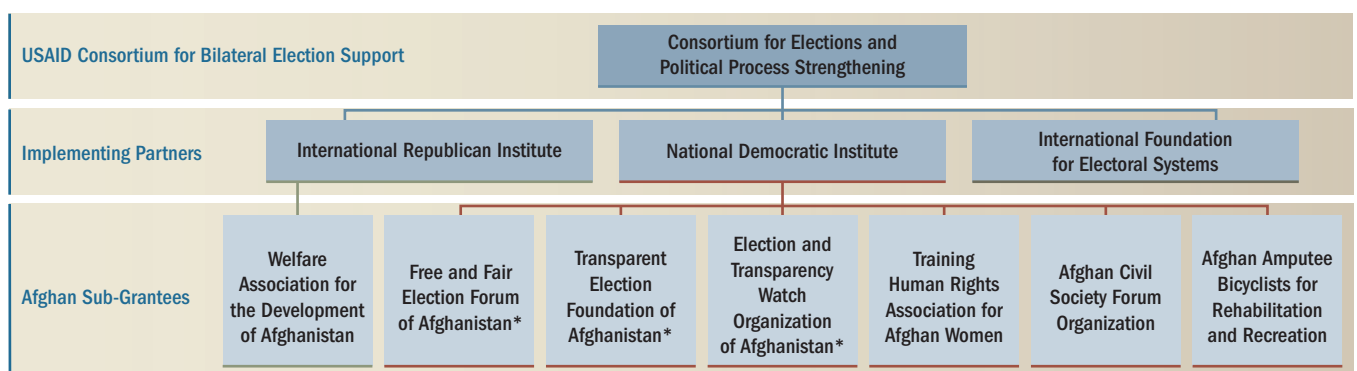
Typically, to fund domestic observation, USAID will pay an American implementing partner with experience supporting elections, who in turn funds and trains several Afghan organizations to actually do the observing on the ground. A group of

U.S. implementing partners called the Consortium for Elections and Political Process Strengthening (CEPPS) currently runs USAID’s domestic observation program (see Figure 17). It includes the National Democratic Institute, the International Foundation for Electoral Systems, and the International Republican Institute. Historically, there have been three main Afghan election observation organizations. The Free and Fair Election Forum of Afghanistan, which was established prior to the 2004 presidential election with support from the National Democratic Institute and funding from USAID, is Afghanistan’s oldest domestic observation organization.⁹⁹⁸ The Transparent Election Foundation of Afghanistan is the second oldest and was formed in 2009 in response to perceived weaknesses in Free and Fair Election Forum of Afghanistan’s 2009 performance, while the Election and Transparency Watch Organization of Afghanistan followed in 2014.⁹⁹⁹

In 2018, CEPPS, with USAID funding, gave grants to the three main domestic organizations, as well as three smaller organizations: Afghan Amputee Bicyclists for Rehabilitation and Recreation; Training Human Rights Association for Afghan Women; and Afghan Civil Society Forum Organization.¹⁰⁰⁰ In 2019, CEPPS decided not to fund FEFA, TEFA, and ETWA, citing concerns about their internal financial governance and differences of opinion between the organizations and USAID about observer deployment strategies.¹⁰⁰¹ Instead, in 2019 CEPPS supported the three smaller organizations just mentioned.¹⁰⁰² FEFA, TEFA, and ETWA still fielded observers in 2019 and produced reports about the election. However, in the absence of USAID support, FEFA said that except for two paid long-term observers during the months-long adjudication of the 2018 results (one each assigned to IEC and ECC headquarters), they were forced to rely on untrained volunteers following the 2018 election and all the way through the 2019 presidential election.¹⁰⁰³

FIGURE 17

CONSORTIUM FOR ELECTIONS AND POLITICAL PROCESS STRENGTHENING



*Funded in 2018 but not 2019

Source: CEPPS, “CEPPS Quarterly Report: Afghanistan,” prepared under contract for USAID, June 30, 2019, pp. 3, 6; USAID implementing partner, SIGAR interview, October 15, 2019.



FEFA holds a press conference in Kabul on June 17, 2014 after the presidential run-off election. (UNAMA photo by Fardin Waezi)

USAID was the only donor funding domestic observers in 2018, and the 6,510 observers they funded represented the lowest number in any Afghan election since 2004.¹⁰⁰⁴ However, the number of observers in 2018 was only marginally smaller than the number mobilized in the 2010 parliamentary election.¹⁰⁰⁵ In contrast, approximately 11,000 and 18,000 observers were mobilized during the country's last presidential polls in 2014 (the general election and runoff, respectively).¹⁰⁰⁶ USAID and the European Union provided most of these funds, but Sweden also contributed.¹⁰⁰⁷ Multiple stakeholders told SIGAR that funding for domestic observation in Afghanistan is insufficient, particularly in comparison to the more than \$100 million currently being spent to support the Afghan election commissions through the UN Electoral Support Program.¹⁰⁰⁸

In 2018, CEPPS provided funding to pay observers for three days of work: one day for training, one day for actual observation at their assigned polling station, and a final day for reporting.¹⁰⁰⁹ However, the short time between the CEPPS award and the election created challenges for recruiting and training these observers.¹⁰¹⁰ In 2018, the UN and the European Union also provided training, although no funding, to a number of other domestic organizations.¹⁰¹¹ Before the 2019 election, CEPPS provided technical assistance tailored to the individual needs of each of its Afghan grantees. For example, for less-experienced organizations, topics included observation planning, observer training, and support to internal and external communications. CEPPS' support to observation organizations also covered more sophisticated topics, including election dispute resolution.¹⁰¹²

One success of 2018 was an increase in the percentage of observers who were female: 38 percent, up from 32 percent in 2014 and 11 percent in 2010.¹⁰¹³ Recruiting female observers is critical, because polling stations are divided by gender. When men serve as poll workers, body checkers, or observers in female polling stations, it discourages women from voting.¹⁰¹⁴ The only alternative is to have no observers at all, which



A poll worker demonstrates to observers that the ballot box is empty at the opening of a polling station in Kabul, October 20, 2018. (UNAMA photo by Fardin Waezi)

increases the opportunity for fraud.¹⁰¹⁵ The fact that more female observers were recruited in 2018 was especially notable, because ensuring a good gender balance takes time, and funding for observation organizations came only a few weeks before Election Day 2018.¹⁰¹⁶

Obstacles to Observation

During each election cycle, domestic observers may be prevented from doing key parts of their job, or coerced into lending their imprimatur to fraudulent results. The sources of this obstruction can include poll workers, security personnel, and local power brokers.¹⁰¹⁷ In 2014, FEFA estimated that observers were prevented from doing their work in 7 percent of polling centers.¹⁰¹⁸

Although the legal framework supporting the work of observers has gradually improved, legal protections may not help them once on the ground. The 2019 Election Law requires poll workers to provide observers with copies of results sheets upon request, but observers and other stakeholders reported that poll workers sometimes refuse to do so.¹⁰¹⁹ Their refusal to cooperate makes it harder for observers to detect fraudulent changes to the results.¹⁰²⁰

The 2016 election law also says that observers should have unfettered access to polling stations throughout election day until all of the votes have been counted and the ballot boxes have been sealed.¹⁰²¹ However, in 2018, domestic observers reported that they were often excluded from polling centers during all or part of the election day proceedings. FEFA reported that in a number of cases, observers and candidate agents went home after being told that counting would take place the next day, only to find out later that poll workers had counted ballots as soon as they left.¹⁰²² The same year, TEFA reported that its observers were excluded from 22 percent of the polling centers they were assigned to cover.¹⁰²³

Observers also face obstacles stemming from the fact that poll workers, security forces, and even observers themselves lack sufficient training on observers' rights. In 2018, late donor funding also affected the quality of the training observers received.¹⁰²⁴ A USAID implementing partner told SIGAR that operational obstacles to observation were much worse in 2018 than they had been in 2014, when donors began supporting election commissions and domestic observation organizations much earlier in the cycle.¹⁰²⁵ Although the IEC's own regulations gave observers the right to carry cell phones into polling stations to document fraud through photographs and videos, the same USAID implementing partner, as well as multiple observation organizations, reported that the IEC and security forces often did not allow them to do so.¹⁰²⁶ TEFA said that it recorded instances of poll workers and security forces preventing its observers from taking photos and video of election day proceedings in 30 provinces in 2018 and 19 provinces in 2019.¹⁰²⁷

Polling centers with the highest rates of fraud and the greatest need for observers tend to be the ones that are least secure and the hardest to deploy observers to.

Further, at some polling centers, observers are not able to observe at all.¹⁰²⁸ Those with the highest rates of fraud and the greatest need for observers tend to be the ones that are least secure and the hardest to deploy them to.¹⁰²⁹ Even when observers are able to reach insecure polling centers, they can be prevented from doing their jobs. In 2018, ETWA and FEFA documented instances of candidates, as well as corrupt government officials, security forces, and poll workers barring observers from polling centers.¹⁰³⁰

Observers are also not immune to influence from bribes and threats, which can make their reporting unreliable. This vulnerability is increased by the fact that, in order to increase the odds that they can safely access polling centers, observation organizations assign field staff to their home areas.¹⁰³¹ According to one elections advisor, "You don't send a Kabuli into Nimroz to observe—they would just disappear."¹⁰³² In fact, even when using locals to observe their own areas, some observers are still kidnapped, arrested, and killed in each election.¹⁰³³

According to Habibullah Shinwary, program manager at ETWA, these dynamics illustrate two major ways insecurity prohibits successful observation. First, the presence of insurgents in the area can make it too dangerous for an observer to physically travel to that polling center. Second, even if a polling center is physically accessible, domestic observation groups may decline to deploy observers if they think there is a high risk that warlords or candidates will coerce its staff to make false reports.¹⁰³⁴

In 2018, different organizations took different approaches to balancing the competing goals of maximizing observer coverage and reducing physical risks and the risk that their observers will be coerced into facilitating fraud. Two months prior to the 2018 election, FEFA conducted a systematic assessment to determine which polling

centers were “observable,” taking into account security, logistics, and its ability to recruit observers.¹⁰³⁵ In contrast, ETWA told SIGAR that their observers faced no such limitations in 2018.¹⁰³⁶ In essence, ETWA chose an approach whereby it deployed its observers to all of the polling centers they could access, which led to greater coverage but with less confidence in the information they collected. By limiting where they sent their observers, FEFA collected less information, but with a higher degree of confidence.

Observer coverage rose from about 64 percent of polling stations in 2014 to approximately 85 percent in both 2018 and 2019.

One thing that enabled more comprehensive observer coverage in 2018 was the fact that approximately 20 percent fewer polling centers opened than in 2014 due to insecurity, so security forces were better able to secure the polling centers that did open, including some not previously deemed safe enough.¹⁰³⁷ According to USAID and a USAID implementing partner, observer coverage rose from about 64 percent of polling stations in 2014 to approximately 85 percent in both 2018 and 2019.¹⁰³⁸ However, the closure of polling centers comes at the cost of disenfranchising many voters. (For more on the impact of insecurity and polling center closures, see Chapter 2.)

Challenge of Verifying Observer Deployments

Like poll workers, observers are hired on a temporary basis and given only a few hours of training before being deployed to polling centers across the country.¹⁰³⁹ Since they often work in remote locations, observer organizations have difficulty supervising and tracking these staff and sometimes do not know how many observers they were able to deploy and to which polling centers. It was unclear how many domestic observers actually worked on Election Day 2014. The Organization for Security and Cooperation in Europe noted that the number of observers that FEFA and TEFA claimed to have deployed in 2014 exceeded the total number of observers who had registered with the IEC that year.¹⁰⁴⁰

A USAID official told SIGAR he spent a significant amount of time and effort after the 2014 election trying to map observer deployments, but he was only able to track them down to the district level, rather than down to the polling-center level.¹⁰⁴¹ A different USAID official told SIGAR that while CEPPS mapped observers in both 2014 and 2018, USAID lacked confidence in the information the maps were based on, which was provided by domestic observation groups.¹⁰⁴²

Nor is there confidence about the identities of these observers. CEPPS has documented instances of applications for observers who were accredited using fake photographs, which cast “a cloud of doubt about the veracity of some of the observers being selected.”¹⁰⁴³ Over the years, USAID and CEPPS have made a number of recommendations and imposed requirements about how domestic observation organizations verify the identities and track the locations of their field staff.¹⁰⁴⁴ A USAID implementing partner said that in 2019, CEPPS made important improvements



A domestic observer votes at a Kabul polling station in the 2018 parliamentary election, October 20, 2018. (UNAMA photo by Fardin Waezi)

that meant that, for the first time, they had confidence about where the observers they supported had gone because of a multi-step verification process: the polling center chair signed the observer's own checklist, IEC staff recorded their presence in the polling center journal, and observers signed the results sheet.¹⁰⁴⁵

Ways to Expand Coverage in Insecure Areas

USAID and the CEPPS, as well as its Afghan grantees, have tried different approaches to increase observer coverage and ensure they are more evenly distributed instead of clustered in safer and easier-to-access areas.¹⁰⁴⁶ At USAID's direction, in 2018 CEPPS selected their Afghan grantees with an eye towards maximizing coverage and coordinating their deployment plans to minimize overlap at the polling center-level.¹⁰⁴⁷ In addition, for the first time in 2018, the IEC accredited observers to a specific polling center—anchoring each observer to the polling center in which they voted.¹⁰⁴⁸ However, a USAID implementing partner told SIGAR that logistical issues prevented this approach from working on Election Day 2018. Problems with printing observer identification cards made it difficult for poll workers to determine which polling center the observer was assigned to.¹⁰⁴⁹ According to the same USAID implementing partner, the IEC had resolved these problems and was able to accredit observers to specific polling centers by 2019.¹⁰⁵⁰

In 2019, CEPPS attempted to avoid overlap of observer deployments by awarding funding to one organization per region.¹⁰⁵¹ Observation groups in previous elections had each covered the entire country, which allowed Afghans to get observation assessments for the same area from multiple sources. The Free and Fair Election Forum of Afghanistan, which did not receive USAID funding in 2019, criticized this policy.¹⁰⁵² FEFA told SIGAR that having a nationwide perspective was vital for their ability to maintain their organizational capacity and was required by their strategic plan.¹⁰⁵³ The



A collection of civil society groups, observation organizations, and the IEC hold an event on January 26, 2014, in Kabul to discuss how to ensure the participation of women in the April 2014 presidential election. (UNAMA photo by Sayed Mohammad Shah)

European Centre for Electoral Support had planned to provide funding to FEFA and the Transparent Election Foundation of Afghanistan in 2019, but were ultimately unable to do so.¹⁰⁵⁴

Another approach to increasing coverage of observers is to deploy **mobile observers** and train and fund community representatives to collect information at less secure polling centers.¹⁰⁵⁵ This has only been attempted on a limited scale. In the second round of the 2014 election, FEFA deployed 64 mobile observers to insecure districts that the organization had not been able to cover in the first round.¹⁰⁵⁶ In addition, ETWA told SIGAR that their observers were assigned to at least three polling stations in 2018. During breakfast and lunch breaks, they were also permitted to visit other polling centers in the area.¹⁰⁵⁷

While most domestic election observers are static, meaning that they remain at a single polling station on election day, **mobile observers** visit multiple polling stations.

A 2015 review of USAID assistance during the 2014 election and a Democracy International report from the same cycle recommended identifying areas where fraud had been most problematic in the past. Both favored encouraging the election commissions to concentrate fraud detection and oversight efforts in these areas, while concentrating observers and security forces in these areas as well.¹⁰⁵⁸ However, as the 2015 USAID report observed, “conditions that create opportunities for fraud tend to be more present in Pashtun areas where the insurgency is strongest.”¹⁰⁵⁹ So while concentrating observers makes fraud detection more likely, it might also create the perception that Pashtun votes are being held to a higher standard.

One USAID implementing partner recommended that donors focus on trying to fill holes in coverage that are not controversial. She emphasized that her organization had been working with observation groups to create tailored security plans to facilitate the

work of observers.¹⁰⁶⁰ For instance, she noted that the absence of women’s bathrooms at some polling stations prevented female observers (and poll workers) from covering those locations, which has historically made them more vulnerable to fraud than male polling stations.¹⁰⁶¹ Approaches like adding women’s restrooms would be a more sensible way of leveling the observation playing field than assigning more observers to problematic areas. An alternate strategy FEFA described to SIGAR was to deploy their most experienced observers to fraud-prone areas, although this strategy might require observers to work at a polling centers other than the one where they were assigned to vote.¹⁰⁶²

A **malik** is the informal leader and representative of a community or cluster of communities.

In 2018, USAID, through the International Republican Institute, piloted a new approach that was designed to expand observer coverage to southern and eastern parts of the country that had experienced high rates of electoral fraud and where observers had not been present in 2014.¹⁰⁶³ An International Republican Institute grantee, Welfare Association for the Development of Afghanistan, trained and paid 50 teams, each consisting of one **malik** and two youths, who covered one polling center.¹⁰⁶⁴ Because of their high status in their communities, maliks were thought to lend legitimacy to and build trust in the electoral process. This model is more expensive per observer than the traditional model because the youths and maliks are engaged for a longer time and expected to do more than traditional observers.¹⁰⁶⁵ Specifically, because traditional domestic observers do not have the same influence in their communities, they are expected to merely highlight flaws in the electoral process, not to convince communities of its legitimacy, as maliks are. An implementing partner told SIGAR that the 2018 pilot was successful, and cited instances in which maliks were able to curb abuses by partisan agents, convince IEC representatives to open female-only polling stations, and overturn prohibitions on the use of cell phones in polling stations by their youth partners so that they could document irregularities.¹⁰⁶⁶ Based on its success in 2018, the program nearly tripled in 2019 to cover 137 polling centers.

Unreliable Observer Reporting Undermines the Election Dispute Resolution Process

Properly documenting fraud allegations is challenging for observers. USAID and the Organization for Security and Co-operation in Europe reports from the 2014 election found that observation organizations often failed to differentiate between what their staff observed and what they learned secondhand, and Afghan observers often failed to document their allegations in sufficient detail.¹⁰⁶⁷

In the lead-up to the 2018 election, the UN Electoral Support Project warned that while observer reporting in Afghanistan had improved, it remained characterized by “methodology gaps, lack of comprehensive overall reporting and the lack of adequate training, which often leads to unsubstantiated criticism, lack of understanding of complex accountability issues, and blaming the IEC or [Electoral Complaints Commission] for mistakes attributable to other actors in the process.”¹⁰⁶⁸ In an effort to address these issues, in 2018 CEPPS provided guidance to its Afghan grantees that they should only release public statements about irregularities if their observers had



Representatives of TEFA hold a press conference on June 19, 2014 in Kabul after the 2014 presidential run-off election to share their findings with the public. (UNAMA photo by Fardin Waezi)

personally witnessed them and they could be verified by at least two other sources.¹⁰⁶⁹ CEPPS also trained its Afghan grantees on data collection, management, analysis, and reporting.¹⁰⁷⁰ The goal was to enable these organizations to produce reports that were substantiated by evidence and presented in a format that could be understood by the public.¹⁰⁷¹ These reports are critical inputs into the electoral dispute resolution process at the ECC. Because the commission only has a few weeks to adjudicate complaints, observation groups work under considerable time pressure.¹⁰⁷²

The occasional unreliability of observation groups' reports leaves USAID (and CEPPS) in the difficult position of trying to triangulate their claims and determine which are accurate. It also creates problems for the election commissions, who base some of their decisions on these reports. For example, after FEFA and TEFA admitted that their reports on the 2014 election contained inaccuracies, the ECC cancelled plans to quarantine votes on the basis of those reports.¹⁰⁷³ One senior election advisor told SIGAR that she believed USAID should place less emphasis on the number of irregularities they document and more on getting domestic observation organizations to verify their allegations and collect evidence that the election commissions can use in electoral dispute resolution.¹⁰⁷⁴

Finding Reliable Paid and Volunteer Observers Is a Challenge

As with the trade-off between quality and quantity of reports about fraud, observation organizations have struggled to find the right balance between the quality and quantity of their observers. Pressure on organizations to cover more polling centers has created oversight challenges in the past. For example, the Free and Fair Election Forum of Afghanistan—an umbrella group with member organizations across the country—disqualified local partner organizations in five provinces only days before the 2018 election after an internal vetting process uncovered that they had connections to candidates.¹⁰⁷⁵ FEFA and other organizations may be right to be wary of expanding membership rolls just to cover more territory, as doing so may reduce their confidence in reporting.¹⁰⁷⁶

Expanding the number of observer volunteers also comes with challenges. Volunteers can help an organization cover more polling centers than they could reach with staff paid by donor-funded stipends, but these volunteers may be more vulnerable to corruption than their paid counterparts. FEFA planned to use volunteer observers in 2018 but cancelled these plans in the weeks leading up to the election after candidates offered to help FEFA find these volunteers.¹⁰⁷⁷ TEFA did use volunteers in 2018. The organization's founder told SIGAR it deployed 1,700 volunteers on top of its 5,500 paid observers.¹⁰⁷⁸ Two smaller observation organizations fielded approximately 800 volunteers in 2018.¹⁰⁷⁹

Observers Committing Fraud

Another challenge facing domestic observation in Afghanistan is that observers themselves have been credibly accused of committing fraud. One senior elections advisor told SIGAR that after the 2014 presidential election there was a perception that observation groups “each had loyalties and an agenda.”¹⁰⁸⁰ Walid Sarwary, former deputy chief electoral officer at the ECC, alleged that in 2014, then-candidate Abdullah Abdullah's campaign paid an observation group to report more fraud at polling centers whose results favored President Ghani, while President Ghani's campaign paid a different group to do the same at polling centers whose results favored Abdullah.¹⁰⁸¹ SIGAR could not verify these claims. The International Foundation for Electoral Systems' 2018 Electoral Integrity Assessment noted that multiple stakeholders alleged that observation groups had accepted bribes to commit fraud.¹⁰⁸²

All three major observation groups in the 2018 election told SIGAR they were approached by candidates who offered money in exchange for help getting their partisan agents accredited as neutral observers.

All three major observation groups in the 2018 election told SIGAR they were approached by candidates who offered money in exchange for help getting their partisan agents accredited as neutral observers. All three organizations claimed they rejected these offers.¹⁰⁸³ FEFA explained that these candidates were trying to get around the Independent Election Commission's new cap of 500 agents per each Wolesi Jirga candidate.¹⁰⁸⁴ According to the organization's executive director, a candidate representative explained that if his campaign deployed the full 500 candidate agents that they were allowed, and then fraudulently deployed another 500 as neutral observers, they would guarantee themselves at least 1,000 votes.¹⁰⁸⁵ In notes to SIGAR, USAID said that it had not received any complaints about observers participating in fraud in the 2019 election.¹⁰⁸⁶

Candidate agents for President Ghani and Abdullah Abdullah signed 95 percent of the results sheet from the 2014 runoff, but the results were still contested—suggesting that the candidates may not have had much faith in their agents.¹⁰⁸⁷ A senior elections advisor told SIGAR that he is aware of instances in which candidate agents and neutral



From the observation deck at the IEC's National Tally Center, UN Special Representative to the Secretary General Tadamichi Yamamoto watches as IEC staff tally results sheets after the September presidential election, October 1, 2019. (UNAMA photo by Fardin Waezi)

observers had signed results sheets later determined to be fraudulent.¹⁰⁸⁸ It is difficult to tell when observer signatures on fraudulent results sheets are the result of bribery, duress, or outright forgery.¹⁰⁸⁹

In October 2018, CEPPS confirmed some fraud allegations when it identified accredited observers who had used false identities.¹⁰⁹⁰ In 2019, CEPPS issued a notice to all Afghan bidders that if they did not “set a common, firm, and incontrovertible system to prove that observers are indeed nonpartisan,” they would be at risk of losing their awards.¹⁰⁹¹

The Value of Observation Is Diminished by Lack of Transparency among Electoral Management Bodies

Improving the ability of domestic observers to scrutinize the Afghan elections process would strengthen the country's election commissions.¹⁰⁹² However, doing so requires a major change in the way the election commissions approach transparency. The election commissions have repeatedly failed to publicly release information critical to the work of observation groups, in violation of both Afghan and international law.¹⁰⁹³ Before the 2018 and 2019 elections, the Independent Election Commission failed to release detailed information about which polling centers would open, making it difficult for observation groups to plan the deployment of their field staff.¹⁰⁹⁴ Insufficient information limits the value of observation even more after the election. Domestic observation organizations and former Afghan government and election commission officials told SIGAR the most damaging fraud in 2018 took place during the tallying and recount processes (see Chapter 6).¹⁰⁹⁵ Similarly, Martine van Bijlert's analysis of the 2009 election found that “large-scale, mostly undetected, manipulation took place within the electoral

administration and at a relatively late stage.”¹⁰⁹⁶ These late stages of the election are also some of the least transparent to observers.

In 2018, the IEC established a double-blind system for entering data into the central database by clerks, whereby one clerk would enter the data and then another would be randomly selected to check the entry without knowing who had originally done it.¹⁰⁹⁷ However, during vote counting at the National Tally Center, the designated area for observers is along the wall of the room, far from the proceedings (see photo on p. 139).¹⁰⁹⁸ For this reason, observers were unable to verify whether information was correctly entered into the master results database or to detect fraudulent manipulation of that database—and observers alleged that results were changed during data entry in both the 2014 and 2018 elections.¹⁰⁹⁹

Even the IEC acknowledged that the space it provided for observers in 2018 was inadequate.¹¹⁰⁰ The International Foundation for Electoral Systems suggested either moving the observers closer to the action or using a live audio-video feed to improve observer visibility of proceedings before the 2018 election.¹¹⁰¹ This recommendation went unimplemented in 2018; in 2019, only a single screen displayed a livestream of the intake process for results sheets. Observers remained unable to monitor data entry, and a TEFA official assessed that observers had little or no access to information about proceedings.¹¹⁰²

In 2018, the election commissions ordered recounts of ballots in 11 provinces. These were initially conducted at the provincial level, but allegations of ballot stuffing during the recount process led to a second round of recounting at the National Tally Center.¹¹⁰³ Afghan observation organizations were permitted only two observers each at the tally center, not nearly enough to cover the 100 tables on which the recounts were simultaneously taking place.¹¹⁰⁴ FEFA told SIGAR that they believe the IEC refused to allow more observers because IEC staff did not want to be exposed committing fraud.¹¹⁰⁵ Allegations that elections officials ordered rigging during the recount process were pervasive and credible.¹¹⁰⁶ According to Abdullah Ahmadzai, former IEC chief electoral officer, the very purpose of the recount at some polling centers was to make fraudulent changes on the results sheets.¹¹⁰⁷

The work of observers and other analysts has been undermined by the election commissions' failure to publish detailed information about election results or explanations for how results changed due to recounts, audits, and invalidations.

The work of observers and other analysts has also been undermined by the election commissions' failure to publish detailed information about election results or explanations for how results changed due to recounts, audits, and invalidations.¹¹⁰⁸ According to a USAID implementing partner, observation groups still lacked access



Representatives of TEFA hold a press conference in Kabul on October 9, 2019 to share its findings for the 2019 presidential election. (TEFA photo)

to this information for 2018 by the time the 2019 election came around.¹¹⁰⁹ This lack of transparency made it impossible for them to determine whether the changes to results were legitimate or fraudulent.

This complaint was not new.¹¹¹⁰ In 2014, FEFA found that most results posted on the IEC's website differed from results it had documented at the polling center-level. According to FEFA, these discrepancies suggested fraud, but because election commissions did not release specific information about excluded ballots, there was no way to prove it.¹¹¹¹

The introduction of biometric voter verification in 2018 created a new category of information that observers required access to: the details of how biometric data was collected and used to determine the validity of votes.¹¹¹² According to FEFA, the IEC said it could not share the details of how biometric voter verification results were reconciled with physical results sheets, because Dermalog, the German company that provided the biometric devices and data servers, controlled that process.¹¹¹³ But allegations that fraudulent changes were made directly to the central results database in 2018 were taken seriously enough to result in granting read-only access to all of the presidential campaigns in 2019, raising the question of why such access was not given to observation organizations.¹¹¹⁴ Observers require certain information from election commissions to make results auditable so that fraud can be detected (see callout box on p. 142).

In 2019, the IEC failed to release information about which polling centers had opened. It also failed to publicly report how many ballots were used in that cycle, which three observation organizations claimed was necessary to ensure proper oversight.

Observation organizations called for the IEC to account for the election day status of each ballot (valid, wasted, invalid, or blank) and to release the list of polling stations where the approximately 137,000 “suspicious” ballots and 102,000 ballots reportedly cast outside polling hours had originated.¹¹¹⁵

Observer Information Requirements

In order for election results to be sufficiently detailed to reveal fraud, observation organizations require the following information:

- The number and locations of polling centers that are scheduled to open (conveyed before election day)¹¹¹⁶
- The number and location of polling centers that actually did open, and¹¹¹⁷
 - The number of voters at each polling station¹¹¹⁸
 - The number of ballots used¹¹¹⁹
 - The number of spoiled ballots discarded before the count¹¹²⁰
 - The number of ballots counted (votes per candidate, blank votes, invalid votes, and wasted votes)¹¹²¹
- The number of biometric voter verification entries at each polling station¹¹²²
- How the results at specific polling stations were changed by ECC invalidations¹¹²³
- How the results at specific polling stations were changed by IEC exclusions¹¹²⁴

CANDIDATE AND PARTY AGENTS

Candidate and party agents are not expected to be impartial; they are paid advocates for their candidate. Their jobs are to bring irregularities to the attention of the polling station chairperson and record them in the polling station journal; sign the results sheet and record the results for their own records, in order to identify whether they are fraudulently changed later on and lodge complaints with the Electoral Complaints Commission during the election process before, during, and after election day.¹¹²⁵

According to the UN, the “widespread presence of well-trained, informed candidate agents at polling and counting locations . . . remains one of the most effective measures to prevent both irregularities and unfounded allegations.”¹¹²⁶

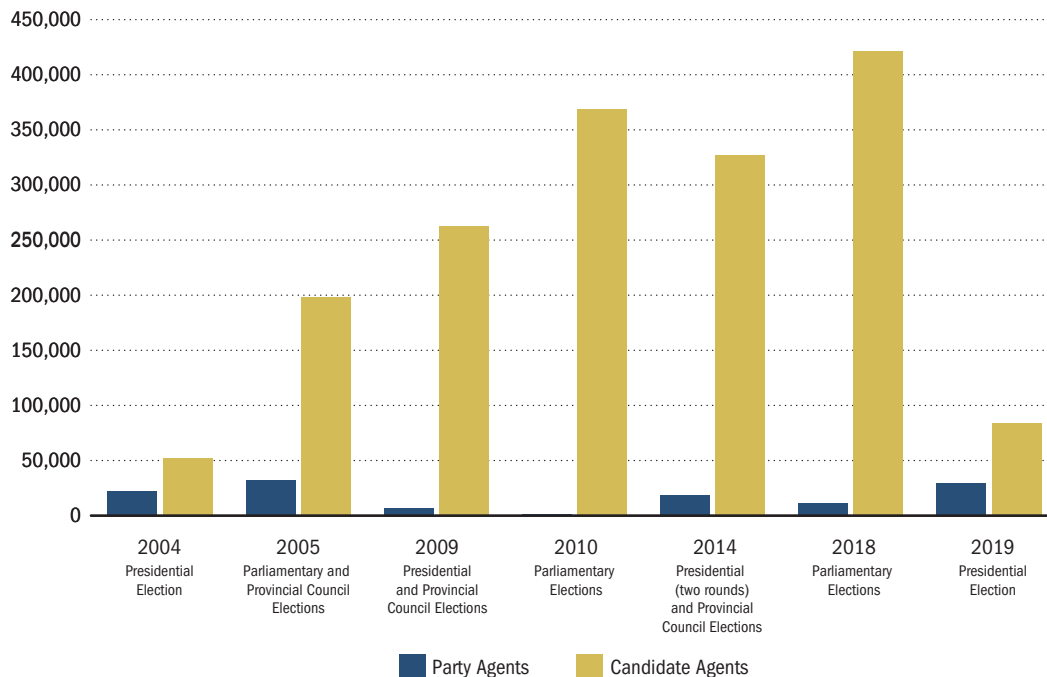
Since most candidates run as independents and recruit their own agents, candidate agents are far more numerous than agents of political parties (see Figure 18). In 2018, party agents were absent in almost a third of the country’s provinces.¹¹²⁷ The sheer number of candidate agents creates challenges for donors, especially for parliamentary elections. It is harder to reach candidate agents through the **cascade training** approach that donors use for observation organizations, because candidate teams are rarely organized into hierarchical groups.¹¹²⁸ It also makes little sense to invest in training: Since most candidates lose, their agents may only serve only once.

Cascade training is an approach whereby training is provided to a group of people who, in turn, provide the same training to others.

Male candidate agents heavily outnumber their female counterparts, which means female polling stations are less likely to have agents present on election day, making them more vulnerable to fraud.¹¹²⁹ USAID’s Office of Inspector General recommended in 2014 that the agency emphasize training for female candidate agents.¹¹³⁰ To close the

FIGURE 18

NUMBER OF ACCREDITED PARTY AGENTS VS. CANDIDATE AGENTS



Source: United Nations Security Council, "Afghanistan's First Election Not Perfect, but Sets Stage for Journey towards Vigorous Democracy, Security Council Told," press release, October 12, 2004; National Democratic Institute, *The September 2005 Parliamentary and Provincial Council Elections in Afghanistan*, prepared under contract for USAID, 2006, p. 10; ANFREL, *Upholding Democracy through Ballots: Presidential & Provincial Council Elections*, December 2009, p. 93; National Democratic Institute, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 27; National Democratic Institute, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 40; UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 30; UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, September 30, 2019, p. 2.

gap, a USAID implementing partner said they hired more female trainers in 2019 to work with candidate agents.¹¹³¹

Candidate and Party Agents Are Less Effective in the Absence of Donor Training

Donors do not provide funding to candidate and political parties or their agents, but they do provide them with training.¹¹³² In an internal assessment of its support to the 2014 Afghan election, USAID stressed the importance of adequate candidate agent training to collect "specific, first-hand information" about fraud to support their electoral complaints.¹¹³³ A senior elections advisor also emphasized the importance of agents substantiating complaints, not just focusing on the number.¹¹³⁴

Despite this, 2018 was the first election in recent Afghan history that USAID did not support candidate and party agent training.¹¹³⁵ This was partly because the Consortium for Elections and Political Process Strengthening grant was issued too late to allow time for agent training, but a USAID implementing partner also told SIGAR that USAID was hesitant to work with political parties.¹¹³⁶



In front of candidate agents and observers, a poll worker in Herat empties a ballot box to prepare for counting for the parliamentary elections, September 18, 2010. (UNAMA photo)

One of the objectives of candidate agent training is to help them understand their roles and responsibilities.¹¹³⁷ A USAID implementing partner told SIGAR that in 2018, candidate agents “were not aware of the process. When they saw things going wrong, it was hard for them to complete electoral complaints forms.”¹¹³⁸ In 2019, CEPPS trained 8,619 candidate agents and provided them with 50,000 manuals on how to do their jobs, including how to file complaints about electoral irregularities.¹¹³⁹ In addition, the European Center for Electoral Support and domestic observation organizations provided training to candidate agents and political parties in the 2018 and 2019 election cycles.¹¹⁴⁰

Candidate and political party observers tend to focus on polling centers in areas that are safer and easier to access. This has led to problems with overcrowding—especially in parliamentary elections, which attract many candidates and, thus, their agents.¹¹⁴¹ In 2018, the IEC accredited more than 400,000 candidate agents. Overcrowding that year was particularly problematic in Kabul, where 40 percent of candidate agents across the country were accredited.¹¹⁴² As previously noted, in 2018 the IEC tried to address this problem by capping each Wolesi Jirga candidate at 500 agents overall and allowing only one monitor per party or candidate at any given time into each polling station.¹¹⁴³ Despite this policy, according to Habibullah Shinwary, program manager at the Election and Transparency Watch Organization of Afghanistan, there were still 15 to 16 agents representing a single candidate at some polling stations.¹¹⁴⁴ Even if this rule had been uniformly enforced, overcrowding would still have occurred in provinces with high numbers of candidates, like Kabul.¹¹⁴⁵

Poor information sharing also limits the effectiveness of candidate agents. The IEC’s failure to publish results broken down by polling station in the first round of the 2014 election limited the ability of the presidential candidates to file complaints with the

ECC. The IEC failed to provide this information even in response to written requests submitted by campaigns.¹¹⁴⁶ The IEC's failure to ensure that information about National Tally Center proceedings is available prevents candidates and parties from serving as checks on fraud. The Joint Independent Monitoring and Evaluation Committee called the 2018 tallying process "slow, opaque, and fairly inaccessible."¹¹⁴⁷

Partisan Agents Implicated in Fraud

Candidate and party agents have been implicated in fraud in each Afghan election cycle. Candidate agents have been accused of stuffing ballots, working with members of armed militias, intimidating voters and polling staff, campaigning inside polling stations, and buying votes.¹¹⁴⁸ An IEC after-action report about the 2018 elections called for agent training and punishment for candidates whose agents "sabotaged" the process.¹¹⁴⁹

Candidates and political parties face the same challenges as observation groups in ensuring that their field staff are not co-opted. A senior elections advisor told SIGAR that "candidates know that in areas mostly supportive of their opponent, people who were supposed to be *their* agents were actually agents of their opponent."¹¹⁵⁰ In Afghanistan, it is not always possible to tell which candidate an agent is actually working for.



CHAPTER 9

LIMITS TO DONOR INFLUENCE

State Department photo

Most problems with Afghanistan’s electoral process cannot be blamed on poor donor assistance, but donors make their assistance less effective in several ways. First, to avoid the appearance of meddling in an election, donors often err on the side of caution and miss opportunities to provide proactive solutions to problems—such as advising election commissions on how to find and hire professional civil servants. This forces them to intervene reactively (and sometimes controversially) after an election goes poorly—such as helping broker power-sharing agreements between candidates. Second, because donors are so careful about proactively intervening in elections, they wind up devoting excessive attention to technical problems. Third, the reason donors need to address so many technical problems is because they provide financial assistance so late in the electoral process that technical problems proliferate, requiring troubleshooting. Between elections, donors reduce their electoral assistance, waiting until the final months before an election to ramp up support. At that point, it is too late to build electoral institutions with the capacity to credibly manage an election. The current donor assistance model is effective enough to ensure that elections happen, but not enough to address recurring problems that end up calling the credibility of elections into question.



Secretary of State John Kerry and Afghan President Hamid Karzai discuss how to resolve the country's disputed presidential election between candidates Ashraf Ghani and Abdullah Abdullah, July 11, 2014. (State Department photo)

DONOR ENGAGEMENT ON ELECTION ISSUES

Donor Reluctance to Engage Early Can Lead to Problems Later

Donors have legitimate concerns about engaging with the Afghan government on sensitive issues surrounding elections. Engagement can be seen as interference in another country's sovereign affairs. However, the benefit of engaging early on some issues may outweigh concerns if not doing so leads to more intervention later.

For example, a senior elections advisor who has worked in Afghanistan through multiple election cycles said donors are reluctant to insert themselves into the selection processes for senior election commission staff, even though intervention could reduce partisan bias in those institutions: "At many stages we could have used more leverage to vet people, but we didn't, and the people chosen were frequently compromised. The international community always felt like they didn't have any control over this, but I don't think that was the case." He also believes this hesitance is misplaced, because requiring neutrality and professional competence in hiring simply means holding the Afghan government accountable to its own laws.¹¹⁵¹

Donors want the Afghan government to take the lead on elections, both because donor support is likely to dwindle in the future and because more interference can have unforeseen consequences. After Afghan elections, when tensions over results threaten to boil over into fighting in the streets, donors have found themselves publicly arbitrating the sensitive question of who won.¹¹⁵² In 2014, the UN Assistance Mission to Afghanistan declared that it would "not take steps that could be perceived as interference" and that "it would be much better for Afghans to find solutions themselves."¹¹⁵³ However, the international community stepped in to supervise audits of the results of two of the country's four modern presidential elections. In 2014, when even an internationally supervised audit of all ballot boxes failed to obtain agreement from both contenders, then-U.S. Secretary of State John Kerry brokered a compromise to create a unity

government.¹¹⁵⁴ Post-election involvement can be more visible—and tends to be more controversial—than interventions earlier in the election cycle. Later interventions can also lead to Afghan perceptions that the international community “meddled” with election results.¹¹⁵⁵

In November 2019, an international official told SIGAR that the international community had a new message for the Afghan government, election commissions, and candidates: They would not engage to determine the winner of the election if the process got messy. He said that during the UN Security Council’s visit to Kabul in 2018, U.S. Ambassador to the UN Nikki Haley carried the message that “there will be no John Kerry moment” to adjudicate potential election disputes this time.¹¹⁵⁶

In February 2020, Ashraf Ghani and Abdullah Abdullah both declared themselves the winner of the 2019 election and held competing inauguration ceremonies, throwing the country into a constitutional crisis.¹¹⁵⁷ U.S. Secretary of State Michael Pompeo flew to Kabul to implore the two candidates to reach a compromise agreement. The failure by Ghani and Abdullah to resolve their dispute led the United States to threaten a \$1 billion annual cut in support to the Afghan government, which appears to have been withdrawn after the candidates signed a power-sharing agreement in May 2020.¹¹⁵⁸ Like the agreement that created the National Unity Government before it, the 2020 agreement again committed to holding elections for local-level positions, including provincial and district councils and mayors. Also like the 2014 agreement, it committed the government to a number of electoral reforms, which the previous government never achieved.¹¹⁵⁹

Technical Issues Monopolize Donor Attention

According to several stakeholders, donors tend to overemphasize technical issues in their engagement with the Afghan government.¹¹⁶⁰ According to an international official, “People tend to focus on the technical [issues], because they feel like they are more addressable.”¹¹⁶¹ In 2018, this emphasis on technical aspects of the electoral process took the form of ambassadorial-level engagement on the details of election technology.¹¹⁶²

Another international official told SIGAR, “I have never seen a place where ambassadors and senior political officers spend so much time talking about technicalities,” such as the sticker-on-tazkera debate (see p. 64) or how many fingers would be scanned during biometric voter verification, “as if they are going to solve political problems through technical means.”¹¹⁶³ A State official said “as a political person, I know way too much about [biometric voter verification] systems.” In this official’s view, these issues require proper staffing at USAID so that State can remain focused on bigger-picture political issues.¹¹⁶⁴ Likewise, a former senior USAID official said:

Traditionally, there has been emphasis on technical support before the election and then heavy political support after the election, usually in the form of putting out fires. There should be more emphasis on political support before the election, but that’s hard because then you are accused of interfering in the election if you have political intrusions or political influence beforehand. And by “political” I mean an ambassadorial-level intervention.¹¹⁶⁵



Deputy Chief of Mission Karen Decker examines election materials at the IEC after the presidential election, October 7, 2019. (U.S. Embassy Kabul photo)

To some degree, U.S. and international involvement in technical issues was unavoidable during the 2018 election, when donor interventions were necessary to keep election preparations on track.¹¹⁶⁶ An international official recounted to SIGAR how high-level UN officials and U.S. Ambassador John R. Bass “had to keep calling the IEC at the last minute just to get the ballots printed.”¹¹⁶⁷

FLOODS AND DROUGHTS: ELECTION ASSISTANCE IS POORLY ALIGNED TO THE ELECTORAL CYCLE

Between elections, donors dramatically cut support to Afghan election commissions and the domestic observation organizations and political parties that hold them accountable (see Figure 19).¹¹⁶⁸ Yet significant reductions in funding and technical assistance can affect the performance and long-term development of all three.¹¹⁶⁹

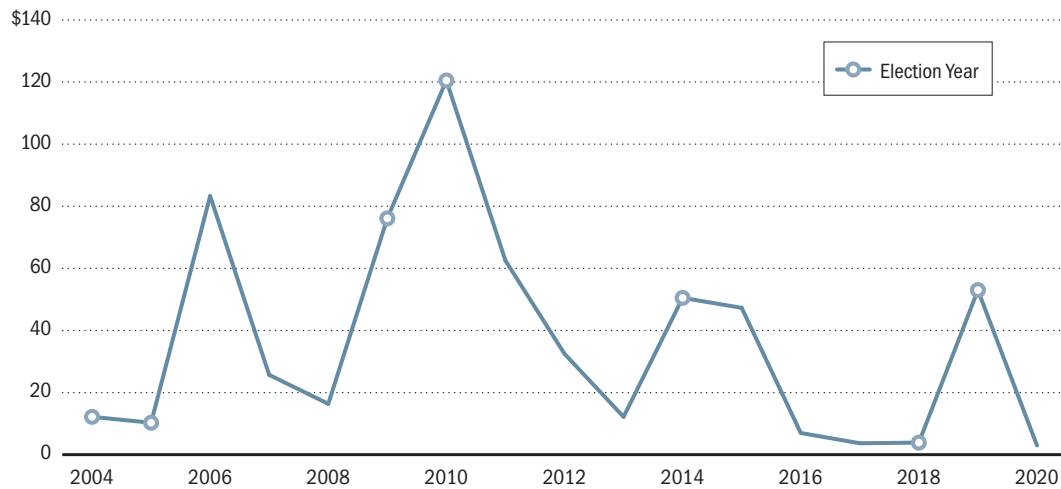
“Donors will wake up 18 months before an election and then they ask, ‘Oh my God, we have an election coming up, what can we do?’ There’s really a limited amount you can do in that short amount of time.”

—International official

According to an international official, “There is a misconception that things are not happening in between elections, when in fact that is when many major decisions are made.”¹¹⁷⁰ Another international official said, “Donors will wake up 18 months before an election and then they ask, ‘Oh my God, we have an election coming up, what can we do?’ There’s really a limited amount you can do in that short amount of time.”¹¹⁷¹ Another international official echoed this sentiment, observing, “We always seem surprised and unprepared when [elections] approach.”¹¹⁷² In general, once the funding tap has been turned back on, donors often provide funding too close to the election date for it to be used wisely or efficiently.¹¹⁷³

FIGURE 19

FLOODS AND DROUGHTS: U.S. ELECTORAL ASSISTANCE IN AFGHANISTAN (\$ Millions)



Note: Includes both bilateral and multilateral assistance from USAID.

Source: USAID, response to SIGAR data call, January 13, 2020.

Doing things at the last minute can also increase costs.¹¹⁷⁴ According to an international official, “the worst thing the donor can do is come in . . . during an election year with large amounts of money. It’s better to give small amounts of money over longer periods to build that rapport [with the election commissions] so [they] will listen when you provide guidance.”¹¹⁷⁵ Another international official told SIGAR that donors should not wait for the dust to settle, the way they did after the 2014 election, before providing technical assistance, because they risk missing critical opportunities to support electoral reform.¹¹⁷⁶

The UN Development Programme’s Electoral Assistance Implementation Guide calls for a recognition that “inter-election periods are as crucial as the buildup to the elections themselves.”¹¹⁷⁷ Likewise, the European Commission has instructed that capacity development is best begun immediately at the conclusion of the last election, so that it can avoid being pushed to the side “by the more urgent and immediate needs of an impending election.”¹¹⁷⁸ The chairman of the board of directors of the International Foundation for Electoral Systems recently testified to the Congress about the damaging effect of short-term funding for elections, which he said “does not allow for capacity building . . . or strategic planning.” He added, “effective electoral assistance demands investment years in advance of the election date and in the period in between elections.”¹¹⁷⁹

Stakeholders told SIGAR that the planning horizon for electoral support in Afghanistan needs to be much longer. An international official recommended that donors maintain a steadier level of engagement and funding that would focus on more strategic, long-term goals.¹¹⁸⁰ According to a senior election advisor, donors had “a new strategy every 18 months” and “there was not a long-term solution or approach. It was more about,



Principal Deputy Assistant Secretary of State Alice Wells meets with the IEC at the U.S. Embassy, May 13, 2019. (U.S. Embassy Kabul photo)

‘how do we get through this election cycle?’”¹¹⁸¹ Similarly, Margie Cook, who served as the UN’s senior elections advisor for the UN Development Programme’s Enhancing Legal and Electoral Capacity for Tomorrow program during the 2009 election, has argued that transferring expertise and implementing long-term reforms requires “starting earlier, being continuous in engagement with the local agencies, avoiding funding gaps, and continuously monitoring achievements against objectives”—none of which she observed on ELECT.¹¹⁸²

“There was not a long-term solution or approach. It was more about, ‘how do we get through this election cycle?’”

—Senior elections advisor

According to the ACE Project, an online compendium of best practices in electoral management, a 10-year planning cycle is ideal for election support. A longer time horizon would enable electoral support programs to place greater emphasis on the institutional strengthening and professional development of election commissions, helping them move away from narrowly focusing on the immediate training needs necessary to prepare for an election.¹¹⁸³ It would also allow for the promotion of legislative reforms to protect the institutional independence of election commissions. At the very least, donor support should be aligned to Afghanistan’s full five-year electoral cycle.¹¹⁸⁴ As things stand, USAID’s internal procedures result in short-term planning and inadequate funding between elections.¹¹⁸⁵ While the UN Electoral Support Project has been extended through the end of 2020, it is likely that this extension or its successor program will see its funding cut, just as the funding for its predecessor was cut after the 2014 election.¹¹⁸⁶



UN Special Representative to the Secretary General for Afghanistan Tadamichi Yamamoto visits the IEC headquarters two months before the September parliamentary election, July 25, 2018. (UNAMA photo)

One bright spot in the story of Afghan elections is the fact that in 2019 the Afghan government covered 60 percent of election costs, a larger portion than ever before and the first time that donors did not fund the majority of an Afghan election.¹¹⁸⁷

CHALLENGES WITH AN EPISODIC APPROACH TO ELECTION SUPPORT

The flood-and-drought cycle of donor support to elections undermines its effectiveness while increasing its cost. It also undermines the chances of electoral reforms being passed, and results in a short-term focus on each election instead of building the capacity of and maturing the election institutions that will manage Afghanistan's elections after donor support has ended.¹¹⁸⁸

Erratic Funding and Donor Attention Hinder the Development of the Independent Election Commission

Donors' tendency to focus only on the next election dates back to the first modern Afghan election. According to Abdullah Ahmadzai, who served as chief electoral officer in 2010, the international community's short-term focus in 2004 had long-lasting negative consequences for voter registration in particular. He said that the emphasis in the Bonn Agreement on ensuring that elections took place quickly failed to ensure that sufficient attention was given to getting critical pre-election processes right, as well as to ensuring that the electoral calendar took into account the time it would take to get them right in the future. Instead, the tight election calendar and episodic engagement on elections meant that voter registration was repeatedly put off until the last minute and then rushed. This approach contributed to a voter registry inflated with fake registration cards and for years stymied the IEC's efforts to fix the registry (see Chapter 4).

Ahmadzai said that if the donor community had adequately supported the IEC's 2012 internal five-year plan, these voter registration issues could have been tackled before

the 2014 election.¹¹⁸⁹ Instead, problems with the voter registry persisted until the IEC finally invalidated all registration cards and re-registered voters from scratch in 2018.¹¹⁹⁰

The lead-up to the 2014 election provides a good example of the benefit of early donor funding and engagement. Donors mobilized funding and support earlier than in the country's other recent elections. The first round of the 2014 presidential election went relatively smoothly in an administrative sense, compared to 2018 and 2019, as well as earlier cycles.¹¹⁹¹ An internal USAID review credited the agency's "consistent and focused level of investment and resources" from 2011 to 2014 with allowing it to play a productive role in the 2014 cycle.¹¹⁹²

After the 2014 election, however, donors cut funding for the election commissions. By early 2015, donors had lost patience with the Afghan government and election commissions, for several reasons: a lack of progress in planning the parliamentary election and on electoral reform, and a perception that neither President Ghani nor then-CEO Abdullah saw the overdue parliamentary elections as a priority.¹¹⁹³

After the spring of 2015, only USAID continued to fund the IEC, and then only in a trickle. Donor reluctance was driven, in part, by the IEC's decision to repeatedly postpone parliamentary elections, which had been due in early 2015, as well as concern about how divisive the 2014 election had been.¹¹⁹⁴ The parliamentary elections were originally delayed to October 2016, and then to July 2018, and finally held in October 2018.¹¹⁹⁵ Each delay created challenges for donors trying to plan electoral support programming.¹¹⁹⁶

“Unless we have an IEC that is engaged and willing to work with us, all the technical assistance in the world is not going to make a difference.”

—U.S. official

According to an international official, “Other donors let the Americans carry the can.” As a result, he said, the staff of UNDP’s elections program tasked with supporting the IEC was slashed to just four people.¹¹⁹⁷ Impatience with the Afghan government had an impact on the level of donor support in the post-2014 period. Referring to these early years in an election cycle, a U.S. official observed, “Unless we have an IEC that is engaged and willing to work with us, all the technical assistance in the world is not going to make a difference.”¹¹⁹⁸ An international official told SIGAR that there was “a realization among donors that money is not the primary constraint; the primary constraint is politics. There was an attitude of ‘why should we continue to provide funding if there is no commitment to substantial reform?’ And that commitment was not made.”¹¹⁹⁹ Donors were frustrated with the Afghan government’s failure to implement the reforms promised in the agreement that established the 2014 National Unity Government, and there was a sense that they might as well save their money until the way forward was clear.¹²⁰⁰



ECC spokesman Nadir Mohsini shares information about the complaints on the 2014 presidential election, April 8, 2014. (UNAMA photo by Fardin Waezi)

The tendency to withhold donor support is understandable—and perhaps justifiable if donors decide to withhold support altogether. However, considering that donor support has always eventually been provided as an election day nears, withholding support during the early part of an election cycle—when it would be most productive—does not make sense. Repeated failures resulting from a compressed time frame are likely to make donors more jaded, which leads to even less funding in future cycles.¹²⁰¹ In 2018, election funding was lower and came later than ever before. As a result, UNDP’s election support program was launched just nine months before the anticipated July 2018 parliamentary elections.¹²⁰²

Technical support has also decreased over time. The UN Electoral Support Project team of technical advisors is less than a quarter of the size of the UN Development Programme’s ELECT II team that supported the election commissions during the 2014 election and less than 5 percent the size of the ELECT team that supported the 2009 and 2010 elections. The provision of more limited support may have been intentional. Donor funding has fallen across the board for Afghanistan, and UNESP’s mandate was to pass more responsibility to their IEC counterparts.¹²⁰³ However, in 2018 this reduction of support came at the cost of a weakened IEC. According to a senior elections advisor: “The gap between sufficient electoral know-how within IEC and ECC to do a reasonable job and the technical assistance offered to these institutions has widened to a dangerous level.”¹²⁰⁴

Electoral Complaints Commission Needs Steady Support as Well

Funding reductions have affected support to the ECC more than they have to the IEC.¹²⁰⁵ Technical support to the ECC was particularly thin leading up to the 2018 election. When donor funding to the IEC was reduced in May 2015, technical assistance for the ECC was cut entirely. During this time, the legal advisor to the IEC would occasionally check in

with the ECC to get updates about what they were doing. Then, 20 months before the 2018 election, the UK's Department for International Development funded an electoral dispute resolution advisor for the ECC, but only part time.¹²⁰⁶

Donors improved technical assistance to the ECC in 2019, but one advisor still described the ECC as “neglected” in comparison to the IEC.¹²⁰⁷ The UN Development Programme embedded technical advisors in the ECC headquarters in Kabul, but their numbers were dwarfed by the technical assistance personnel provided to the IEC. Out of the 24 international advisors embedded in the election commissions, only two were assigned to the ECC. With only a few months to prepare before the 2019 election, these advisors did not have time to build the necessary capacity for the ECC to be effective. Due to security constraints, none of the international advisors were assigned to provincial electoral complaints commissions, which adjudicate the majority of complaints despite receiving very little training or oversight from headquarters in Kabul.¹²⁰⁸ Together, these staffing ratios and timelines highlight the limited support given to an organization tasked with highly specialized legal work under enormous political pressures and crushing timelines.¹²⁰⁹

A senior elections advisor said that in 2009, 2010, and 2014, the international community provided more technical support to the ECC than it did in 2018.¹²¹⁰ However, there were still problems with the timeline for funding the ECC in 2014. A different elections advisor described a time before the 2014 cycle when “the ECC had no people, no chairs, no supplies, and yet they were expected to adjudicate disputes.”¹²¹¹ A USAID Office of Inspector General report criticized the agency's insufficient planning for dispute resolution in February 2014, just two months before the election.¹²¹²

“Every time these elections have taken place, there is a massive influx of financial support. There is a last-minute scramble . . . and then a couple of years later the lights go out and everyone goes home. You lose the experience, and equipment and materials disappear into thin air.”

—Dominic Grant, ECC advisor

Dominic Grant, who provided UN technical support to the ECC throughout the 2014 cycle, described how this flood-and-drought pattern has impacted that body: “Every time these elections have taken place, there is a massive influx of financial support. There is a last-minute scramble . . . and then a couple of years later the lights go out and everyone goes home. You lose the experience, and equipment and materials disappear into thin air.”¹²¹³ Two other elections advisors said that in 2014, the rapid startup and shutdown crippled the performance of the ECC's provincial offices.¹²¹⁴

Electoral Reforms Are Less Likely to Be Implemented Without Steady Donor Funding and Support

There is more time and political space to address electoral reform issues in non-election years than in those years when elections are imminent, campaigns have been formed, and stakeholder expectations solidified.¹²¹⁵ Donors' tendency to cut funding and staffing for elections during this time undermines their ability to take advantage of opportunities.

Donors cut funding to the election commissions at the end of May 2015, just before the Special Electoral Reform Commission was launched in June.¹²¹⁶ An international official told SIGAR that support to the Special Electoral Reform Commission was handled by a skeleton staff in donor missions and within UNDP. Because of limited funding, UNDP had to bring in short-term consultants to address critical and complex technical issues. Had elections not been deprioritized, experienced staff could have been hired to handle these issues.¹²¹⁷ A USAID official said, "We didn't want to be too involved . . . in the [Special Electoral Reform Commission] process" and regretted that the agency had not engaged more.¹²¹⁸

Around the time donor funding for UNDP's electoral support program dried up, USAID cut funding for civil society advocacy for electoral reform. USAID had been funding a program that supported the creation of an umbrella group of civil society organizations. That group, in turn, created a legislative agenda for election reforms, including draft legislation.¹²¹⁹ However, Greg Minjack, elections advisor with Democracy International, said that "as soon as the 2014 election was over, [USAID was] not interested anymore. They dropped us right when we were about to make progress with reform." He said that USAID told Democracy International that they were pulling its funding to refocus on non-election-related issues.¹²²⁰ A report jointly written by the National Democratic Institute and the United States Institute of Peace found that USAID should have provided support to civil society to engage with the Special Electoral Reform Commission about electoral reform, rather than withholding funding until the election date was set.¹²²¹

Erratic funding also makes it difficult to support Afghan reform efforts, such as correcting ambiguities in the electoral law. In each cycle, the election law is rewritten with little time for identifying and correcting issues. According to a senior elections advisor, "After each legal reform, we end up with laws that have new gaps that no one is looking into and fixing before the [next] election."¹²²² A 2011 IEC plan found that short planning cycles "failed to deal with the intervening periods between electoral events, where opportunities exist for structured review of the policies, practices, and procedures of the IEC."¹²²³ Unlike in 2014, donors were unable to support the IEC in drafting strategic and fraud mitigation plans before the 2018 election.¹²²⁴ According to an electoral integrity assessment written by the International Foundation of Electoral Systems and commissioned by USAID, this process needed to start immediately after the 2019 election.¹²²⁵

Costs of Late and Intermittent Funding to Observation

The bulk of donor funding is generally earmarked to pay short-term observers working at polling centers on election day, with a smaller amount going to longer-term observation over an approximately four-month period.¹²²⁶ After election day, funding and the number of observers drops sharply.¹²²⁷ According to Habibullah Shinwary, the Election and Transparency Watch Organization of Afghanistan’s program manager, “The funding [given to observation organizations] should be less, but it should be step by step over a longer period of time. Giving us a huge budget right before the election is not strategic.” He said the Election and Transparency Watch Organization of Afghanistan was able to convince its staff to stay on for only a couple of months without pay.¹²²⁸

“The funding [given to observation organizations] should be less, but it should be step by step over a longer period of time. Giving us a huge budget right before the election is not strategic.”

—Habibullah Shinwary, ETWA

While donor funding for observation is frequently late around the world, USAID’s funding reached observation organizations just 20 days before Afghanistan’s 2018 election. A senior elections advisor told SIGAR that the delay meant USAID had little leverage to ensure reasonably good domestic election observation.¹²²⁹

Observation organizations do more than just observing on election day. They also analyze election commission efforts to conceive of and implement reforms, deploy a small number of long-term observers well ahead of the election, and a large number of short-term observers on election day. Since most of the observation costs are in the final stage of an election cycle, donors may not need to spend more, but rather distribute smaller portions of funding earlier in the cycle.

Late funding means observers are absent for critical electoral events and processes, which means that they miss opportunities to deter and detect problems early in the process. This results in Afghan organizations overemphasizing election day observation and deemphasizing oversight of other critical parts of the electoral process prior to and following election day.

Late funding also impedes Afghan groups’ ability to observe and document pre-election processes such as voter registration, which creates a greater risk of fraud.¹²³⁰ Representatives of observation groups said that their ability to monitor the electoral dispute resolution process in 2018 was similarly hamstrung by low funding levels.¹²³¹

Donor funding to observers was available much earlier prior to the 2014 elections than it was in 2018, which meant that dedicated funding was available for monitoring efforts during voter registration.¹²³² These efforts appear to have had an impact: USAID’s Office of Inspector General found they increased the transparency of the voter registration



Observers and candidate agents monitor a polling station during parliamentary elections, September 17, 2018. (USAID photo)

process.¹²³³ In 2018, when the IEC conducted a new registration drive from scratch, donor funding came too late to allow observers to provide oversight.¹²³⁴

Late funding can also result in observers being recruited too quickly and trained too poorly to be effective. In 2018, funding delays created challenges for Afghan groups in identifying, vetting, and hiring observers.¹²³⁵ According to a USAID implementing partner, this time crunch reduced their ability to hire enough people, especially women, who are critical because of Afghanistan's gender-segregated polling centers.¹²³⁶ A senior elections advisor told SIGAR that because of the funding delay, observation groups were not able to identify observers in as many places.¹²³⁷

When observers are not around to see early fraud and malpractice, they are unable to draw the analytical connections to document and explain why irregularities on election day are occurring. Had observers been present during the 2018 voter registration drive, they may have had a better understanding of the origins of the voter registry's problems and why so many Afghans were unable to find their names on the registry on Election Day 2018. According to the founder of the Transparent Election Foundation of Afghanistan, Naeem Ayubzada, "If we only observe [on] election day, we can identify the challenges and irregularities, but we will not have as much information to determine where those problems came from."¹²³⁸ Free and Fair Election Forum of Afghanistan Executive Director Yousuf Rasheed said funding to observe the earlier stages of the cycle enables his organization to predict where fraud will be worst on election day, and to direct their most experienced observers to those areas.¹²³⁹

Multi-year gaps in funding to observers may also limit observation organizations' ability to advocate for electoral reform between cycles.¹²⁴⁰ When they lose funding, they are forced to lay off experienced staff.¹²⁴¹ Observation organizations were poorly staffed when critical debates about electoral system change took place in 2015, and they are likely to be in the same position during equally important debates about voter lists, election technology, and the implementation of the new multidimensional representation electoral system.¹²⁴² Without being able to trace the causes and effects of irregularities, and without prolonged funding, observation organizations are limited in their ability to advocate for legal reforms and operational improvements to help avoid election day fiascos.¹²⁴³

Reasons for Late Funding

In addition to donor fatigue with operational problems and contested results, there are three institutional reasons why donor funding is consistently late to support election commissions and domestic observation organizations.

First, the election commissions are chronically late in preparing for and announcing election dates, leaving everyone who depends on those dates scrambling. A USAID official told SIGAR that the agency had been “hurrying up and waiting” throughout 2016 and 2017. He said it was able to begin the process of awarding grants only when it became clear about 18 months out that the presidential election was likely to take place in spring 2019, which meant USAID had an “aggressive” procurement timeline.¹²⁴⁴ Unclear election timelines create challenges for donors trying to justify their need for funding, because they cannot guarantee that the money will be spent and there are always competing priorities.¹²⁴⁵ Compounding the problem is the fact that the United States and other donors may not have partners at the election commissions with decision-making power during these off years, since commissioners and much of the staff quits or is fired each cycle, and the process of replacing them is often lengthy.¹²⁴⁶

Second, late funding is also caused by USAID programming delays.¹²⁴⁷ Thomas Carothers, vice president of the Carnegie Endowment for International Peace, described these constraints as “extremely burdensome” to the point of rendering USAID ineffective.¹²⁴⁸ This problem constrains USAID's ability to respond in a timely fashion to fast-moving political and security events. This problem is also not unique to USAID. In 2019, the UK had planned to provide additional funding to the Consortium for Elections and Political Process Strengthening to enable it to better cover parts of the process that had proven particularly vulnerable to fraud in 2018, but was ultimately unable to do so. When the funding did not become available in time, CEPPS was forced to scrap this expansion in its programming.¹²⁴⁹ Because the international community may look to the United States to lead in Afghanistan, USAID funding delays may also have the effect of delaying funding from other donors. According to a senior elections advisor, U.S. staffing decisions on elections tend to guide staffing decisions by other donors.¹²⁵⁰

Third, USAID efforts in Afghanistan, like others in high-threat environments, tend to be understaffed compared to those in safer countries. Inadequate staffing contributes

to delays in the rollout of new programs. Both a USAID official and a senior elections advisor told SIGAR that the program design and approval process tends to get neglected as the technical leads on elections rotate out or are forced to attend to more urgent problems.¹²⁵¹ While USAID had created new positions focused on elections in the lead-up to Election Day 2018, these positions took longer than expected to fill.¹²⁵² As a result, there was no one available in the mission's Democracy and Governance section with the time to push the CEPPS program through the agency's approval process.¹²⁵³

IMPLICATION OF DRAWDOWN

As State and USAID draw down their presence at the embassy, the U.S. government's ability to maintain its current minimal level of electoral assistance and spread it more evenly across the electoral cycle may become more difficult. Even before COVID-19, there were fewer USAID personnel at the embassy than at any time since 2003.¹²⁵⁴ Other donors were already more thinly staffed than the United States. One western donor official told SIGAR that her country was planning significant reductions in embassy staffing after the 2019 election.¹²⁵⁵ With fewer State and USAID staff to oversee programs, the drought in both electoral funding and engagement in the next few years may be drier than ever. Although donor support to elections has had mixed results, reducing that support could have a negative impact on the long-term development of Afghanistan's electoral institutions and processes. If election support is reduced further, the U.S. government should prepare for a decrease in the Afghan government's ability to prepare for, administer, and adjudicate its own elections.



CHAPTER 10

CONCLUSION

UNAMA photo by Fardin Waezi

To prevent Afghanistan from ever again becoming a terrorist safe haven, the U.S. government has tried for years to help the country hold credible elections that result in legitimate government officials. However, the return on the U.S. government’s \$620 million investment in supporting Afghan elections has been poor. Afghan electoral stakeholders do not appear closer to credibly preparing for, administering, and resolving disputes for elections than they were in 2004, despite the hard work of many in the international community. While assistance has sometimes yielded improvements, they have yet to last beyond the end of each electoral cycle, when most donor support recedes. As a result, Afghanistan’s electoral institutions remain weak, which undermines the confidence of the Afghan public in its government. As USAID in Afghanistan observed in 2018, “Elections are not yet perceived by the public as an effective way to influence public policy.”¹²⁵⁶

Expectations among donors seem lower than ever. Given unprecedented insecurity, political gridlock, and uncertainty around the prospect of peace, donors seem relieved that elections are happening at all. As one U.S. embassy official told SIGAR, some of the U.S. government’s greatest election successes are simply preventing worse outcomes, such as a cancelled election or a collapsed government.¹²⁵⁷ Several international officials working on Afghan elections have referred to their role as little more than “firefighting.”¹²⁵⁸ While the electoral process could eventually improve, the current course—marked by timeline-based, sporadic cycles of support—will force donors to

continue reacting to crises rather than address systemic deficiencies. As it is currently structured, donor support is focused on achieving short-term goals, such as simply ensuring that elections are held, rather than achieving the long-term goal of creating a sustainable democratic process.

A key finding of this report is that building the electoral institutions, civil society organizations, political parties, and democratic traditions necessary for credible elections will require continuous engagement. However, moving donors from an intermittent approach focused on short-term goals to a steady effort focused on long-term goals will require a significant shift in how electoral support is provided. If election assistance in Afghanistan continues to be important to U.S. policymakers, the coming 2020–2025 electoral cycle—particularly the next three years—will be a critical time to stay engaged, politically and technically.

Nationwide provincial council and district council elections—as well as parliamentary elections in Ghazni—were supposed to take place alongside the 2019 presidential election, but were delayed to keep the presidential election on track. Mayoral elections are also expected in the near future. If all these elections take place before the constitutionally mandated 2023 parliamentary and 2024 presidential elections, donors may again be preoccupied with just making sure elections take place. In that case, there will not be an “election cycle” for the next five years; instead, electoral stakeholders will be continuously responsible for disparate but critical stages of six different elections throughout the next five years. This would constitute the most overwhelming electoral schedule in Afghanistan’s history. However, it is possible that there will be further delays. If so, the next three years may be relatively quiet for election stakeholders and well suited to the kind of steady electoral support recommended in this report.

While peace talks are ongoing, any intra-Afghan peace agreement that would necessitate an overhaul of the electoral or even constitutional framework could still be a long way off. Afghanistan will continue to need electoral assistance before, during, and after those talks are complete, assuming a deal is reached.

The findings, lessons, and recommendations below are intended to help Congress and the executive branch as they consider how best to support the electoral process in Afghanistan and, more generally, in unstable environments elsewhere.

FINDINGS

1. Electoral security is inextricably tied to overall security, both of which are steadily deteriorating.

Insecurity alone is a major hurdle to widespread political participation. Since 2004, the number of planned and unexpected polling center closures on election day due to insecurity has steadily increased, reflecting a worsening security environment;

effective Taliban attacks continue to increase; insurgent activity is closely correlated with lower registration and turnout rates; and fear for personal safety and fear while voting are at record highs. On the current course, insecurity alone will increasingly undermine the legitimacy of Afghan elections.

2. Afghanistan's Independent Election Commission has always suffered and continues to suffer from weak leadership, unqualified staff, minimal accountability for fraud and malpractice, and a structure poorly suited to decision making.

To effectively prepare for and administer elections, the IEC must have certain qualities, both as an institution and at a staff level, that are in short supply. First, at the institutional level, the IEC must have the necessary structure to adequately address contentious issues. As it is, the laws, regulations, and conventions governing the IEC's roles, responsibilities, and internal communication hinder decision making. Second, at the leadership level, the IEC needs individuals with the vision and discipline to plan for long-term success and quickly react to short-term developments. Instead, the IEC's leadership is often paralyzed by indecision and appears unwilling to take action today in preparation for tomorrow. Third, IEC staff must have the knowledge and skills to carry out their duties. However, post-election staff purges, inexperienced leadership, corrupt hiring practices, inadequate training, and a shortage of qualified job candidates have contributed to a poorly trained and poorly motivated workforce. Fourth, even for the leaders and staff who do have the knowledge and ability to do their jobs, the IEC must have the will and ability to hold them accountable. Yet with a few notable exceptions, IEC personnel have seldom faced consequences for incompetence or fraud, despite the existence of basic legal foundations for accountability.

3. The national voter registry and the voter registration process are exceptionally vulnerable to manipulation and mismanagement that undermine the voter registry's purpose of ensuring credible elections.

The creation of Afghanistan's first national voter registry in 2018 was a major accomplishment and helped reduce ballot stuffing by tying voters to specific polling stations for the first time. However, problems with the registry's implementation hindered its ability to mitigate fraud. Registering requires a voter to have a national identification card, which is easy to counterfeit, and there is no effective way to prevent or detect efforts to register with fraudulent documents. The number of registered voters is improbably high, given the population size and low turnout shortly after registering, which likely indicates registration fraud.

Malpractice and lack of transparency also undermine the credibility of the voter registry. On multiple occasions, hundreds of thousands of voters were removed from the registry under opaque circumstances. On election days in 2018 and 2019, large numbers of voters arrived at their polling station only to find themselves

unable to vote because their names did not appear on the voter lists. To avoid disenfranchising a large number of voters, the Independent Election Commission allowed some voters not on the lists to vote anyway.

4. Afghan elections are regularly subject to fraud and manipulation through bribes, threats, or both.

Election fraud in Afghanistan is rampant and takes many forms: Political leaders exert influence over senior election officials and, through them, lower-level staff, and election commissioners and their senior staff sell their services for financial gain. Senior election officials thus play an ambiguous role, serving variously as protectors of the process, perpetrators of fraud, illicit collaborators with senior government officials, and victims of their abuses. Fraud is also perpetrated by local powerbrokers trying to curry favor with candidates in the anticipation of a reward in the form of government contracts, jobs, or payoffs. It is difficult to detect and prove fraud, and even harder to reduce it. Anti-fraud measures are often co-opted to perpetrate more fraud, and even successful fraud mitigation can end up suppressing legitimate votes, sometimes in ways that favor one group over another.

5. Afghanistan's electoral dispute resolution process consistently suffers from political manipulation, incompetence, and a lack of transparency.

The transparent resolution of disputes is a critical safeguard for ensuring an election's credibility. However, Afghanistan does not have a credible dispute resolution process. The Electoral Complaints Commission is overwhelmed. Its provincial offices are weak, vulnerable to political influence, and operate with little oversight. ECC officials are unable to make decisions quickly and rarely justify or share them with the public, and referrals for and prosecution of electoral crimes is minimal. Similarly, upon receiving ECC rulings, the IEC rarely justifies or publicizes its own decisions on which votes to ultimately exclude.

These problems are both a cause and an effect of a worrying trend: Election fraud is increasingly centralized in the dispute resolution process at the provincial and central headquarters, where fraudsters can have the biggest impact for the least effort, as well as the fewest witnesses and the thickest smokescreen. Chaos and malpractice in the central and provincial electoral bodies in the resolution of disputes creates ideal conditions for both election commissions to make changes to the results, and since there is no expectation of transparency, perpetrators can commit fraud with impunity. As a result, the process that is supposed to rout out fraud is, instead, when some of its most potent forms occur.

6. Technology has not improved the credibility of Afghan elections, but has merely added another means of contesting them.

The 2018 and 2019 elections showed the Afghan government was unable to use technology to improve the credibility of its elections. Despite this, both the government and political parties have sought to continue and even expand the use of technology. Though it did reduce ballot box stuffing, election technology created new vulnerabilities to the transparency and credibility of Afghan elections. In 2018, the IEC adopted election technology less than a month before election day, leading to several failures. In 2019, it failed to follow its own procedures for determining how data collected by biometric devices would be used to invalidate ballots, creating opportunities to contest the election. The use of technology in Afghan elections is not inherently problematic, but political and technical challenges are likely to recur if each election continues to feature new, poorly understood, and untested technology.

7. In their efforts to identify electoral fraud and malpractice, election observation organizations face significant obstacles, particularly insecurity, inadequate funding and training, and insufficient oversight to address corruption among their own observers.

Election observers can increase the transparency and credibility of Afghan elections by publicizing electoral fraud and malpractice. However, their efforts are hindered in several ways. Observers are often intimidated, co-opted, or are themselves corrupt. Insecurity often makes polling centers inaccessible to observers, and even when observers are present, powerbrokers with a stake in the election often coerce them into falsifying reports and ignoring irregularities. Sometimes observers submit false reports because the observers are for sale or are otherwise unreliable. In addition, election officials rarely share with observers the critical information necessary for them to detect fraud, like which polling stations will be open on election day. Funding for observation organizations and candidate agents is insufficient or comes too late, which leads to poor training. As a result, evidentiary standards in observer reporting are inadequate, often making their reports useless for the electoral dispute resolution process.

8. Donors make their electoral assistance less effective by being too cautious in their engagement with Afghan counterparts, by overemphasizing technical issues, and by focusing assistance around election day rather than throughout Afghanistan's five-year electoral cycle.

Most problems with Afghanistan's electoral process cannot be blamed on poor donor assistance, but donors make their assistance less effective in several ways. First, to avoid the appearance of meddling in an election, donors often err on the side of caution and miss opportunities to provide proactive solutions to problems—such as advising election commissions on how to find and hire professional civil servants. This forces them to intervene reactively (and sometimes controversially)

after an election goes poorly—such as helping broker power-sharing agreements between candidates. Second, because donors are so careful about proactively intervening in elections, they wind up devoting excessive attention to technical problems. Third, the reason donors need to address so many technical problems is because they provide financial assistance so late in the electoral process that technical problems proliferate, requiring troubleshooting. Donors tend to wait until the final months before an election to ramp up support. At that point, it is too late to build electoral institutions with the capacity to credibly manage an election. The current donor assistance model is effective enough to ensure that elections happen, but not enough to address recurring problems that end up calling the credibility of elections into question.

LESSONS

The following lessons are meant to inform how the U.S. government provides electoral assistance in Afghanistan and in fragile and conflict-affected countries around the world.

1. Election cycles are continuous processes that require constant donor engagement and support.

Donors focusing on the short-term goal of simply holding an election can miss opportunities to build the capacity of the electoral institutions and processes needed to sustain a credible election process once donor support ends. Donor support for elections tends to align with the rhythm of each country's election cycle: The closer the election is on the horizon, the more donors spend supporting it. When the election is over, donors understandably want to shift priorities to address areas that had been neglected while elections took up so much of their time.

However, disengaging from electoral support, particularly in Afghanistan, can affect the long-term development of the election process and the electoral management bodies that implement and oversee that process. Elections require years of work by numerous government agencies, civil society organizations, and political parties conducting backwards planning and responding to unpredictable events in concert. The first half of most Afghan electoral cycles is often the time when such efforts would be most helpful. During this time, donors can support Afghan efforts to draft strategic and operational plans, reform the voter registry, hire and train competent staff, develop a framework for using election technology, create an effective and transparent dispute resolution process, and ensure that the electoral process is monitored by independent and competent election observers.

2. Fraud is an ever-evolving target that cannot be eliminated, only reduced.

Electoral fraud mitigation in fragile and conflict-affected states is a task that never ends. If fraud is mitigated in one part of the process, it tends to pop up again in

another part. Even anti-fraud measures themselves can be hijacked to create a new kind of fraud, and strengthening one part of the process is of limited value when other parts remain vulnerable to fraud.

Anti-fraud measures can help, but they can also be unhelpful or even counterproductive when they are poorly implemented. Malpractice in implementing anti-fraud measures can mask or even enable fraud. Malpractice can also have the same impact as fraud by disenfranchising voters and delegitimizing the election, making it appear rigged even if progress is being made to bolster its integrity.

Even well-conceived and properly rolled out anti-fraud measures will not prevent fraudsters from finding weak links in the electoral process. Such measures can only reduce the prevalence of fraud, and only gradually, as more links in the chain are strengthened. To prevent fraud entirely, fraudsters must be motivated to stop. That motivation is possible with a combination of accountability for electoral crimes and increased faith that deterrence applies equally to one's opponents.

3. Without transparency, measures to reduce fraud will be insufficient.

A lack of transparency not only serves to conceal fraud in the electoral process, it can enable fraud on a much larger scale. Withholding information about how electoral bodies address complaints or exclude votes on a case-by-case basis allows corrupt or coerced officials to commit fraud without leaving a trace. Until transparency in the adjudication process is given as much attention as fraud mitigation at polling centers, election results risk being perceived as illegitimate, even if fraud is actually decreasing.

Transparency is not an election attribute created in the weeks after election day; it is created over years, as electoral bodies create step-by-step procedures for evaluating complaints and discrepancies, share these processes with the public, and demonstrate that the steps were followed after election day by making detailed justifications of all complaints and auditable election data available to the public.

4. The use of election technology can exacerbate rather than reduce fraud or malpractice, especially if it is introduced hastily and without forethought and planning.

In an election, particularly one with minimal transparency, poorly implemented technologies only create more questions about the legitimacy of election results. As one international official observed, election technology “brings more confidence where there is already confidence, but it doesn't increase trust in an environment where there is none.”¹²⁵⁹ In the 2018 and 2019 elections, weak and hasty planning undermined the use of technology: Instead of reducing fraud, election technology became the new basis upon which to contest the election. Yet when technology

failed to protect the integrity of the 2018 election, the solution was simply to add more technology, not more planning.

5. The capacity and integrity of election officials are critical components of an election’s credibility and merit significant donor attention.

The public’s perception of an election’s credibility can determine the extent to which a government is perceived to be legitimate. The officials who manage, oversee, and adjudicate elections have a direct impact on election credibility. Those officials should be particularly skilled at communication, planning, and program management. Election officials also require a combination of technical expertise and a commitment to transparency that can be hard to find in many countries.

Unfortunately, many election officials are not reliable stewards of the process or advocates for reform; they are the problem. The same election officials entrusted to address corruption in the electoral process may use their positions to commit fraud. Donors should not focus all their efforts on the short-term goals of just holding an election, but on the more fundamental and long-term goal of building credible election institutions staffed by competent and trustworthy officials.

RECOMMENDATIONS

The elusive prospect of a peace settlement in Afghanistan complicates U.S. government planning for election assistance. However, any changes to the Afghan government brought by an intra-Afghan peace agreement will likely involve elections of some kind. Thus, the recommendations below are meant to serve multiple purposes: first, to improve the credibility of elections in the absence of a peace agreement; second, to inform discussions about a prospective electoral framework during intra-Afghan peace talks; and third, to help address electoral challenges likely to manifest in any post-agreement landscape.

Central to most of the recommendations is the argument that to be effective, election support efforts must start earlier in the electoral cycle. This would be a change in the way donors support nascent democracies globally. If the U.S. government engages earlier in Afghan election cycles, it would be in a stronger position to help Afghan counterparts implement their own electoral reforms. Some of those reforms are highlighted below for the Afghan government’s consideration.

Recommendations for the Secretary of State, the Administrator of USAID, and the U.S. Ambassador to Afghanistan

- 1. The Secretary of State or a suitable designee should continue to work with other donor countries through the Electoral Support Group to maintain continuous engagement with the Afghan government. Typically, this group’s engagement is significantly reduced after each election cycle, making**

electoral assistance less effective and efficient. By participating in regular Electoral Support Group meetings, the U.S. government can more effectively support Afghanistan’s democratic process throughout the country’s five-year electoral cycle—not just immediately before and during an election.

Helping Afghans build their long-term capacity and mature their election processes is more likely to happen in the first half of the five-year election cycle, when neither Afghans nor donors are scrambling to ensure an election is held. This would require donors to maintain continuous engagement with the Afghan government throughout an election cycle rather than deprioritizing support after an election to focus on other issues. This can be a challenge. The heavy workload and time required to support Afghan elections can lead to donor fatigue once those elections are over. The high turnover of Afghan election commissioners and their staff exacerbates this fatigue.

One way to ensure that donors maintain continuous engagement with the Afghan government is through the current Electoral Support Group. The Electoral Support Group consists of donor country ambassadors and their staff, and meets in Kabul to discuss political and technical challenges related to elections. This forum allows donors to exchange ideas and speak with a unified voice to the Afghan government, as they did in 2018 when they refused to purchase biometric election technology six weeks before that year’s election, correctly anticipating the operational issues that would occur if such technology were used.

The Electoral Support Group’s ability to help the Afghan government improve their electoral process is limited by the ebb and flow of interest following an election: The group meets weekly during the final year before an election but rarely earlier in the cycle, when Afghan counterparts may be struggling to implement electoral reforms and build capacity at the election commissions. SIGAR’s analysis suggests Afghan officials benefit from continuous engagement with donors to hit their election milestones and fulfill their legal obligations. The Electoral Support Group should be maintained continuously, even if only at the working level and meeting only bi-weekly or monthly. Meeting regularly encourages donors to identify political and technical priorities throughout the five-year electoral cycle, and it would prevent electoral reform and capacity building from being neglected.

- 2. The Administrator of USAID should direct appropriate staff to provide robust technical assistance to Afghanistan’s electoral commissions throughout the entire five-year electoral cycle—not just immediately before and during an election—to help them increase their capacity and become more sustainable.**

In the typical five-year electoral cycle in Afghanistan, donors tend to cram most assistance into the final 18 months, when important preparation for election day is taking place. But just as critical are the previous three and a half years, when

reforms are considered and finalized, the capacity of the election commissions' staff in Kabul and in the field is built, and relationships between technical advisors and election commission leadership and staff are solidified. USAID should maintain steady support for the election commissions to help avoid the loss of capacity that often follows an election.

While Afghan election commission leadership and senior staff are often fired after each election, this did not happen after the 2019 election, which provides an opportunity to build long-term institutional capacity.

Embedded technical experts are also an important part of providing support to Afghan election commissions as they navigate a complex reform process and the early development of strategic, fraud mitigation, and operational plans. In the two years after the 2014 election, the UN's electoral assistance program had only four staff; this number ramped up to around 70 for the 2018 election and topped out at nearly 180 for the 2019 election.¹²⁶⁰ Instead of going from a skeleton crew during non-election periods and then ramping up staffing in election years, donors would be better served by increasing their non-election-year staffing. While it is normal and appropriate for the number of advisors and support to gradually increase throughout the cycle, that support should be substantial from the beginning, befitting a proper reform campaign.

3. The Administrator of USAID should direct all bureaus providing election assistance around the world to focus more attention on building electoral institutions over the long term, rather than simply helping those institutions prepare for imminent elections.

While Afghanistan is a compelling case study, the uneven distribution of electoral assistance highlighted in Recommendation 2 is also a critical problem for electoral support globally. For two decades, evaluations of electoral assistance in dozens of countries conducted by the United Nations, the European Commission, the UK Department for International Development, the Canadian International Development Agency, the International Foundation for Electoral Systems, the European Centre for Electoral Support, the International Institute for Democracy and Electoral Assistance, and even USAID have described how heavily concentrating electoral support in the final stages of an election cycle significantly limits the effectiveness of that assistance.¹²⁶¹

As one UK analysis noted, "A consistent lesson from international experience is that a succession of short-term, event-based interventions with little continuity from one election to the next achieves few sustainable results."¹²⁶² For this reason, a 2006 European Commission analysis distinguishes between "election assistance" that helps the host nation prepare for election day itself and "electoral assistance" which builds credible institutions and capacity over the long term.¹²⁶³ Donors often neglect the latter around the world, so this challenge cannot be addressed in

Afghanistan alone; it requires a cultural shift across the donor community for all election assistance globally.

USAID assistance to electoral bodies should not be event-driven but more akin to the long-term capacity- and institution-building provided to normal host nation government ministries. If USAID spreads its electoral support more evenly across a country's electoral cycle and staffs these efforts early with an eye towards capacity and electoral reforms, its assistance will be more likely to result in sustainable electoral processes.

4. The Administrator of USAID should direct appropriate staff to begin planning and designing support for domestic election observers and party and candidate agents for Afghanistan's 2020–2025 electoral cycle as soon as possible to ensure that training and resources are available well in advance.

Election observers act as neutral monitors of the electoral process. They increase voter confidence by publicizing what they observe during voting and counting at polling centers, as well as vote aggregation, recounts, and audits at the regional and national levels. Their reports also help electoral bodies determine when certain votes must be invalidated. Party and candidate agents also deter and publicize fraud and malpractice, but without the pretense of neutrality. In Afghanistan, USAID and other donors have supported domestic observation organizations, which need funds to train and deploy their observers around the country. In contrast, donors have supported party and candidate agents through training only.

However, support for election observers and agents consistently comes too late. It was only weeks before the 2018 parliamentary election when Afghan civil society groups began receiving USAID funding to train and deploy observers and to train candidate agents. The funding came so late that USAID implementing partners had to resort to triage: Candidate agent training was deferred to the 2019 presidential election, and domestic observation groups had insufficient time to train observers on the ethical, substantive, and logistical challenges of working in polling stations across the country. The 2019 election was better, but only because it came after the funding mechanisms were already in place.

Given that late funding is a recurring issue, an electoral observation program should be designed 18 months before election day. That way, six months before election day, funds can be disbursed and observation organizations can be ready to monitor voter registration drives, candidate vetting, decisions on which polling centers will open, voting on election day, and the adjudication process afterward. As the earlier stages in that six-month period are less costly, funds could be released in tranches, giving observation organizations time to identify problems, develop deployment and staffing plans, draft and print training manuals and checklists, and properly recruit and train short-term observers.

- 5. The Secretary of State and the Administrator of USAID, or their designees, should support Afghan government efforts to improve its voter registry to better ensure that legitimate voters are allowed to vote and fraudulent voters are removed.**

Voters cannot vote if they cannot both register and access polling stations. In Afghanistan, these two aspects of elections are at a risk of election rigging, which can start well before election day. The national voter registry and the voter registration process are exceptionally vulnerable to manipulation and mismanagement that undermine the registry's purpose of ensuring credible elections.

The new voter registry was an important electoral reform and has the potential to mitigate substantial risks of fraud. However, the registry is not yet reliable. First, it needs quality control. With so many voters unable to find their names on voter lists in 2018 and 2019, USAID should support IEC efforts to ensure updated voter lists are properly displayed at polling stations across the country. Doing so multiple times over the course of the coming electoral cycle will give voters ample opportunity to make objections and see corrected lists at their polling centers long before election day.

Second, the registry needs anti-fraud measures. Its quality depends on the integrity of the national identification documents (tazkeras) that populate it. Using Ministry of Finance funding, the National Statistics and Information Authority is currently building a database of all 22 million paper tazkeras against which the voter registry can be automatically compared, so that voters who registered with fraudulent tazkeras can be detected and removed from the registry. Being able to make such comparisons seamlessly is a critical safeguard for the registry, so building this tazkera database properly and making it compatible with the registry would benefit from USAID's attention and support.

- 6. The Secretary of State and the Administrator of USAID, or their designees, should encourage and help the Afghan government improve the use of existing election technology, rather than explore additional technological approaches to elections. Among the necessary improvements to existing technology, the Afghan government needs help ensuring that election workers are properly trained in its use and that it does not create new opportunities for fraud.**

Election technology has not had a significant impact on the credibility of Afghan elections, but has merely added another means of contesting them. The 2018 and 2019 elections showed the Afghan government was unable to use technology to improve the credibility of its elections. Despite reducing ballot box stuffing, election technology created new vulnerabilities to the transparency and credibility of Afghan elections.

The United States should support IEC efforts to refine the way it currently uses election technology at polling centers, rather than experimenting with additional technologies. Specifically, the IEC will need to focus on improving the quality of biometric voter verification and electronic transmission of results. If implemented with care and across extended timelines, these two current technologies can help mitigate fraud.

The biometric voter verification process and safeguards associated with the biometric devices have suffered conceptually and operationally due to last-minute rollout, and would greatly benefit from refinements, not innovations. Even before the 2019 election, some election stakeholders were keen to expand the use of biometrics to include a national biometric voter registry, which would commit donors to a new and costly nationwide biometric registration drive before every election. If donors have an appetite for such a long-term investment, supporting the rollout of the e-tazkera (electronic national identification card) would be more sustainable than a stand-alone biometric voter registration, and would serve the same purpose. Experts estimate that e-tazkera would likely not be ready for integration into the electoral process for at least 10 years. However, e-tazkera would have the additional advantage of granting and expanding access to various services like any national civil registry, including education, health, property ownership, justice, and credit.

Donors, Afghan election commissions, parties, and election observers should finalize a concept note at least two years before every election outlining exactly what election technology will do in the coming election and how it will do it, allowing sufficient time for operational planning, procurement, testing, and training.

7. The Administrator of USAID should consider devoting more resources to supporting Afghanistan’s Electoral Complaints Commission to help build the confidence of voters in the fairness of the electoral dispute resolution process.

Electoral dispute resolution is the adjudication of election-related disputes, complaints, objections, or alleged violations of the law, the most serious of which can challenge election outcomes. Effective electoral dispute resolution lends credibility to an election by serving as a peaceful means for contesting election results. In Afghanistan, the Electoral Complaints Commission is the primary body charged with resolving electoral disputes.

In the division of technical assistance resources, support to the ECC is far less than the IEC’s share. Furthermore, the ECC’s work has been especially hurt by the uneven nature of electoral assistance, highlighted in Recommendation 2. For example, the ECC received virtually no assistance from 2015 to 2017, leading to a critical loss of capacity and oversight. By 2018, the ECC was particularly unprepared for the parliamentary election and overwhelmed by the volume of

complaints. It used spreadsheets to track more than 20,000 complaints, posted very few rulings on its website, and provided almost no legal justification for its decisions to the complainants or the public. Technical solutions, including a complaints database, were created with donor support in 2014, abandoned when support dried up, and then re-implemented at great cost in 2019. Even in 2019, spreadsheets were used yet again because provincial ECC officials lacked the capacity and even email addresses to use the new database.¹²⁶⁴

The insufficient support manifests in personnel allocations as well. During the 2019 election, there were 87 UN advisors embedded with the electoral bodies—42 international and 45 Afghan. Of these, only eight international advisors and two Afghan advisors were embedded with the ECC. The rest were assigned to the IEC.¹²⁶⁵

Despite the relative neglect of the ECC, SIGAR found that the most harmful fraud is migrating from the polling center level to the more centralized dispute resolution process led by the ECC. Therefore, the balance between IEC and ECC technical assistance would benefit from shifting somewhat toward the ECC to ensure the adjudication process is more transparent and credible at a time when the ECC's work is increasingly vulnerable.

Matters for Consideration for the Afghan Government

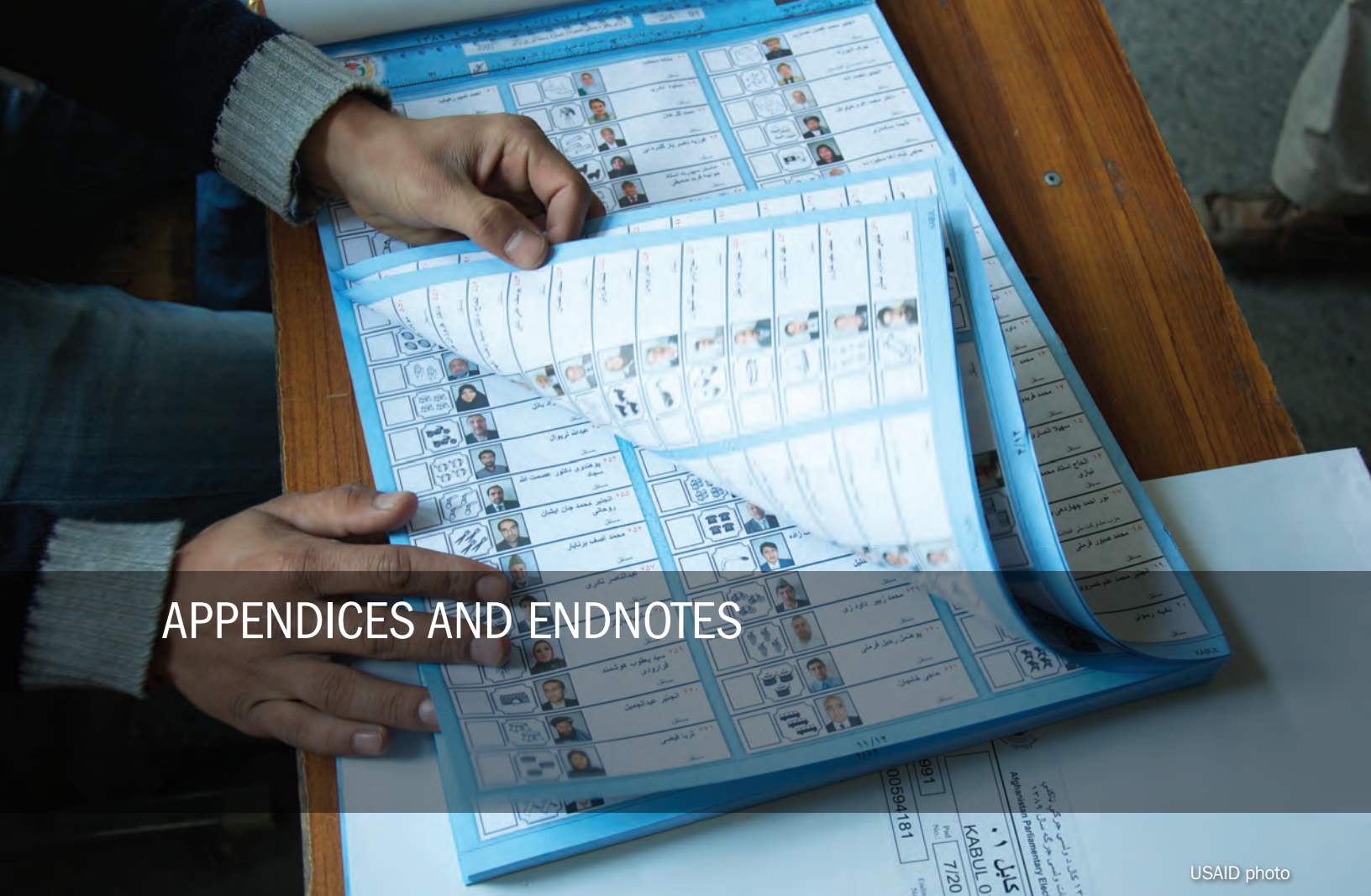
After most Afghan election cycles, the leadership teams of both election commissions are usually fired for fraud and malpractice. The commissions are then unproductive for a year or more as the government scrambles to rebuild them. After the latest election cycle, however, the leaders of the two election commissions have survived for the first time and remain in their jobs. This puts them in the unique position of being able to engage early in the coming election cycle and implement electoral reforms before ramping up for the next parliamentary election in 2023. Even if this benefit is offset by government-wide challenges imposed by COVID-19, this opportunity should not be wasted. To improve their ability to prepare for, administer, and adjudicate elections, Afghanistan's election commissions should consider:

1. Identifying the specific reforms to be undertaken in the coming election cycle, how they will be prioritized and implemented, and contingencies for when compromises must be made on the number and quality of those reforms;
2. Strictly abiding by the civil service commission testing criteria when recruiting new election commission staff to prevent corrupt hiring practices;
3. Drawing on the experiences of other developing countries that have recently undergone democratic transitions and held credible elections in the face of considerable constraints, including Tunisia, Nepal, and Bangladesh;
4. Building a database of the country's 22 million tazkeras (identification cards) that can be automatically cross-verified with the voter registry to weed out fraudulent registrations;

5. Improving the quality of the voter registry by ensuring voters have enough time to confirm their information at polling centers, ideally both before and after each voter registration drive;
6. Committing to full transparency in the dispute resolution process by publishing every decision of the election commissions—the IEC, ECC, and their provincial offices—including legal justifications, on a publicly available government website;
7. Establishing provincial electoral complaints commissions one month before candidate and voter registration, in accordance with the 2019 Election Law;
8. Improving its use of existing electoral technology, including biometric voter verification and the new voter registry, rather than adopting any new technology which requires significant resources and attention to implement;
9. Making public the list of polling centers that are planned to open at least a week before every election day;
10. Sharing election data with observers immediately following an election, including a breakdown of the number of voters at each open polling station, spoiled ballots, biometrically verified votes, and votes excluded or invalidated by the IEC or ECC. (A full list of these information requirements is available on p. 142.)

And finally, the Afghan government at large should consider:

11. Refraining from actions that could influence the decision making of electoral commissions, as by every electoral law and decree since 2004;
12. Prosecuting government officials and others involved in election and tazkera fraud, and publicly releasing details about convictions and sentences for all recent and future prosecutions related to elections;
13. Retaining the role of political parties and civil society organizations in the selection of leaders of election commissions, as well as input into the selection of provincial commissions, for all future elections.



USAID photo

METHODOLOGY

SIGAR conducts its lessons learned program under the authority of Public Law 110-181 and the Inspector General Act of 1978, as amended. This report was completed in accordance with the Council of the Inspectors General on Integrity and Efficiency's Quality Standards for Federal Offices of Inspector General (commonly referred to as "the Blue Book"). These standards require that we carry out our work with integrity, objectivity, and independence, and provide information that is factually accurate and reliable. SIGAR's lessons learned reports are broad in scope and based on a wide range of source material. To achieve the goal of high quality and to help ensure our reports are factually accurate and reliable, the reports are subject to extensive review by subject matter experts and relevant U.S. government agencies.

The elections research team drew upon a wide array of sources. Much of the team's documentary research focused on publicly available material, including reports by USAID, State, DOD, and coalition partner nations, as well as congressional testimony. These official sources were complemented by hundreds of nongovernmental sources, including books, think tank reports, journal articles, press reports, academic

studies, election observation reports, and analytical reports by international and advocacy organizations.

The research team also benefited from SIGAR's access to material that is not publicly available, including hundreds of documents provided by U.S. government agencies. USAID provided election program reporting, program evaluations and notes, observer deployment plans and analysis, staffing plans, technical assessments and feasibility studies, meeting notes, electoral integrity assessments, and program funding data. DOD provided Afghan government electoral security plans and after-action reports.

From various sources, the research team also received a considerable volume of Afghan government documents related to the planning and execution of the 2018 and 2019 elections, including strategic and operational plans, capacity-building plans, demographic data, biometric contracts and deployment plans, concept notes, polling center locations and statuses, election turnout data and returns, operating procedures and manuals for polling stations and tally centers, lessons learned documents, timelines, ECC adjudication rulings, IEC vote exclusions and other decisions, and internal communications between the electoral bodies and other government stakeholders. Among these documents, the elections team discovered evidence of possible electoral crimes by a number of government officials and candidates, which the team referred to SIGAR's Investigations Directorate for consideration as a law enforcement matter.

Classified cables provided helpful context; however, as an unclassified document, this report makes no use of that material. Finally, the team also drew from SIGAR's own work, embodied in its audits and quarterly reports to the Congress.

While the documentary evidence tells a story, it cannot substitute for the experience, knowledge, and wisdom of people involved in Afghanistan's electoral process. Therefore, the research team interviewed more than 100 individuals with direct knowledge of U.S. efforts to support Afghan elections. Interviews were conducted with U.S. and international experts from academia, think tanks, NGOs, and government entities; U.S. and European civilian and military officials (both current and former) who deployed to Afghanistan to support elections; Afghan election observation organizations supported by USAID; and other personnel from State, USAID, and DOD. The team also interviewed more than 50 current and former Afghan officials, members of parliament, and candidates.

Interviews provided valuable insights into the rationale behind decisions, the debates within and between U.S. and Afghan government agencies, and the frustrations that spanned the years, but often remained unwritten. Due in part to the politically sensitive nature of Afghan elections, a majority of the interviewees wished to remain anonymous. For those still working for the U.S. or Afghan governments, confidentiality was particularly important. To preserve anonymity, our interviews often cite a "former U.S. official," an "implementing partner," or an "Afghan election official." We conducted in-person interviews in Kabul, New York, and Washington, DC.

Conducting interviews on such a sensitive topic also requires additional safeguards to validate the quality of the collected information. Many Afghan officials, candidates, election observers, and even donor officials have vested interests and, sometimes, axes to grind. Some of our interviewees were fired from their positions, were angry about lost bureaucratic battles, or recognized that our conclusions might leave them better or worse off. These dynamics can motivate our interviewees to try to distort or filter their perspectives, perhaps knowingly. To the best of our ability, we sought to understand the personal and professional histories of our election interviewees and triangulated their claims with other interviews and source documents to minimize the risk of being misled.

The report underwent an extensive process of peer review. We received feedback on the draft report from three subject matter experts, each with extensive knowledge of elections in Afghanistan. These reviewers provided thoughtful, detailed comments on the report, which we incorporated whenever possible.

Over the course of this study, the team routinely engaged with officials at USAID, State, and DOD to familiarize them with our preliminary findings, lessons, and recommendations and to solicit formal and informal feedback to improve our understanding of the key issues, as viewed by each agency. USAID, State, and DOD were then given an opportunity to formally review and comment on a draft of the report. State and USAID were also given an opportunity to review and comment on two subsequent drafts. Although we incorporated agencies' comments where appropriate, the analysis, conclusions, and recommendations of this report remain SIGAR's own.

In comments on the draft, State and USAID argued that the report was too focused on Afghanistan's first six elections, without sufficient coverage of the most recent 2019 presidential election and its aftermath. They argued that the improvements they describe in 2019 were so substantial as to change the overall findings of the report. They wrote: "The report compares the 2019 Presidential Election to past elections as if they were conducted in the same manner. Likewise, there is little analysis on the 2019 election and instead a general assumption that all problems pre-2019 rolled over to the presidential election."

While the report has less coverage of the 2019 election than previous elections, the preparation, execution, and dispute resolution period of this election are covered in detail, as are the improvements seen in 2019. Moreover, SIGAR found that the improvements—mainly the reduction of fraud at polling centers—were usually offset by new problems. Furthermore, publishing now has the benefit of informing ongoing donor deliberations about the structure and cost of assistance for the coming election cycle.

ACRONYMS

Acronym	Definition
AAN	Afghanistan Analysts Network
ACCRA	Afghanistan Central Civil Registration Authority
ANDSF	Afghan National Defense and Security Forces
BVV	Biometric Voter Verification
CEPPS	Consortium for Elections and Political Process Strengthening
CGD	Center for Global Development
DOD	U.S. Department of Defense
ECC	Electoral Complaints Commission
EDR	Electoral Dispute Resolution
ELECT	Enhancing Legal and Electoral Capacity for Tomorrow
ETWA	Election and Transparency Watch Organization of Afghanistan
FEFA	Free and Fair Election Forum of Afghanistan
IEC	Independent Election Commission
IED	Improvised explosive device
IFES	International Foundation for Electoral Systems
IS-K	Islamic State – Khorasan
JEMB	Joint Electoral Management Body
MEC	Independent Joint Anti-Corruption Monitoring and Evaluation Committee
MOI	Ministry of Interior
NSIA	National Statistics and Information Office
SIGAR	Special Inspector General for Afghanistan Reconstruction
TEFA	Transparent Election Foundation of Afghanistan
UNAMA	UN Assistance Mission in Afghanistan
UNDP	UN Development Programme
UNESP	UN Electoral Support Project
USAID	U.S. Agency for International Development

1. USAID, *USAID Support for Afghanistan's 2014 Elections: Rapid Assessment Review*, August 2015, p. 7.
2. SIGAR analysis of USAID data call, January 13, 2020; UNDP, *Project Document: UN Electoral Support Project 2017–2019*, August 29, 2017, p. 3; UNDP, *UNESP: 2019 3rd Quarterly Progress Report*, September 30, 2019, electronic p. 2.
3. USAID, *Country Development Cooperation Strategy: FY2019–2023*, September 2018, p. 55.
4. SIGAR meeting with U.S. embassy officials, January 27, 2019.
5. International official, SIGAR interview, January 22, 2019; Western donor official, SIGAR interview, January 27, 2019.
6. SIGAR analysis of USAID data call, January 13, 2020; UNDP, *Project Document: UN Electoral Support Project 2017–2019*, August 29, 2017, p. 3; UNDP, *UNESP: 2019 3rd Quarterly Progress Report*, September 30, 2019, electronic p. 2.
7. The elections yet to happen are for district councils, village councils, municipal councils, and mayors. Ali Adili, “Afghanistan Election Conundrum (10): Failure to hold the first ever district council elections?” Afghanistan Analysts Network (AAN), August 7, 2018.
8. Government of Afghanistan, Afghan Constitution, Articles 61 and 83, 2004.
9. Government of Afghanistan, Afghan Constitution, Article 83, 2004. Per the Constitution, one third of the 102 Meshrano Jirga members should be appointed by the President, one third by provincial councils, and one third by district councils, but as there are no district councils, provincial councils have, to date, appointed two thirds of the Meshrano Jirga members.
10. Afghan Constitution, Articles 83, 84, and 138, 2004; Government of Afghanistan, Election Law, Article 58, 2019.
11. In contrast to most election stakeholders, roles and responsibilities for the two EMBs are detailed, if imperfectly, in the country's various election laws, with the most recent versions enacted by presidential decree in 2016 and 2019.
12. UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 5.
13. Government of Afghanistan, Election Law, Article 9, 2019.
14. Government of Afghanistan, Election Law, Article 36, 2019.
15. Government of Afghanistan, Election Law, Article 83, 2019.
16. Government of Afghanistan, Election Law, Article 83, 2019.
17. UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, pp. 1, 15, 18.
18. SIGAR, *Strategy and Resources Needed to Sustain Afghan Electoral Capacity*, SIGAR 09-06-AR, September 22, 2009, p. 4; SIGAR analysis of USAID data call, January 13, 2020.
19. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 10; Joint Electoral Management Body, *Final Report: National Assembly and Provincial Council Elections*, 2005, p. 22; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: Final Project Report*, July 2015, electronic p. 2; International Foundation of Electoral Systems and UNDP, *Getting to the CORE: a Global Survey on the Cost of Registration and Elections*, June 2005, p. 31; Center for Strategic and International Studies, *Results of the Afghan Parliamentary Election*, November 2005, electronic p. 2.
20. UNDP, *UN Electoral Support Project (UNESP): Mid-Term Review*, July 2019, pp. 12, 23; UNDP, *Election Evaluation Mission: Afghan Voter Registration 2003 and Elections Projects 2004/2005*, May 2006, p. 51; SIGAR, *Lessons Learned in Preparing and Conducting Elections in Afghanistan*, SIGAR 10-16-AR, September 9, 2010, p. 2.
21. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 19; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: 1 January 2012–31 July 2015*, final project report, n.d., p. 21; UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 11; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: 1 January 2012–31 July 2015*, final project report, n.d., p. 21. By 2018, however, donors had subsequently stopped paying the salaries of staff hired by the IEC and ECC. According to an international official, the only exception to this was that the EU paid for the salaries of some staff during the spring 2018 voter registration drive. International official, SIGAR interview, August 31, 2018.
22. USAID, *Electoral Support Activity*, modification 8, contract no. AID-306-I0-15-00006, awarded to UNDP, April 29, 2018, electronic p. 5. For example, as of June 2019, UNESP was funded by Australia, Denmark, Sweden, the EU, Germany, Japan, Italy, Japan, Norway, the UK, and the United States. UNDP, *UN Electoral Support Project (UNESP): 2019 Second Quarterly Progress Report*, September 30, 2019, p. 1.
23. SIGAR analysis of USAID data call, January 13, 2020; UNDP, *Project Document: UN Electoral Support Project 2017–2019*, August 29, 2017; UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, September 30, 2019, electronic p. 2.
24. SIGAR analysis of USAID data call, January 13, 2020.
25. This division of labor between the multilaterally funded UN programming and bilateral programs was less clear cut in early elections than it has been in more recent cycles. During the 2005 and 2009 elections some election-related civil society work was also funded and implemented through the main UN electoral sup-

- port programs. However, these were de-scoped from ELECT mid-way through that program and were not part of the scope of the two subsequent programs: ELECT II and UNESP. Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 5; UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, pp. 14–16.
26. USAID, *Electoral Support Activity*, modification 8, contract no. AID-306-I0-15-00006, awarded to UNDP, April 29, 2018, electronic p. 5; UNDP, *Project Document: UN Electoral Support Project 2017–2019*, July 26, 2018, pp. 1, 4, 7.
 27. SIGAR, *Quarterly Report to the United States Congress*, April 30, 2020, pp. 40, 48.
 28. The JEMB appears to have been established in 2003 as a 13-member body, with 9 Afghan and 4 international members, and then reconstituted in 2004 prior to the 2004 elections as an 11-member body, six Afghan and five international. United Nations General Assembly Security Council, “The Situation in Afghanistan and its Implications for International Peace and Security: Report of the Secretary-General,” A/58/742–S/2004/230, March 19, 2004, p. 5. UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: 1 January 2012–31 July 2015*, final project report, n.d., p. 21; Helena Catt, Andrew Ellis, Michael Mally, Alan Wall, and Peter Wolf, *Electoral Management Design*, International IDEA, 2014, p. 62; U.S. Department of State, “Fact Sheet: Elections in Afghanistan,” September 16, 2005, accessed June 2, 2020.
 29. National Democratic Institute (NDI), *2010 Wolesi Jirga Elections in Afghanistan*, 2011, pp. 9–10; ACE Electoral Knowledge Network, “Afghanistan’s 2004 Election: External Voting for a Large Displaced Population,” accessed July 30, 2020; NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, p. 10; Staffan Darnolf, “International Election Support: Helping or Hindering Democratic Elections?,” *Journal of Representative Democracy*, vol. 47, no. 4 (2011), p. 370.
 30. Voter registration and polling in Iran and Pakistan was administered by IOM through its Out-of-Country Registration and Voting Programme. Almost 850,000 Afghans voted abroad in 2004, and the program cost approximately \$22 million alone. International Organization for Migration, “IOM Support to Out of Country Voting,” n.d., p. 2; Andrew Ellis, Carlos Navarro, Isabel Morales, Maria Gratschew, and Nadja Braun, *Voting from Abroad: The International IDEA Handbook*, International IDEA and Instituto Federal Electoral, p. 162.
 31. In addition, the Chief Electoral Officer, an employee of the United Nations Assistance Mission in Afghanistan, served as a non-voting member of the Commission. Government of Afghanistan, *Decree of the President of the Islamic Republic of Afghanistan on Holding National Assembly, Provincial Council, and District Council Elections*, Article 5, May 6, 2005. Prior to 2005, the last true Wolesi Jirga elections had been in 1969. Jelena Bjelica and Rohullah Soroush, *Lost in Procedure: How a Corruption Case in the Afghan Parliament Was (Not) Dealt with*, AAN, January 4, 2018.
 32. USAID, *Electoral Support Activity*, modification 8, contract no. AID-306-I0-15-00006, awarded to UNDP, April 29, 2018, electronic p. 5.
 33. Helena Catt, Andrew Ellis, Michael Mally, Alan Wall, and Peter Wolf, *Electoral Management Design*, International IDEA, 2014, p. 62; Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 4.
 34. Helena Catt, Andrew Ellis, Michael Mally, Alan Wall, and Peter Wolf, *Electoral Management Design*, International IDEA, 2014, p. 63.
 35. Staffan Darnolf, “International Election Support: Helping or Hindering Democratic Elections?,” *Journal of Representative Democracy*, vol. 47, no. 4 (2011), p. 379.
 36. Post Election Strategy Group, *Progress Report*, September 27, 2005, p. 2; Staffan Darnolf, “International Election Support: Helping or Hindering Democratic Elections?,” *Journal of Representative Democracy*, vol. 47, no. 4 (2011), p. 379.
 37. International official, SIGAR interview, September 6, 2018.
 38. UNDP, *Final Evaluation: Enhancing Legal and Elect Capacity for Tomorrow Project*, June 2011, p. 1; Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, electronic p. 12.
 39. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 5.
 40. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, pp. 7–8.
 41. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, electronic p. 6.
 42. Counterpart International, *Evaluation of the Effectiveness of the STEP Civic Education Program in Afghanistan*, prepared under contract for USAID, September 30, 2011, p. 8.
 43. Counterpart International, *Evaluation of the Effectiveness of the STEP Civic Education Program in Afghanistan*, prepared under contract for USAID, September 30, 2011, p. 12.
 44. UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: 1 January 2012–31 July 2015*, final report, n.d., p. 4; UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, p. 6.
 45. Martine van Bijlert, “Who Controls the Vote?,” AAN, May 2010, p. 2; William Maley, “The Rule of Law and Weight of Politics: Challenges” in *The Rule of Law in Afghanistan: Missing in Inaction*, ed. Whit Mason (New York, NY: Cambridge University Press, 2011), p. 76; UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, p. 6.

46. UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, p. 7.
47. Democracy International, *Election Observation Mission: Afghanistan Parliamentary Elections 2010*, June 2011, p. 19.
48. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 17.
49. SIGAR, *Strategy and Resources Needed to Sustain Afghan Electoral Capacity*, SIGAR 09-06-AR, September 22, 2009, electronic p. 3.
50. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, pp. 45–46.
51. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, pp. 47–48; USAID Office of Inspector General, *Review of USAID Afghanistan Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 12.
52. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, p. 46.
53. Steve Coll, *Directorate S: The CIA and America's Secret Wars in Afghanistan and Pakistan* (New York, NY: Penguin Press, 2018), p. 386; NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 76.
54. UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, pp. 15–16.
55. Staffan Darnolf, a senior advisor at the International Foundation for Electoral Systems, has called the need to support the election management body through a separate program than election observation the “judge and jury problem,” and he has described it as being “widely recognized among election administration experts and election observation professionals.” The electoral management body is the judge and the Free and Fair Election Forum of Afghanistan (FEFA) is the jury in this analogy. Staffan Darnolf, “International Election Support: Helping or Hindering Democratic Elections?,” *Journal of Representative Democracy*, vol. 47, no. 4 (2011), p. 370. SIGAR also documented the U.S. Embassy Kabul’s position that technical support to the ECC should be provided through a mechanism separate from the main UNDP election support program. SIGAR, *Strategy and Resources Needed to Sustain Afghan Electoral Capacity*, SIGAR 09-06-AR, September 22, 2009, p. 6.
56. NDI, *Midterm Performance Evaluation Report: Strengthening Political Entities and Civil Society (SPECS)*, November 2015, p. 13.
57. UNDP, *Final Evaluation: Enhancing Legal and Electoral Capacity for Tomorrow Project*, June 2011, p. 3. Margie Cook, who served as UNDP’s Chief Electoral Officer on ELECT in 2008 and 2009 also said that the program’s capacity building goals were unrealistic and took a back seat to the more proximate challenges of preparing for the 2009 and 2010 elections. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 17.
58. USAID, *Electoral Support Activity*, modification 8, contract No. AID-306-I0-15-00006, awarded to UNDP, April 29, 2018, electronic p. 3.
59. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. vii.
60. UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow—Phase II (ELECT II)*, revised project document, June 6, 2013, pp. 8–9, 46.
61. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., pp. vii, 7–8, 16; UNDP, *Project Document: UN Electoral Support Project 2017–2019*, July 26, 2018, p. 3.
62. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 13.
63. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 17.
64. USAID’s programs included Supporting Increased Electoral Participation, Supporting Political Entities and Civil Society, Afghanistan Electoral Reform and Civic Advocacy, Initiative to Promote Afghan Civil Society II, and Promoting Afghan Civic Engagement, and Community Cohesion Initiative. SIGAR, *Quarterly Report to the United States Congress*, October 30, 2013, pp. 113–114; USAID Office of Transition Initiatives, *Community Cohesion Initiative: Final Report*, 2015, p. 10.
65. SIGAR, *Quarterly Report to the United States Congress*, October 30, 2013, pp. 113–114.
66. USAID Office of the Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2013, p. 23.
67. Ali Adili and Martine van Bijlert, “Afghanistan’s Incomplete New Electoral Law: Changes and Controversies,” AAN, January 22, 2017. Article 79 of the country’s 2004 Constitution gives the President the power to make laws through executive decrees “in a case of an immediate need” and during parliamentary recesses, but requires that, in order for them to be enforced, they must be submitted to Parliament, which can invalidate them by rejecting them. In practice, however, most of them have never been submitted for Parliamentary approval in the first place. The problem of legislation being passed by presidential decree, often to avoid parliamentary rejection of controversial bills (as with the 2004, 2014, 2016 and 2019 election laws) is much bigger than just electoral policy and often undermines parliament’s role as a legislative body. The 2013 election laws were the only ones to have been passed by Parliament. Government

- of Afghanistan, Constitution, Article 79, 2004; Shamsad Pasarlay and Zalmay Mallyar, *The Afghan Parliament: Constitutional Mandate Versus the Practice in the Post 2001 Context*, Afghanistan Research and Evaluation Unit (AREU), January 2019, pp. v, 2, 21; Ali Adili, “Afghanistan’s 2019 Elections (3): New Electoral Commissioners, Amendments to Election Law,” AAN, March 5, 2019; Martine van Bijlert, “Who Will Control the 2014 Electoral Process,” AAN, July 4, 2013; Zekria Barakzai, “The 2014 Presidential and Provincial Council Elections in Afghanistan,” U.S. Institute of Peace, Special Report 338, November 2013, p. 1.
68. USAID Office of Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 22.
69. USAID Office of Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 3.
70. UN advisors played an active role by assisting in the resolution of disputes between representatives of the two candidates with regards to which ballots should be invalidated. NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 79.
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72. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, January 2015, p. 38; NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., pp. 82, 93.
73. NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., pp. 79, 82–83.
74. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, January 2015, p. 42.
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76. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, n.d., p. 42; International Crisis Group, *Afghanistan: The Future of the National Unity Government*, Asia Report No. 285, April 10, 2017, p. 6.
77. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. 2; International Crisis Group, *Afghanistan: The Future of the National Unity Government*, Asia Report No. 285, April 10, 2017, p. 6.
78. The Special Electoral Reform Commission recommended changing the electoral system. International Crisis Group, *Afghanistan: The Future of the National Unity Government*, Asia Report No. 285, April 10, 2017, p. 6. Further nine of the 13 members of the commission voted to reduce the size of the current province-wide constituencies. However, because SERC decisions were required to be unanimous, this resolution was not adopted. Ali Adili, “Afghanistan Election Conundrum (5): A Late Demand to Change the Electoral System,” AAN, March 8, 2018; Barnett Rubin and Georgette Gagnon, *U.S. Presence and Afghanistan’s National Unity Government: Preserving and Broadening the Political Settlement*, NYU Center on International Cooperation, August 2016, pp. 8–9.
79. Scott Hedlund, acting director of the Office of Democracy and Governance, USAID, “Authorization to Fund UN ELECT/PIP Transitional Support to Elections,” memorandum to the mission director, July 18, 2016, electronic pp. 1–2; UNDP, *UNDP Transitional Support to Elections in Afghanistan: Project Initiation Plan (PIP) 2015–2017*, final report, 2017, electronic p. 2 and p. 1.
80. Senior elections advisor, SIGAR interview, August 17, 2018; Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; international official, SIGAR interview, October 15, 2018.
81. UNDP, *UNDP Transitional Support to Elections in Afghanistan: Project Initiation Plan (PIP) 2015–2017*, final report, 2017, p. 2.
82. Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018; SIGAR, *USAID’s Afghanistan Electoral Reform and Civic Advocacy Program: Audit of Costs Incurred by Democracy International, Inc.*, SIGAR-15-84-FA, September 2015, p. 2.
83. UNDP, *UN Electoral Support Project, 2017–2019 Project Document, October 28, 2017*, n.d., pp. 1, 7.
84. USAID, email to SIGAR, August 21, 2020.
85. Gavin Weise, *UN Electoral Support Project (UNESP): Mid-Term Review*, July 2019, p. 3; UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, n.d., p. 3.
86. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, n.d., p. 3.
87. Outputs 4 and 5, committing UNESP to support to the IEC and ECC during the 2018 election were added in the July 2018 revision of the program’s project document, while output 6, committing the program to support the IEC and ECC during the 2019 election was added in July 2019. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July 2018, p. 5; UNDP, *Project Document: UN Electoral Support Project, 2007–2019*, July 2019, p. 29.
88. Senior elections advisor, SIGAR interview, August 15, 2018. According to Shahla Haq, who resigned as acting chief electoral officer in May 2018, that body had not developed a strategic plan prior to her departure. Shahla Haq, SIGAR interview, January 19, 2019; Tolo News, “Acting Secretariat of the IEC Resigns over ID Copy Issue,” May 15, 2018.

89. Dominic Grant, UN Office for Project Services project manager, SIGAR interview, October 2, 2018; Electoral Complaints Commission, *Strategic Plan: 2015–2019*, April 2015.
90. Election advisor, email to SIGAR, October 23, 2019.
91. 20 months before the 2018 election, DFID funded the electoral dispute resolution advisor for the ECC, but this position was only part time. Senior elections advisor, SIGAR interview, August 17, 2018. Support began farther in advance of the 2019 election, but it was limited. By March 2019, the EU had three technical advisors embedded at the ECC, one international and two Afghan. USAID, “Note to File: Working Level Election Support Group,” meeting notes, March 20, 2019, p. 3.
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93. UNDP, *Final Evaluation of the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) Phase II: January 2012–July 2015*, n.d., p. vii; senior elections advisor, SIGAR interview, August 17, 2018.
94. Gavin Weise, *UN Electoral Support Project (UNESP): Mid-Term Review*, July 2019, p. 3; UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July 2018, pp. 3, 9.
95. USAID implementing partner, SIGAR interview, October 15, 2019.
96. Senior elections advisor, SIGAR interview, August 15, 2018; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 26, 2019.
97. USAID implementing partner, SIGAR interview, October 15, 2019; NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 2; Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018; international official, SIGAR interview, August 31, 2018; Joint Election Management Board, *Final Report: National Assembly and Provincial Council Elections*, December 2005, p. 25; NDI, *2010 Wolesi Jirga Elections in Afghanistan*, n.d., electronic p. 6.
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100. USAID, email to SIGAR, August 21, 2020.
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102. UNESP, *Technical Note to the Independent Election Commission: Risks and Challenges Associated with Introduction of Biometric Voter Verification for 20 October 2018 Parliamentary Elections*, September 30, 2018, p. 1.
103. USAID, “Election Support Group—Working-level Meeting Notes,” August 29, 2018, electronic p. 1; Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
104. International official, SIGAR interview, October 15, 2018; Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and a Debate about Technology,” AAN, November 28, 2018.
105. Ali Adili, “Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn Host of New Problems,” AAN, October 19, 2018; international official, SIGAR interview, October 15, 2018.
106. UNESP, *Technical Note to the Independent Election Commission: Risks and Challenges Associated with Introduction of Biometric Voter Verification for 20 October 2018 Parliamentary Elections*, September 30, 2018, pp. 1–3. Indeed, some of the issues identified in that September 2018 report were still not addressed by the 2019 election. For example, the report warned that clear procedures for the reconciliation of data produced by the BVV devices were needed. However, the lack of clarity about how to decide which votes to count was a major point of controversy in 2019. For more detail on that controversy see Ali Adili, “Aftershocks of Procedural Ambiguity: The IEC and ECC Dispute over which Votes to Validate,” AAN, November 2, 2018.
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109. Michael Yard, “Technical Assessment on Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract for USAID, May 8, 2019, pp. 15–16; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020; Ali Adili, “Aftershocks of Procedural Ambiguity: The IEC and ECC Dispute Over Which Votes to Invalidate,” AAN, November 2, 2018.
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118. UNDP, *United Nations Electoral Support Project: Quarterly Progress Report: October—December 2017*, December 2017, p. 28.
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134. U.S. military official involved in Afghan elections, SIGAR interview, January 17, 2019; Gary Springer, UNESP security coordination advisor, email to SIGAR, March 5, 2019.
135. Resolute Support elections official, email to SIGAR, March 11, 2019.

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138. Deputy chief of staff for strategy and plans at Resolute Support, SIGAR interview, October 30, 2019.
139. Colonel Sonny Legget, USFOR-A spokesman, tweet, October 9, 2019, accessed September 8, 2020.
140. SIGAR, *Quarterly Report to the United States Congress*, October 30, 2019, pp. 73–74.
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163. UNDP, *UN Electoral Support Project: Monthly Electoral Update*, May 2018, p. 6.
164. U.S. military official involved in Afghan elections, SIGAR interview, January 17, 2019.

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376. IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, p. 60.
377. IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, p. 4.
378. Senior elections advisor, SIGAR interview, June 19, 2019.
379. IEC, “Summary Report on Lessons Learned from 2018 WJ Elections and the Need for Reforms and Necessary Preparations for the 2019 Elections,” December 28, 2018, p. 4.
380. Zekria Barakzai, “The 2014 Presidential and Provincial Council Elections in Afghanistan,” U.S. Institute of Peace, Special Report 338, November 2013, p. 13.
381. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019.
382. UNDP, “Post Election Capacity Assessment Report,” November 2018, p. 11.
383. U.S. State Department and USAID election support staff at U.S. Embassy Kabul, SIGAR interview, January 27, 2019; Western donor official, SIGAR interview, January 26, 2019.
384. UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 5.
385. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019; Afghan Amputee Bicyclists for Rehabilitation and Recreation (AABRAR), *Observing Parliamentary Election 2018: Observation Findings Report*, January 29, 2019, p. 9.
386. AABRAR, *Observing Parliamentary Election 2018: Observation Findings Report*, January 29, 2019, p. 9.
387. UNDP, “Post Election Capacity Assessment Report,” November 2018, p. 13; Afghan election official, SIGAR interview, February 25, 2020; senior elections advisor, SIGAR interview, June 19, 2019.
388. Senior elections official, SIGAR interview, October 23, 2019.
389. Senior elections advisor, SIGAR interview, June 19, 2019; UNDP, *UN Electoral Support Project (UNESP): 2019 First Quarterly Progress Report*, 2019, p. 38.
390. UNDP, *UN Electoral Support Project (UNESP): 2019 First Quarterly Progress Report*, 2019, p. 38.
391. Senior elections advisor, SIGAR interview, August 16, 2018.
392. Senior elections official, SIGAR interview, October 23, 2019.
393. Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018.
394. Western donor official, SIGAR interview, January 26, 2019.
395. Senior election official, SIGAR interview, October 29, 2019.
396. Senior elections advisor, SIGAR interview, August 15, 2018.
397. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
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399. UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 5.
400. IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, pp. 61–62.
401. International official, SIGAR interview, August 31, 2018.
402. Senior election official, SIGAR interview, October 23, 2019.
403. IEC, *Independent Election Commission of Afghanistan Capacity Building Plan*, December 2011, p. 8; deputy political counselor at U.S. Embassy, SIGAR interview, January 17, 2019; AABRAR, *Observing Parliamentary Election 2018: Observation Findings Report*, January 29, 2019, p. 9; The International Republican Institute (IRI), *Advancing Democracy Worldwide: Afghanistan Presidential and Provincial Council Elections: Election Observation Mission*, August 20, 2009, p. 12.
404. UNDP, “Post Election Capacity Assessment Report,” November 2018, p. 13.
405. Sibghatullah Tamim, former legal director of the ECC, SIGAR interview, January 21, 2019.
406. Dominic Grant, UNOPS project manager, SIGAR interview, October 2, 2018.
407. Senior elections advisor, SIGAR interview, August 15, 2018; Sibghatullah Tamim, former legal director of the ECC, SIGAR interview, January 21, 2019.
408. International official, SIGAR interview, October 15, 2018.
409. Government of Afghanistan, Attorney General’s Office, Anti-Corruption Justice Center, “Summary Report of Primary Court’s Trial,” January 30, 2019; Esmatollah Soroush, “Controversial Trial; 5 Years in Prison for Suspected Revocation of 248 votes,” *Etilaat Roz*, September 3, 2019; Ariana News, “Ex-Electoral Officials Sentenced to Five Years in Jail,” September 3, 2019.
410. Government of Afghanistan, Election Law, Article 10, 2019.
411. Government of Afghanistan, Election Law, Article 18, 2019.
412. Martine van Bijlert, SIGAR interview, March 7, 2019.
413. ETWA, *Report on the IEC’s Performance & the Way Forward*, November 7, 2017, pp. 13–14.
414. Government of Afghanistan, “Law on the Structures, Duties and Authorities of the Independent Election Commission and the Independent Electoral Complaints Commission,” serial no. 1112, June 8, 2014, p. 9.
415. ETWA, *Report on the IEC’s Performance & the Way Forward*, November 7, 2017, pp. 13–14.
416. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.

417. ETWA, *Report on the IEC's Performance & the Way Forward*, November 7, 2017, pp. 13–14.
418. Government of Afghanistan, Attorney General's Office, Anti-Corruption Justice Center, "Summary Report of Primary Court's Trial," January 30, 2019; Esmatollah Soroush, "Controversial Trial; 5 Years in Prison for Suspected Revocation of 248 votes," *Etilaat Roz*, September 3, 2019; Ariana News, "Ex-Electoral Officials Sentenced to Five Years in Jail," September 3, 2019.
419. Sibghatullah Tamim, former legal director of the ECC, SIGAR interview, January 21, 2019.
420. IRI, *Advancing Democracy Worldwide: Afghanistan Presidential and Provincial Council Elections: Election Observation Mission*, August 20, 2009, p. 23; senior elections advisor, SIGAR interview, August 23, 2018.
421. Walid Sarwary, former deputy chief electoral officer of the ECC, SIGAR interview, January 19, 2019.
422. Ali Adili, SIGAR interview, September 18, 2018.
423. When the senior leaders in Afghanistan's EMBs rotate out, many of the people working beneath them generally rotate out as well, meaning institutional knowledge is not retained at lower levels, either. However, a senior elections advisor told SIGAR that UNOPS was able to mitigate the summary firing of EMB staff and hiring of new staff by the new Commissioners and institute more of a merit-based hiring process when it had technical advisors embedded with the Commission in 2014. Senior elections advisor, SIGAR interview, August 17, 2018.
424. Senior elections advisor, SIGAR interview, August 23, 2018.
425. Sibghatullah Tamim, former legal director of the ECC, SIGAR interview, January 21, 2019.
426. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
427. No census has been conducted in Afghanistan since 1979 and, as a result, population estimates are unreliable. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 91. Because of insecurity, the 1979 census was only able to reach approximately 67 percent of the population. Andrew Pinney, "An Afghan Population Estimation," AAN, September 22, 2012, p. 1.
428. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
429. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 8.
430. UNDP, *Project Document: UN Electoral Support Project (UNESP) 2017–2019*, August 29, 2017, p. 3.
431. Scott Seward Smith, "Elections and Democratization" in *State Strengthening in Afghanistan: Lessons Learned, 2001–14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, p. 40.
432. UNDP, *Project Document: UN Election Support Project, 2017–2019 Project*, August 29, 2017, p. 3.
433. Ali Adili and Thomas Ruttig, "The Afghanistan Election Conundrum (8): Controversies over Voter Registration," AAN, May 27, 2018.
434. Ali Adili and Thomas Ruttig, "The Afghanistan Election Conundrum (8): Controversies over Voter Registration," AAN, May 27, 2018. The polling center-based voter registry was one of the key anti-fraud reforms envisioned in the Special Electoral Reform Commission (SERC) recommendations, and it was implemented through the 2016 Election Law. UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, 2019, p. 6. A polling center-based voter registry has been discussed since at least 2009. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 36; Government of Afghanistan, Election Law, Article 6, 2019.
435. Scott Seward Smith, "Elections and Democratization" in *State Strengthening in Afghanistan: Lessons Learned, 2001–14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, pp. 40–41; IFES, *Afghanistan Electoral Integrity Assessment Final Report*, prepared under contract for USAID, March 2013, updated June 2013, p. 15; Scott Worden, "Afghanistan Election Conundrum (13): New Voter Registry Too Good To Be True," AAN, August 28, 2018.
436. Staffan Darndolf, "Afghan Elections: Will the Voter Registry be Ready for 2018?," U.S. Institute of Peace, January 26, 2018, accessed November 9, 2018.
437. UNDP, *United Nations Electoral Support Project: 2018 3rd Quarterly Progress Report*, 2018, p. 6; Ali Adili and Thomas Ruttig, "The Afghanistan Election Conundrum (8): Controversies over Voter Registration," AAN, May 27, 2018.
438. UNDP, *United Nations Electoral Support Project: 2018 3rd Quarterly Progress Report*, 2018, p. 6; Ali Adili and Thomas Ruttig, "The Afghanistan Election Conundrum (8): Controversies over Voter Registration," AAN, May 27, 2018.
439. Ali Adili and Thomas Ruttig, "The Afghanistan Election Conundrum (8): Controversies over Voter Registration," AAN, May 27, 2018.
440. Staffan Darndolf, "Afghan Elections: Will the Voter Registry be Ready for 2018?," U.S. Institute of Peace, January 26, 2018, accessed November 9, 2018.
441. Senior elections advisor, SIGAR interview, August 15, 2018. The IEC has stated that it removed more than 600,000 registrations, listing three reasons: (1) registrants were underage, (2) forms had missing dates of birth, or (3) they were duplicate entries. Thomas Ruttig and the AAN Team, "Afghanistan Election Conundrum (16): Basic Facts about the Parliamentary Elections," AAN, October 9, 2016.
442. Senior elections advisor, SIGAR interview, August 15, 2018; Ali Adili, "Afghanistan's 2019 Elections (5): Slow Preparations for a High-stakes Election," AAN, June 17, 2019.

443. UNDP, *United Nations Electoral Support Project: 2018 3rd Quarterly Progress Report*, 2018, p. 6; Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
444. International official, SIGAR interview, January 22, 2019; Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 15.
445. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, pp. 8, 15; Scott Worden, “Past is Prologue? What the Parliamentary Election Results Tell us About the September Presidential Election,” AAN, August 23, 2019; Martine van Bijlert, SIGAR interview, March 7, 2019. In 2013, IFES found that ballot stuffing was the main fraud vulnerability in Afghan elections. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 25.
446. Scott Worden, “Past as Prologue?: What the Parliamentary Election Results Can Tell Us About the Presidential Election,” AAN, August 23, 2019.
447. The Population Registration Department confirmed to the press that it had caught a scheme to issue fake tazkeras and then register them as ghost voters. Khwaja Fitri, “Candidates Among 230 People Held Over Electoral Offenses,” *Pajhwok Afghan News*, December 17, 2018; Frud Bezhan, “‘Ample Opportunities’ For Fraud Bedevil Afghan Presidential Election,” *Radio Free Europe/Radio Liberty*, October 9, 2019; Srinjoy Bose and Nishank Motwani, “Afghan Elections: Impressions from Polling Day,” *Interpreter*, October 10, 2019, accessed December 19, 2019; Scott Worden, “Afghanistan Election Conundrum (13): New Voter Registry Too Good to be True,” AAN, August 28, 2018.
448. Staffan Darndolf, “Afghan Elections: Will the Voter Registry be Ready for 2018?,” U.S. Institute of Peace, January 26, 2018, accessed November 9, 2018. The failure to start the voter registration process until the last minute is not new. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 20. This delay is also part of a bigger problem whereby neither the government nor major political parties pushed electoral reform for three years after the 2014 elections. Ali Adili, SIGAR interview, September 18, 2018.
449. Scott Worden, “Amid Intense Violence, Afghans Show Support for Democracy,” U.S. Institute of Peace, October 22, 2018, accessed December 16, 2019.
450. Jelena Bjelica, “Election Day Two: A Triumph of Administrative Chaos,” AAN, October 21, 2018; IEC and ECC, “Joint Press Release of the Electoral Commissions on Validating the Votes of the People in the October 20, 2018 Elections,” press release, October 30, 2018.
451. TEFA, *TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election*, n.d., electronic p. 1.
452. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
453. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
454. Staffan Darndolf, “Afghan Elections: Will the Voter Registry be Ready for 2018?,” U.S. Institute of Peace, January 26, 2018, accessed November 9, 2018.
455. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
456. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
457. It is worth noting that the Taliban had been able to identify and punish voters in the past through the indelible ink marks on their fingers for a week after voting. However, the sticker on tazkera approach extended the period in which voters could be identified indefinitely to whenever they were caught with this ID. Martine van Bijlert, “How to Win an Afghan Election,” AAN, August 3, 2009, p. 20; Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
458. Mohammad Zaki, Sediqa Bakhtiarai, and Mohammad Wafaey, *Swinging Between Hope and Despair: Kabul Citizens’ Voting Behavior in the 2018 Wolesi Jirga Election*, AREU, October 2018, p. 3; Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018; Frud Bezhan, “Modern Voting Systems Did More Harm Than Good in Afghanistan’s Recent Elections,” *Radio Free Europe/Radio Liberty*, October 27, 2018; UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, April 2018, p. 11.
459. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 3; Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018. According to the regulation, ACCRA would then keep track of the duplicates issued to ensure that this approach did not lead to multiple voting. UNDP, *United Nations Electoral Support Project: 2018 3rd Quarterly Progress Report*, 2018, pp. 6–7.
460. International official, SIGAR interview, September 6, 2018.
461. Mohammad Zaki, Sediqa Bakhtiarai, and Mohammad Wafaey, *Swinging Between Hope and Despair: Kabul Citizens’ Voting Behavior in the 2018 Wolesi Jirga Election*, AREU, October 2018, p. 3.

462. International official, SIGAR interview, August 15, 2018; Staffan Darndolf and Scott Smith, *Breaking not Bending: Afghan Elections Require Institutional Reform*, U.S. Institute of Peace, August 2019, p. 13. The display and correction period is the process through which the list of voters registered and assigned to each polling center is displayed and a process provided for flagging concerns about missing or incorrect names. An international best practice, the display of the voter registry plays a critical role in building the public's confidence that a voter registry is accurate and clean. International IDEA, *Introducing Biometric Technology in Elections*, 2017, p. 23.
463. Senior elections advisor, SIGAR interview, August 15, 2018. SIGAR emphasized the importance of publicly displaying the voter registry in order to ensure its accuracy in a 2010 report. SIGAR, *Lessons Learned in Preparing and Conducting Elections in Afghanistan*, SIGAR Audit 10-16, September 9, 2010, p. 7.
464. Mohammad Jawad, "Polls Close in Kandahar Election Delayed by Taliban Attack," *DPA International*, October 27, 2018.
465. Ali Adili, "Aftershocks of Procedural Ambiguity: the IEC and ECC Dispute over which Votes to Validate," AAN, November 2, 2018.
466. Ali Adili, "Election Day Two: A First Hand Account of the Trials and Chaos of Second-day Voting," AAN, October 23, 2018; Kate Clark, Thomas Ruttig, and the AAN Team, "Election Day One (Evening Update): Voter Determination and Technical Shambles," AAN, October 21, 2018; William Maley, "Afghanistan's 2019 Election (15): Administrative and Technical Problems in Kabul City," AAN, October 7, 2019; IEC and ECC, "Joint Press Release of the Electoral Commissions on Validating the Votes of the People in the October 20, 2018 Elections," press release, October 30, 2018.
467. Senior election official, SIGAR interview, October 25, 2019. 765,804 names were added to the voter registry during the 2019 top-up exercise. UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, September 30, 2019, p. 1.
468. Senior election official, SIGAR interview, October 25, 2019; senior election official, SIGAR interview, October 29, 2019.
469. He specifically mentioned that this had taken place in Paktya and Ghazni Provinces. Senior election official, SIGAR interview, October 29, 2019.
470. TEFA, *TEFA's Preliminary Election Observation Report on the 2019 Presidential Election*, n.d., electronic p. 1.
471. TEFA, *TEFA's Preliminary Election Observation Report on the 2019 Presidential Election*, n.d., electronic pp. 4-5.
472. IEC, "Decision of the Independent Election Commission," decision no. 97-1398, September 28, 2019.
473. AAN Team, "Afghanistan's 2019 Elections (13): Observations from Kandahar, Takhar, Wardak, and Balkh," AAN, October 4, 2019.
474. IEC, "Decision of the Independent Election Commission," decision no. 98-1398, September 28, 2019.
475. AAN Team, "Afghanistan's 2019 Elections (13): Observations from Kandahar, Takhar, Wardak, and Balkh," AAN, October 4, 2019.
476. IEC, "Decision of the Independent Election Commission," decision no. 98-1398, September 28, 2019.
477. ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, December 2009, p. 85.
478. Scott Seward Smith, "Elections and Democratization" in *State Strengthening in Afghanistan: Lessons Learned, 2001-14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, p. 41. The evolution of ballot stuffing between the 2009 and 2014 cycles is a good example of this adaption. Whereas the 2009 audit revealed that whoever changed the tallies on ballot boxes had frequently left the actual ballots blank, in 2014 Abdullah Abdullah's camp alleged that, instead, there was evidence that many of the ballots had been filled out by the same person, a much more challenging allegation to prove. Greg Minjack, elections advisor at Democracy International, SIGAR interview, August 30, 2018.
479. ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, December 2009, p. 88; Mohammad Zaki, Sediqa Bakhtiarai, and Mohammad Wafaey, *Swinging Between Hope and Despair: Kabul Citizens' Voting Behavior in the 2018 Wolesi Jirga Election*, AREU, October 2018, p. 4. Rahmatullah Nabil, former head of the NDS, has gone on the record about witnessing a centrally coordinated effort to issue fake voter registration cards in advance of the 2014 election. Thomas Johnson, "The Myth of Afghan Electoral Democracy: the Irregularities of the 2014 Election," *Small Wars and Insurgencies*, vol. 28, no. 5-6 (2018), pp. 40-41.
480. Abdul Haq Omari, "Fake IDs Being 'Distributed' in Paktiya Districts," *Tolo News*, June 14, 2018; Pamela Constable, "The Taliban has vowed to disrupt the Afghan elections. Candidates are out in force anyway," *Washington Post*, October 17, 2018.
481. Drew Desilver, "U.S. Trails Most Developed Countries in Voter Turnout," Fact Tank Blog, Pew Research Center, May 21, 2018, accessed December 17, 2019.
482. Worden used CSO's 2016-2017 population estimate. Using the more updated CSO population estimate for 2017-2018 of 29.7 million (a quarter of which is 7.425), the percentage drops only slightly to 78 percent. Scott Worden, "Afghanistan Election Conundrum (13): New Voter Registry Too Good to be True," AAN, August 28, 2018.
483. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019.

484. USAID implementing partner, SIGAR interview, October 28, 2019. In 2019, ACCRA was absorbed by the National Statistics and Information Authority.
485. Javed Rasooli, head of the National Statistics and Information Authority, SIGAR interview, December 12, 2019.
486. Senior election official, SIGAR interview, October 25, 2019.
487. Ali Adili, SIGAR interview, September 18, 2019. The IEC has stated that it removed more than 600,000 registrations, listing three reasons: (1) registrants were underage, (2) forms had missing dates of birth, or (3) they were duplicate entries. Thomas Ruttig and the AAN Team, “Afghanistan Election Conundrum (16): Basic Facts about the Parliamentary Elections,” AAN, October 9, 2016.
488. Ali Adili, SIGAR interview, September 18, 2018; senior elections advisor, SIGAR interview, August 15, 2018.
489. Khwaja Fitri, “Candidates Among 230 People Held Over Electoral Offenses,” *Pajhwok Afghan News*, December 17, 2018.
490. Abdul Omari, “Fake IDs Being Distributed in Paktiya Districts,” *Tolo News*, June 14, 2018.
491. Prior to the introduction of the polling center-specific voter registry in 2018, fake and multiple voter registration cards facilitated ballot stuffing, because the perpetrators of ballot stuffing needed the details of the voter registration cards to fill out the tally sheets and make the ballots appear legitimate. Martine van Bijlert, “What to Watch in the Elections (1): Voter Registration,” AAN, April 1, 2014.
492. According to the UN, an “MP Lalai” was discovered with 200 fraudulent tazkeras. USAID, “Election Support Group—Working Level,” meeting notes, August 29, 2018.
493. Fazal Muzhary, “The 2018 Election Observed in Paktika: Pre-election Fraud and Relatively Peaceful Polling,” AAN, November 13, 2018.
494. Senior elections advisor, email to SIGAR, October 6, 2019.
495. Abdul Haq Omari, “Fake IDs Being ‘Distributed’ in Paktiya Districts,” *Tolo News*, June 14, 2018.
496. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, May 2018, p. 11.
497. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 31, 46–47.
498. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 58–59.
499. UNDP, *United Nations Electoral Support Project: 2018 3rd Quarterly Progress Report*, 2018, p. 34.
500. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 46–47.
501. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, June 2018, p. 18.
502. He specifically alleged that security forces did so in Badakhshan in order to reduce Latif Pedram’s chances of winning. Former senior election official, SIGAR interview, August 6, 2019; Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 36; Martine van Bijlert, “Polling Day Fraud in the Afghan Elections,” AAN, March 2009, pp. 3–4. Likewise, in 2018 a coalition of political parties alleged that the polling center list had been politically manipulated and stated as one of their conditions for allowing elections to move forward that the list of polling centers removed for security reasons be reexamined and the list shared with them. Ali Adili, “Afghanistan Election Conundrum (5): A Late Demand to Change the Election System,” AAN, March 8, 2018.
503. Abdullah Ahmadzai, SIGAR interview, February 26, 2019.
504. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, pp. 11, 35–36. The OSCE documented similar allegations in that cycle. OSCE, *Islamic Republic of Afghanistan: Presidential and Provincial Council Elections*, OSCE/ODIHR Election Support Team final report, August 20, 2009, electronic p. 40.
505. Zahra Rahmini, “Pre-election Voter Deletion under Scrutiny,” *Tolo News*, October 4, 2019.
506. TEFA, “TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election,” n.d., electronic p. 1.
507. IEC, “IEC Lessons Learned Workshop,” meeting notes, December 19, 2018, electronic p. 7.
508. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
509. Pajwok Afghan News, “Over 400,000 Names Struck Off Voter List to Ensure Transparency,” October 22, 2019.
510. Anisa Shaheed, “Watchdogs Warn that Many Polling Stations Won’t Open,” *Tolo News*, October 8, 2018.
511. Thomas Johnson, *The 2019 Presidential Election: A Continuation of Problematic Processes and Results*, Afghanistan Institute for Security Studies, 2020, p. 21.
512. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, pp. 13–14.
513. Pamela Constable, “Taliban Threats, Poll Closures Raise Fears for Credibility of Afghan Elections,” *Washington Post*, September 23, 2019; Ariana News, “Aides of Atta Noor Announced Their Support from Ashraf Ghani,” September 24, 2019.
514. Election official, SIGAR interview, September 12, 2019.
515. Government of Afghanistan, Attorney General’s Office, Anti-Corruption Justice Center, “Summary Report of Primary Court’s Trial,” January 30, 2019; Esmatollah Soroush, “Controversial Trial; 5 Years in Prison for Suspected Revocation of 248 Votes,” *Etilaat Roz*, September 3, 2019; Ariana News, “Ex-Electoral Officials Sentenced to Five Years in Jail,” September 3, 2019.

516. Martine van Bijlert, “Who Controls the Afghan Vote? Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 22; Shinkai Karokhel, Afghan parliamentarian from Kabul, SIGAR interview, April 10, 2019.
517. Martine van Bijlert, “Polling Day Fraud in the Afghan Elections,” AAN, pp. 1–2.
518. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 95.
519. The margins of victory in presidential elections are much larger than in the country’s less critical parliamentary elections, during which even retail fraud can change electoral outcomes. However, in an environment in which fraud is normalized and competitive, candidates are incentivized to swing the vote as much as possible in their favor, in the hopes of outdoing their opponents, and more centralized approaches to fraud are more likely to achieve larger margins of victory. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 95.
520. Martine van Bijlert, “Who Controls the Afghan Vote? Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 2.
521. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 169–170. Then-CEO Abdullah discovered this, much to his chagrin, during the 2014 audit. That audit eventually came to a halt over disagreements about which ballots were “similarly marked,” which proved much more difficult to ascertain than whether the ballots were missing in the first place, as they had been when boxes were opened during the audit of the 2009 presidential election. Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018.
522. USAID, email to SIGAR, August 21, 2020.
523. Martine van Bijlert, “What to Watch in the Elections (4): The Count, the Complaints, and the Result,” AAN, April 1, 2014.
524. Razia Sadaat, Afghan parliamentarian from Paktiya, SIGAR interview, April 17, 2019; Martine van Bijlert, “Who Controls the Afghan Vote? Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 6.
525. Shogoofa Noorzai, Afghan parliamentarian from Helmand, SIGAR interview, July 26, 2019; Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
526. Martine van Bijlert, SIGAR interview, March 7, 2019. Ali Adili told SIGAR that another factor in curbing ballot stuffing has been the increased sophistication and effectiveness of campaigns’ and candidate agents’ efforts to detect it. Ali Adili, email to SIGAR, February 5, 2020.
527. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
528. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 175.
529. Scott Worden, “Past is Prologue? What the Parliamentary Election Results Tell us About the September Presidential Election,” AAN, August 23, 2019.
530. The IEC invalidated approximately 86,000 ballots as a result of Dermalog’s de-duplication process, which probably represented multiple votes. Then, prior to the release of the preliminary results, the IEC ordered and conducted manual inspections of ballots from more than 8,000 polling stations for a variety of reasons, including 2,423 from which the BVV devices or their memory cards had gone missing. The IEC reported that it scanned the BVV stickers on the ballots from these 2,423 polling stations. Based on this audit, they announced that ballots from 2,125 of the stations had been invalidated, while the BVV stickers on the ballots from the remaining 298 were able to be scanned and, thus, these ballots were counted. Ali Adili, “Afghanistan’s 2019 Elections (29): a Statistical Overview of the Preliminary Results,” AAN, February 8, 2020; senior election official, SIGAR interview, March 2, 2020.
531. Martine van Bijlert, “Untangling Afghanistan’s 2010 Vote: Analyzing the Electoral Data,” AAN, March 2011, pp. 4–5.
532. Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018.
533. Michael Callen and James D. Long, “Institutional Corruption and Election Fraud: Evidence from a Field Experiment in Afghanistan,” *American Economic Review*, vol. 105, No. 1 (2015), pp. 355, 360. Even this figure did not include the results sheets that were changed at the polling station-level. “Recording votes at the polling station-level and comparing them to the official outcome once those results have been added up by the electoral commission can reveal tallying fraud, but tells us nothing about whether the results recorded at the polling station-level were themselves legitimate.” Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 179. The ECC documented numerous complaints about vote tallies being changed in 2018, as well. ECC, “Investigation and Legal Analysis of Kabul PECC’s Concept (Request) on ‘Invalidation of All Votes of Kabul Electoral Constituency,’” December 2, 2018, electronic p. 7.
534. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July 26, 2018, p. 25. In 2010 the IEC fired 114 District Field Coordinators after it discovered that they had used fake IDs to get hired under assumed names, and relocated 100 more after discovering that they had links to candidates in their original areas of assignment. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 41.
535. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.

536. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; Satar Saadat, former ECC chairman, SIGAR interview, February 20, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019; Shahmahmood Miakhel, former SERC member, SIGAR interview, January 21, 2019.
537. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
538. Shinkai Karokhel, Afghan parliamentarian from Kabul, SIGAR interview, April 10, 2019; Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019; Zakia Wardak, unsuccessful 2018 WJ candidate from Kabul, SIGAR interview, April 18, 2019; former senior Afghan official, SIGAR interview, July 17, 2019; USAID implementing partner, SIGAR interview, November 8, 2019; Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
539. Shahmahmood Miakhel, former SERC member, SIGAR interview, January 21, 2019.
540. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
541. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; Satar Saadat, former ECC chairman, SIGAR interview, February 20, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; former senior election official, SIGAR interview, August 6, 2019.
542. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018.
543. Walid Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
544. Walid Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
545. Abdullah Ahmadzai, SIGAR interview, February 26, 2019.
546. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 170.
547. International official, SIGAR interview, January 22, 2019.
548. International official, SIGAR interview, August 31, 2018.
549. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, pp. 19–20.
550. Martine van Bijlert, “Electoral Reform, or Rather: Who Will Control Afghanistan’s Next Election?,” AAN, February 17, 2015.
551. FEFA, *2014 Elections Observation Report*, 2014, p. 5.
552. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, 2010, p. 11; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 41. The IEC was not established until after the 2004 and 2005 elections. Those elections were managed by the Joint Electoral Management Body, which consisted of nine Afghan members appointed by the President and four international electoral experts appointed by the UN Special Representative of the Secretary General for Afghanistan. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 9.
553. Ali Adili, “Afghanistan Election Conundrum (4): New Controversies Surrounding the Appointment of a New Electoral Commissioner,” AAN, January 18, 2019.
554. Ali Adili and Martine van Bijlert, “Afghanistan’s Incomplete New Electoral Law: Changes and Controversies,” AAN, January 22, 2017.
555. Zekria Barakzai, “2014 Presidential and Provincial Council Elections in Afghanistan,” U.S. Institute of Peace, Special Report 338, November 2013, p. 1; Ali Adili and Martine van Bijlert, “Afghanistan’s Incomplete New Electoral Law: Changes and Controversies,” AAN, January 22, 2017.
556. The selection committee for the commissioners who served in 2014 consisted of two representatives from the National Assembly, one from the Supreme Court, one from the Afghan Independent Human Rights Commission (AIHRC), one from the Independent Commission for Overseeing the Implementation of the Constitution (ICOIC), and one civil society representative. The selection committee for the commissioners who served in 2018 was the same except the National Assembly representatives were removed and a second civil society representative added. Ali Adili and Martine van Bijlert, “Afghanistan’s Incomplete New Electoral Law: Changes and Controversies,” AAN, January 22, 2017. Afghanistan’s Supreme Court justices, the commissioners of the ICOIC, and the head of the AIRHRC are all appointed by the President. Farkhonda Tahery, “Electoral Bodies in Afghanistan: An Assessment” in *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 7.
557. USAID, email to SIGAR, August 21, 2020.
558. Government of Afghanistan, Election Law, Article 13, 2019.
559. Government of Afghanistan, Election Law, Article 13, 2019.
560. Ali Adili, “Afghanistan Election Conundrum (4): New Controversies Surrounding the Appointment of a New Electoral Commissioner,” AAN, January 18, 2019. In one of the most egregious abuses of the presidential power to pass laws by decree, circumventing Parliament, in 2010 President Karzai issued a new electoral decree that eliminated the ECC. Instead, through the decree President Karzai gave himself sole responsibility for appointing the members of a new special tribunal charged with complaint adjudication. Jon Boone, “Hamid Karzai Takes Control of Afghanistan Election Watchdog,” *Guardian*, February 22, 2010.

561. Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019; international official, SIGAR interview, January 22, 2019; Aziz Ariaye, former ECC chairman, SIGAR interview, April 18, 2019.
562. Afghanistan Analysts Network listed these entities as having had input into the selection process: the Office of the President, Offices of the Vice Presidents, Office of Administrative Affairs, and Cabinet members. Gran Heward, Martine van Bijlert, and Thomas Rutting, "A Hasty Process: New Independent Election Commission Announced," AAN, July 30, 2013.
563. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 162.
564. Government of Afghanistan, Election Law, Article 31, 2019; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 12.
565. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 42. Likewise, in 2018 TEFA accused senior government officials of manipulating the appointment of the PIEC heads as a means of committing election fraud down the line. Karim Amini, "Interference' Affecting IEC Provincial Appointments," *Tolo News*, February 17, 2019.
566. Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
567. Government of Afghanistan, IEC Secretariat, *Operational Plan for the 2019 Presidential, Provincial and District Council Elections*, draft report, February 2, 2019, p. 4. Cheeseman and Klass also pointed out how the Nigerian President's appointment of regional election commissions in that country explained why international observers referred to its 2007 election cycle as "an election-type event" to highlight how corrupt it was. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 165.
568. Razia Sadaat, Afghan parliamentarian from Paktiya, SIGAR interview, April 17, 2019.
569. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Shahmahmood Miakhel, former SERC member, SIGAR interview, January 21, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
570. International official, SIGAR interview, August 31, 2018; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 23.
571. Government of Afghanistan, Election Law, issue no. 1226, Article 24, September 25, 2016; Government of Afghanistan, Election Law, Article 24, 2019; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 23.
572. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 23.
573. Government of Afghanistan, Election Law, issue no. 1226, Article 24, September 25, 2016; Government of Afghanistan, Election Law, Article 24, 2019; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 23.
574. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 41.
575. Abdul Badi Sayyad, former IEC chairman, SIGAR interview, June 5, 2019.
576. IEC, "Summary Report on Lessons Learned from 2018 WJ Elections and the Need for Reforms and Necessary Preparations for the 2019 Elections," December 28, 2018, p. 12. The Afghan media has also covered interference in the hiring process for IEC provincial chiefs by "government institutions and MPs." Karim Amini, "Interference' Affecting IEC Provincial Appointments," *Tolo News*, February 17, 2018.
577. Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
578. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 25. Even still, a U.S. military official working on elections told SIGAR that in 2010 some of the staff hired to work in the IEC headquarters were illiterate. Senior Resolute Support advisors to the Afghan Ministry of Interior, SIGAR interview, January 17, 2019.
579. Government of Afghanistan, Election Law, Articles 23 and 33, 2019.
580. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 15.
581. Tamim Hamid, "Commissioner Calls Polling Security Report Invalid," *Tolo News*, September 17, 2019.
582. After the 2009 election the IEC created a blacklist with the names of 5,388 low level staff for misconduct, and another 440 for underperformance. The blacklisted staff worked at the 525 polling stations where fraud was uncovered by either the IEC audit or the IECC complaints processes. All of these staff were non-permanent and served as district field coordinators and polling center or station staff. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 12. Likewise, after the 2014 presidential election, the ECC blacklisted 9,887 temporary IEC staff. UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow Phase II (ELECT II) 2012–2015: 2015 First Quarterly Progress Report*, 2015, p. 43.
583. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 16.
584. Habibullah Shinwary, SIGAR interview, January 26, 2019.
585. Senior election official, SIGAR interview, October 25, 2019.

586. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, October 2018, p. 10.
587. USAID, *Electoral Support Activity*, modification 8, contract No. AID-306-I0-15-00006, awarded to UNDP, April 29, 2018, electronic, p. 5. There is a regional pattern, as well. Following the overall trend of better security in the northern part of the country, versus the south and east, tally fraud is more common in the former and ballot stuffing in the later. Martine van Bijlert, “Who Controls the Vote?,” AAN, May 2010, pp. 9–10.
588. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
589. Martine van Bijlert, “What to Watch in the Elections (2): Polling Station Lists,” AAN, April 1, 2014.
590. Ali Adili, SIGAR interview, September 18, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
591. Scott Seward Smith, “Elections and Democratization” in *State Strengthening in Afghanistan: Lessons Learned, 2001–14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, p. 41.
592. Thomas Ruttig, “Election Day One: A Rural Urban Divide Emerging,” AAN, October 20, 2018; Anand Gopal, “Rigging the Afghan Vote,” *New Yorker*, March 31, 2014; Wolesi Jirga candidate, SIGAR interview, July 12, 2019.
593. Dawood Tapan, SIGAR interview, April 16, 2019.
594. ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, December 2009, p. 100; Jelena Bjelica, “Election Day Two: A Triumph of Administrative Chaos,” AAN, October 21, 2018.
595. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019. In the 2009 election cycle ANDSF-provided security was so poor even at the IEC’s regional and provincial offices that USAID ultimately funded security upgrades. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, pp. 37–38.
596. Senior elections advisor, SIGAR interview, August 15, 2018.
597. Zmarai Qalamiar, IEC chief of field operations, told SIGAR that as many as 30 percent of poll workers in Kunar Province refused to show up to work because they were scared of retaliation by the Taliban. Zmarai Qalamiar, SIGAR interview, January 24, 2019.
598. Greg Minjack, SIGAR interview, August 30, 2018.
599. Senior elections advisor, SIGAR interview, August 15, 2018. A former political and military analyst with the U.S. government agreed, saying that the credibility of Afghan elections has declined in recent years as insecurity has spread. Former political-military analyst for the U.S. government, SIGAR interview, September 25, 2018.
600. Ali Adili, “The Afghanistan Election Conundrum (7): A Deficient Polling Centre Assessment,” AAN, April 16, 2018.
601. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
602. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
603. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
604. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 32.
605. Vanda Felbab-Brown, “Ballots and Bullets in Afghanistan,” Brookings Institution, October 23, 2018, accessed August 28, 2020; Borhan Osman and Graeme Smith, “Afghanistan’s Low Turnout Election, Insecurity and Prospects for Peace,” International Crisis Group, October 2, 2019, electronic p. 2.
606. IFES, *Guidelines for Understanding, Adjudicating, and Resolving Disputes in Elections*, 2011, p. 5.
607. IFES, *Guidelines for Understanding, Adjudicating, and Resolving Disputes in Elections*, 2011, p. 3.
608. James Brownsell, “Kenya: What Went Wrong in 2007?,” *Al Jazeera*, March 3, 2013.
609. Steven Huefner, “What Can the United States Learn from Abroad about Resolving Disputed Elections?,” *Legislation and Public Policy*, vol. 13 (2010), p. 524.
610. Senior elections advisor, SIGAR interview, August 17, 2018; Western donor official, SIGAR interview, January 26, 2019; Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 47.
611. FEFA, *2014 Elections Observation Report*, 2014, p. 30; Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 18.
612. This was calculated as a percentage of the category of complaints deemed by that body to have the potential to affect the election results. It is likely that IEC staff were implicated in many of the other 53 percent of complaints, as well, given that the other categories included processes over which the IEC had responsibility for preventing fraud, such as “changing the figures in the results sheets after counting.” ECC, “Wolesi-Jirga Elections 2018,” bulletin no. 2, November 1, 2018. Out of the 2,558 complaints filed in the second round, 991 made allegations about IEC staff, while another 507 implicated other government officials. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 27.
613. International IDEA, *Electoral Justice: An Overview of the International IDEA Handbook*, 2010, p. 15.
614. Aruni Jayakody, *The State of Electoral Dispute Mechanisms in Afghanistan*, AREU, August 2014, p. 1; Western donor official, SIGAR interview, January 26, 2019.
615. Senior elections advisor, SIGAR interview, August 17, 2018.
616. Government of Afghanistan, Election Law, Article 30, 2019.

617. Martine van Bijlert, “Untangling Afghanistan’s 2010 Vote: Analyzing the Electoral Data,” AAN, March 2011, p. 1.
618. Government of Afghanistan, Election Law, Article 87, 2019; IEC and ECC, “Memorandum of Understanding between the Independent Election Commission and the Electoral Complaints Commission,” Articles 13–15, 2017; Democracy International and IFES, *Election Audits: Principles That Protect Election Integrity*, April 2015, p. 6.
619. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 184; Government of Afghanistan, Election Law, Articles 97 and 99, 2019; Aziz Ariaye, former ECC chairman, SIGAR interview, February 12, 2019.
620. Andrew McCoy, “International Standards in Election Audits and the 2014 Afghan Election,” presented at International Standards for Ensuring Free and Credible Elections, Washington, DC, November 13, 2014, p. 33. An IFES study of electoral dispute resolution (EDR) processes in six countries found that problematic overlaps between different entities with jurisdiction over EDR was a common thread among all six. IFES, *Elections on Trial: The Effective Management of Election Disputes and Violations*, prepared under contract for USAID, May 2018, p. 23.
621. The AAN Team, “Thematic Dossier (XXI): The Aftermath of the 2018 Afghan Parliamentary Elections,” AAN, December 21, 2018; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 27. In addition, in 2018 the two bodies fought over which of them had the final say about the invalidation of votes during the recount process. ETWA, “Observation Report on Recounting Process,” 2018, p. 4.
622. Thomas Johnson, *The Myth of Afghan Electoral Democracy: The Irregularities of the 2014 Presidential Election*, Afghanistan Institute for Strategic Studies, 2019, pp. 9–10; IRI, *Advancing Democracy Worldwide: Afghanistan Presidential and Provincial Council Elections: Election Observation Mission*, August 20, 2009, p. 29. Likewise in 2010 the two commissions sparred over their different criteria for the invalidation of votes. The IEC argued that only the fraudulent votes of a given candidate should be invalidated, while the ECC maintained that all votes of candidates who had committed fraud should be invalidated and the candidate removed from the list of winners. Ghizaal Haress, *Adjudicating Electoral Complaints: Afghanistan and the Perils of Unconstitutionalism*, AREU, March 2014, p. 12.
623. Senior elections advisor, SIGAR interview, August 17, 2018; Aziz Ariaye, former ECC chairman, SIGAR interview, April 9, 2019.
624. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
625. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, pp. 41, 53–57; OSCE, *Islamic Republic of Afghanistan: Parliamentary Elections*. OSCE/ODIHR Election Support Team report, September 18, 2010, electronic p. 4; IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 180.
626. Former election commissioner, SIGAR interview, July 3, 2019; Aziz Ariaye, former ECC chairman, SIGAR interview, April 18, 2019; Implementing partner report to USAID, “Figures on Challenges and Complaints in Past Elections,” n.d.
627. Election official, SIGAR interview, February 25, 2020.
628. Of these, 339 were filed during candidate nomination, 2,133 were filed during the first round, another 2,576 were filed during the second round, and, finally, 389 were filed during the audit process. Senior elections advisor, email to SIGAR, August 29, 2019.
629. NDI, *The 2009 Presidential and Provincial Council Elections in Afghanistan*, prepared under contract for USAID, 2010, p. 45; Martine van Bijlert, SIGAR interview, March 7, 2019. The original criteria for quarantining and recounting ballot boxes were anywhere that 600 or more people had turned out to vote or where 95 percent of all the votes went to a single candidate. IRI, *Advancing Democracy Worldwide: Afghanistan Presidential and Provincial Council Elections: Election Observation Mission*, August 20, 2009, pp. 23–24.
630. Martine van Bijlert, SIGAR interview, March 7, 2019.
631. USAID Office of Inspector General, *Review of USAID Afghanistan Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 12.
632. SIGAR, *Lessons Learned in Preparing and Conducting Elections in Afghanistan*, SIGAR 10-14-AR, September 9, 2010, p. 6; senior elections advisor, SIGAR interview, August 17, 2018; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 28. The same is true of the provincial ECCs. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 54.
633. Senior elections advisor, SIGAR interview, August 17, 2018.
634. Aziz Ariaye, former ECC chairman, SIGAR interview, April 9, 2019.
635. Reporterly, “IECC Rejects 9,866 Registered Electoral Complaints,” January 14, 2020; Tolo News, “IEC to Recount Votes of a Thousand Polling Centers in 20 Provinces,” January 9, 2020.
636. Senior elections advisor, SIGAR interview, August 17, 2019.
637. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, p. 14.

638. Aziz Ariaye, former ECC chairman, SIGAR interview, April 18, 2019 Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13.
639. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13. These conditions included: “If the political and security context at the provincial level is not appropriate for addressing them; if objections and complaints are widespread and there is a conflict of authorities; if there is a proven conflict of interest of one of the parties with a provincial commissioner; if the PECCs are not operational and; other instances decided by the ECC in consultation with the PECC.” Ali Adili, “Afghanistan Election Conundrum (15): A Contested Disqualification of Candidates,” AAN, October 7, 2018.
640. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, prepared under contract for USAID, 2011, pp. 41, 53–57; OSCE, *Islamic Republic of Afghanistan: Parliamentary Elections*, OSCE/ODIHR Election Support Team report, September 18, 2010, electronic p. 4; IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 180. The ECC’s 2015–2019 Strategic Plan names as a challenge to its work “interference by powerbrokers in the adjudication process in the provinces.” ECC, *Strategic Plan: 2015–2019*, n.d., p. 19.
641. Election advisor, SIGAR interview, October 23, 2019.
642. Election official, SIGAR interview, September 12, 2019; Walid Ahkbar Sarwary, former ECC chief electoral officer, SIGAR interview, January 19, 2019.
643. Martine van Bijlert, “Untangling Afghanistan’s 2010 Election: Analyzing the Electoral Data,” AAN, February 2011, p. 11.
644. Ali Adili, “Afghanistan’s 2019 Election (28): ECC Starts Final, Decisive Phase of Complaints Procedure,” AAN, January 25, 2020.
645. Senior elections advisor, SIGAR interview, August 17, 2018; Walid Ahkbar Sarwary, former IEC chief electoral officer, SIGAR interview, January 19, 2019. In 2009 none of the central ECC commissioners even had a background in election monitoring or complaints adjudication. Ghizaa Haress, *Adjudicating Electoral Complaints: Afghanistan and the Perils of Unconstitutionalism: A Case Study of the Special Election Tribunal—2010*, AREU, March 2014, p. 11.
646. IEC, “Presidential, Ghazni WJ, Provincial Council and District Council Elections,” July 20, 2019; Government of Afghanistan, Election Law, Article 31, 2019.
647. Walid Ahkbar Sarwary, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
648. UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 53; Walid Ahkbar Sarwary, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
649. Walid Ahkbar Sarwary, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
650. Senior electoral advisor, SIGAR interview, September 26, 2018.
651. Tom Peter and Ben Arnoldy, “Final Afghan Election Results Show Hazara Minority Trumped Dominant Pashtuns,” *Christian Science Monitor*, November 24, 2010; New Humanitarian, “Afghanistan: Special Report on Voter Registration,” January 29, 2004; Anand Gopal, “Afghan Voter Registration Marred,” *Christian Science Monitor*, December 24, 2008; USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24; Afghanistan expert, SIGAR interview, December 17, 2018; Abdullah Ahmadzai, former IEC chief electoral officer in 2010, SIGAR interview, February 26, 2019. For example, Shahmahmood Mikail said that most of the population served by the 1/3 of planned polling centers that were unable to be opened in 2018 were presumed to be Pashtun. Shahmahmood Mikail, former SERC member, SIGAR interview, January 21, 2019.
652. For example, only approximately 3 percent of the estimated population turned out to vote in 2018 in Pashtun-majority Uruzgan, while in more populous Pashtun-majority Kandahar, the percentage was only 11 percent. Scott Worden, “Past as Prologue?: What the Parliamentary Election Results Tell Us About the September Presidential Election,” AAN, August 23, 2019.
653. Former political-military analyst for the U.S. government, SIGAR interview, September 25, 2018; former election official, SIGAR interview, July 30, 2019; Anand Gopal, “Rigging the Afghan Vote,” *New Yorker*, March 31, 2014.
654. Former election official, SIGAR interview, July 30, 2019.
655. Anand Gopal, “Rigging the Afghan Vote,” *New Yorker*, March 31, 2014.
656. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 7.
657. Scott Worden, “New Voter Registry Too Good To Be True,” AAN, August 28, 2018.
658. Martine van Bijlert, “What to Watch in the Elections (4): The Count, the Complaints, and the Result,” AAN, April 1, 2014.
659. Martine van Bijlert, “Who Controls the Vote?: Afghanistan’s Evolving Elections,” September 15, 2010, p. 12; Glevum Associates, *Human Terrain System: Kandahar Province Survey Report*, March 2010, p. 14.
660. Aziz Ariaye, former ECC chairman, SIGAR interview, April 18, 2019; Humaira Haqmal, former deputy chair of the ECC, SIGAR interview; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 23; Martine van Bijlert, “Untangling Afghanistan’s 2010 Election: Analyzing the Electoral Data,” AAN, March 2011, p. 2.
661. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.

662. USAID, *USAID Support for Afghanistan's 2014 Elections: Rapid Assessment Review*, August 2015, pp. 2, 24.
663. ECC official, SIGAR interview, September 11, 2019.
664. ECC official, SIGAR interview, July 30, 2019; Aziz Ariaye, former ECC chairman, SIGAR interview, April 9, 2019; ECC official, SIGAR interview, July 25, 2019.
665. Former senior USAID official, SIGAR interview, September 17, 2018.
666. Ghizaal Haress, *Adjudicating Electoral Complaints: Afghanistan and the Perils of Unconstitutionalism*, AREU, March 2014, pp. 18–19; Abdullah Ahmadzai, former IEC chief electoral officer during the 2010 cycle, confirmed this story. Abdullah Ahmadzai, SIGAR interview, February 26, 2019.
667. Ghizaal Haress, *Adjudicating Election Complaints: Afghanistan and the Perils of Unconstitutionalism*, AREU, March 2014, p. 17; FEFA, *2014 Elections Observation Report*, 2014, p. 159; National Endowment for Democracy, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, 2015, p. 3.
668. Thomas Johnson, “Illusion of Afghanistan’s Electoral Representative Democracy: the Cases of Afghan Presidential and National Legislative Elections,” *Small Wars and Insurgencies*, vol. 29, no. 1 (2018), p. 17.
669. Jennifer Brick Murtazashvili and Mohammad Qadam Shah, “Political Reform Urgently Needed in Afghanistan,” *Diplomat*, February 22, 2020.
670. USAID, *USAID Support for Afghanistan's 2014 Elections: Rapid Assessment Review*, August 2015, p. 22. In addition, Pahjwok News obtained video evidence of ECC Executive Director Abdul Basir Nasir admitting that he rigged the Kuchi election, as well as text messages in which he discussed with the former ECC CEO the bribes the candidate paid. However, he remained in office for some time after that. Azizullah Hamdard, “IECC Official Accused of Rigging Still in Office,” *Pahjwok Afghan News*, August 1, 2019.
671. USAID, email to SIGAR, March 10, 2020.
672. Khaama Press, “Ex-Chairmen and Commissioners of Afghan Election Commissions Given Jail Sentences,” September 3, 2019.
673. International IDEA, *Electoral Justice: An Overview of the International IDEA Handbook*, 2010, p. 30.
674. IFES, *Elections on Trial: The Effective Management of Election Disputes and Violations*, prepared under contract for USAID, May 2018, pp. 31–32; IFES, *Procedural Justice in Electoral Disputes*, draft report prepared under contract for USAID, n.d., p. 23.
675. IFES, *Procedural Justice in Electoral Disputes*, draft report prepared under contract for USAID, n.d., p. 23.
676. IFES, *Procedural Justice in Electoral Disputes*, draft report prepared under contract for USAID, n.d., p. 23. Public hearings can be helpful, but they are not absolutely necessary. In a 2014 report the organization recommended against public deliberations by the ECC, saying that they would go “against the global practice of how most judicial systems handle adjudications.” Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, prepared under contract for USAID, January 2015, p. 29; Martine van Bijlert, SIGAR interview, March 7, 2019.
677. International official, SIGAR interview, October 15, 2018; Mujib Mashal, “Afghan Parliament’s Term is Extended after Squabbles Delay Elections,” *New York Times*, June 19, 2015. The mandate of the Wolesi Jirga members elected in 2010 had expired on June 22, 2015. Ali Adili, “Afghanistan Election Conundrum (6): Another New Date for Elections,” AAN, April 12, 2018. President Ghani’s term expired on May 22, 2018, and after he exceeded his mandate, 12 of the 18 candidates in the running for the presidency called for him to be removed from office and replaced by an interim administration. Ayesha Tanzeem, “Afghan Candidates Demand Ghani Step Down or Withdraw from Election,” *Voice of America*, May 13, 2019.
678. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13.
679. Aziz Ariaye, former ECC chairman, SIGAR interview, April 9, 2019; former election commissioner, SIGAR interview, July 3, 2019. All 21 are available only in Dari and Pashtu, even on the English language version of the website. ECC, “Decisions,” accessed April 1, 2020.
680. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13.
681. These were Daykundi, Nangarhar, Laghman, Kapisa and Kandahar. ETWA, “Observation Report on Electoral Complaint Process,” n.d., p. 2. The Central Complaints Commission is obligated by the 2019 Election Law to report to the public on its work addressing electoral complaints. Government of Afghanistan, Election Law, Article 31, 2019. In addition, according to ECC procedure, the Central and Provincial Complaints Commissions must release their decisions on electoral complaints and objections, complete with legal rationale, on the ECC website. Government of Afghanistan, Independent Electoral Complaints Commission, “Procedure on Adjudication of Electoral Objections and Complaints,” Articles 32 and 47, July 2019. The ECC and PECCs’ failure to release their decisions is also a violation of the Afghan Constitution. Government of Afghanistan, Constitution, Article 128, 2004.
682. SIGAR analysis of IEC election data compiled by Colin Cookman, May 24, 2019.
683. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
684. International official, SIGAR interview, November 6, 2019; senior election official, SIGAR interview, March 2, 2020.

685. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
686. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
687. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
688. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020; senior election official, SIGAR interview, March 2, 2020.
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690. Local Partnership for Legitimacy through Democracy, “LPLD Asks IEC and ECC for Full Reporting of Ballots,” press release, February 23, 2020.
691. Senior election official, SIGAR interview, March 2, 2020.
692. USAID, email to SIGAR, August 21, 2020.
693. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
694. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
695. Senior election official, SIGAR interview, March 2, 2020.
696. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
697. ECC, “Decisions,” accessed April 1, 2020.
698. Senior elections advisor, email to SIGAR, October 18, 2019.
699. Shinkai Karokhel, Member of Parliament from Kabul, SIGAR interview, April 10, 2019; Razia Saadat, Member of Parliament from Paktiya, SIGAR interview, April 17, 2019; Zakia Wardak, unsuccessful candidate for Parliament from Kabul, SIGAR interview, April 18, 2019; Dewa Niazi, unsuccessful candidate for Parliament from Nangarhar, SIGAR interview, April 24, 2019; group of unsuccessful candidates for Parliament, SIGAR meeting notes, May 6, 2019; Hilla Mujtaba, unsuccessful candidate for Parliament from Paktika, SIGAR interview, July 9, 2019; Malalai Ishaqzai, Member of Parliament from Kandahar, SIGAR interview, July 19, 2019; Mariam Sama, Member of Parliament from Kabul, SIGAR interview, July 24, 2019; Mirwais Pasoon, unsuccessful candidate for Parliament from Helmand, SIGAR interview, July 30, 2019; Hadia Hamid, SIGAR interview, unsuccessful candidate for Parliament from Helmand, July 31, 2019; Sohaila Sahar, unsuccessful candidate for Parliament from Kabul, SIGAR interview, August 9, 2019.
700. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, prepared under contract for USAID, January 2015, p. 30.
701. IECC, “IECC Report: Internal IECC Staff Lessons Learned Exercise, 29 May, 2014, Kabul Star, Afghanistan,” May 29, 2014, p. 4. Likewise, USAID’s Office of Inspector General criticized the lack of transparency regarding election dispute resolution, as well as decisions on candidate disqualification for ties to armed groups and about polling center locations in 2014. USAID Office of Inspector General, “Review of USAID/ Afghanistan’s Electoral Assistance Program (Report No. F-306-14-001-S),” memorandum to USAID/ Afghanistan Mission Director William Hammink, February 6, 2014, pp. 9–10.
702. Martine van Bijlert, SIGAR interview, March 7, 2019.
703. Independent Electoral Complaints Commission, “Decisions,” accessed April 1, 2020. The announcement of the ECC’s decision to invalidate all votes in Kabul was a notable exception, as it contained greater detail than was included in any of their Dari decisions. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 13.
704. Martine van Bijlert, “Untangling Afghanistan’s 2010 Election: Analyzing the Electoral Data,” AAN, February 2011, p. 15.
705. IECC, “IECC Report: Internal IECC Staff Lessons Learned Exercise, 29 May, 2014, Kabul Star, Afghanistan,” May 29, 2014, pp. 5–6. PECC decisions in 2010 also often lacked an explanation of their legal basis. Ghizaal Haress, *Adjudicating Election Complaints: Afghanistan and the Perils of Unconstitutionality*, AREU, March 2014, p. 18.
706. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, prepared under contract for USAID, January 2015, p. 30.
707. Martine van Bijlert, SIGAR interview, March 7, 2019.
708. USAID, “NTF—Election Support Group (Working Level),” meeting notes, November 14, 2018; USAID, email to SIGAR, August 21, 2020.
709. Ali Adili, “Results of Afghanistan’s 2018 Parliamentary Elections: A New but Incomplete Wolesi Jirga,” AAN, May 17, 2019.
710. Martine van Bijlert, “What to Watch in the Elections (4): The Count, the Complaints, and the Result,” AAN, April 1, 2014.

711. Allegations have been made in previous elections that the counting process was intentionally slowed to permit more time for ballot stuffing. Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 18; Borhan Osman, “Elections 2014 (8): Kandahar, a Centre-Districts Divide and the Weakening of the Tribal Factor,” AAN, April 11, 2014. At least some partial results were released in 2014. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 31.
712. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 25.
713. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, pp. 13, 25; Syed Langari, “IEC Announces Kabul Election Results Amid Growing Pressure,” *Tolo News*, January 14, 2019.
714. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 31.
715. Election official, SIGAR interview, February 25, 2020.
716. Afghan election stakeholder, SIGAR interview, March 14, 2020; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
717. Senior elections advisor, SIGAR interview, June 19, 2019.
718. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; Shahm Mahmood Miakhel, former SERC member, SIGAR interview, January 21, 2019; Ahmad Shah Zamanzai, IEC chief electoral officer in 2018, SIGAR interview, January 24, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
719. USAID, “NTF—Election Support Group (Working Level),” meeting notes, November 14, 2018; Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019. UNESP supported the development of an electronic case management system prior to the 2018 parliamentary elections, but a decision was made just weeks before election day that it would not be used by the PECCs. It is not clear on what grounds this decision was made. UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 13.
720. Walid Ahkbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
721. Ghizaal Haress, *Adjudicating Electoral Complaints: Afghanistan and the Perils of Unconstitutionalism*, AREU, p. 17.
722. Election official, SIGAR interview, February 25, 2020; Afghan election stakeholder, SIGAR interview, March 14, 2020.
723. TEFA, “TEFA’s Press Release on the Final Results of the 2019 Election,” press release, February 19, 2020.
724. International official, SIGAR interview, November 6, 2019.
725. Razia Saadat, Member of Parliament from Paktiya, SIGAR interview, April 17, 2019; Zakia Wardak, unsuccessful candidate for Parliament candidate from Kabul, SIGAR interview, April 18, 2019.
726. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 23; Razia Sadaat, Member of Parliament from Paktiya, SIGAR interview, April 17, 2019; Zakia Wardak, unsuccessful candidate for Parliament from Kabul, SIGAR interview, April 18, 2019; Dewa Niazi, unsuccessful candidate for Parliament from Nangarhar, SIGAR interview, April 24, 2019; coalition of unsuccessful 2018 Wolesi Jirga candidates from Kabul, SIGAR meeting, May 6, 2019; Hilla Mujtaba, unsuccessful candidate for Parliament from Paktika, SIGAR interview, July 9, 2019; unsuccessful Wolesi Jirga candidate, SIGAR interview, July 12, 2019; Basharmal Afghanwrwr, unsuccessful for Parliament candidate from Nangarhar, SIGAR interview, July 22, 2019; Shogoofoa Noorzai, Member of Parliament from Helmand, SIGAR interview, July 26, 2019; Hadia Hamid, unsuccessful candidate for Parliament from Helmand, SIGAR interview, July 31, 2019; Sohaila Sarhar, unsuccessful candidate for Parliament from Kabul, SIGAR interview, August 9, 2019.
727. Former election official, SIGAR interview, July 25, 2019; Basharmal Afghanwrwr, unsuccessful candidate for Parliament from Nangarhar, SIGAR interview, July 22, 2019; Ali Akbar Jamshidi, Member of Parliament from Daykundi, SIGAR interview, April 10, 2019.
728. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 24. Another candidate cited \$600,000 as the amount he was asked to pay to have the IEC rule in his favor. Dawood Tapan, unsuccessful candidate for Parliament for Paktiya, SIGAR interview, April 16, 2019. Other sources cite different, and sometimes lower, numbers for buying off EMB commissioners, but they are always in the hundreds of thousands. Daily Mandegar, “USD 200,000 Was the Price of a Parliamentary Seat: MP Admits Corruption in Last Year’s Elections,” *Daily Mandegar*, July 15, 2019; Dan Xin Huang, “The American Candidate,” *Pacific Standard*, April 25, 2019; former election official, SIGAR interview, July 30, 2019.
729. Dawood Tapan, unsuccessful candidate for Parliament for Paktiya, SIGAR interview, April 16, 2019; international official, SIGAR interview, September 6, 2018.
730. International official, SIGAR interview, September 6, 2018.
731. Unsuccessful candidate for Parliament, SIGAR interview, July 12, 2019.
732. Hilla Mujtaba, unsuccessful candidate for Parliament from Paktika, SIGAR interview, July 2019.

733. Zakia Wardak, unsuccessful candidate for parliament from Kabul, SIGAR interview, April 18, 2019. Another candidate similarly described her expectation that she needed to pay a bribe to “keep [her] votes safe.” Najiba Fayeze Helmandi, unsuccessful candidate for Parliament from Helmand, SIGAR interview, July 1, 2019.
734. Daily Mandegar, “USD 200,000 Was the Price of a Parliamentary Seat: MP Admits Corruption in Last Year’s Elections,” July 15, 2019.
735. Mujib Mashal, “Afghanistan’s Cycle of Corruption,” *Daily Beast*, May 16, 2013.
736. International official, SIGAR interview, January 22, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
737. Jelena Bjelica and Rohullah Soroush, “Lost in Procedure: How a Corruption Case in the Afghan Parliament Was (Not) Dealt with,” AAN, January 4, 2018.
738. Mujib Mashal, “Afghanistan’s Cycle of Corruption,” *Daily Beast*, May 16, 2013.
739. Government of Afghanistan, Constitution, Article 102, 2004.
740. UNAMA, *Afghanistan’s Fight against Corruption: Groundwork for Peace and Prosperity*, May 2019, pp. 5, 64.
741. Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019; Shinkai Karokhel, Member of Parliament from Kabul, SIGAR interview, April 10, 2019.
742. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019. TEFA has also alleged that the IEC intentionally made the recount process non-transparent in order to conceal fraud. TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 16.
743. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 4.
744. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
745. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 3.
746. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 3.
747. Shinkai Karokhel, Member of Parliament from Kabul, SIGAR interview, April 10, 2019; coalition of unsuccessful 2018 candidates for Parliament from Kabul, SIGAR interview, May 6, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; Shogoofa Noorzai, Member of Parliament from Helmand, SIGAR interview, July 26, 2019.
748. Election results sheets and analysis provided by Zakia Wardak, April 18, 2019; international official, SIGAR interview, March 6, 2019. One candidate even reported that the provincial IEC was reporting different preliminary results than the national body. Dewa Niazi, unsuccessful candidate for Parliament from Kabul, SIGAR interview, April 24, 2019.
749. Election results sheets and analysis provided by Zakia Wardak, April 18, 2019.
750. Election results sheets and analysis provided by Zakia Wardak, April 18, 2019.
751. Stakeholders told SIGAR that results sheets and/or ballots were disappeared both during recounts and between counting at the polling center level and the release of the preliminary results. Shinkai Karokhel, Member of Parliament from Kabul, SIGAR interview, April 10, 2019; coalition of unsuccessful 2018 candidates for parliament from Kabul, SIGAR interview, May 6, 2019. The number of missing ballots in Kabul Province was particularly high. Although the percentage varies according to different reports, it was as much as 30 percent. Ali Adili, “Results of Afghanistan’s 2018 Parliamentary Elections: A New but Incomplete Wolesi Jirga,” AAN, May 17, 2019; coalition of unsuccessful candidates for Parliament from Kabul, SIGAR interview, May 6, 2019.
752. Shahmahmood Miakhel, former SERC member, SIGAR interview, January 21, 2019; Martine van Bijlert, SIGAR interview, March 7, 2019; Aziz Ariaye, former chairman of the ECC, SIGAR interview, April 18, 2019; Humaira Haqmal, former deputy chair of the ECC, SIGAR interview, May 1, 2019.
753. UNDP, *United Nations Electoral Support Program (UNESP): Monthly Electoral Update*, February 2019, p. 10; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
754. Coalition of unsuccessful candidates for Parliament from Kabul, SIGAR interview, May 6, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
755. Ali Adili, “Results of Afghanistan’s 2018 Parliamentary Elections: A New but Incomplete Wolesi Jirga,” AAN, May 17, 2019.
756. The acting head of field operations for Kabul Province, Obaidullah Niazi, was also fired for alleged fraud. Ali Adili, “Results of Afghanistan’s 2018 Parliamentary Elections: A New but Incomplete Wolesi Jirga,” AAN, May 17, 2019.
757. Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019. For in-depth coverage of the mess that was the Kabul Province election in 2018, including the firing of the entire provincial IEC office, see Ali Adili, “Results of Afghanistan’s 2018 Parliamentary Elections: A New but Incomplete Wolesi Jirga,” AAN, May 17, 2019.
758. SIGAR analysis of IEC election data compiled by Colin Cookman, May 24, 2019.
759. Government of Afghanistan, Independent Electoral Complaints Commission, “Meeting Minutes and Commission Approvals: Agenda: Assessment of Baglan Province’s Case Appeals,” serial no. 555/5, April 25,

- 2019; Government of Afghanistan, Independent Electoral Complaints Commission, “Meeting Minutes and Commission Approvals: Agenda: Assessment of Kunduz Province’s Case Appeals,” serial no. 5558, April 25, 2019; Government of Afghanistan, Independent Electoral Complaints Commission, “Meeting Minutes and Commission Approvals: Agenda: Assessment of Baghlan Province’s Case Appeals,” serial no. 5559, April 25, 2019; Government of Afghanistan, Independent Electoral Complaints Commission, “Meeting Minutes and Commission Approvals: Agenda: Assessment of Baghlan Province’s Case Appeals,” serial no. 5511, April 25, 2019.
760. Former election official, SIGAR interview, July 25, 2019; election official, SIGAR interview, September 11, 2019; election official, SIGAR interview, August 6, 2019; election official, SIGAR interview, September 12, 2019.
761. Election official, SIGAR interview, February 25, 2020; senior election official, SIGAR interview, March 2, 2020.
762. Senior election official, SIGAR interview, March 2, 2020.
763. Afghan election stakeholder, SIGAR interview, March 14, 2020.
764. Thomas Ruttig of AAN called this small number of invalidated votes “extraordinary.” Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results. . . and Parallel Governments?,” AAN, February 19, 2020; Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, United States Institute of Peace, August 2020, p. 24.
765. Reportedly, “Over 80,000 Votes Would be Invalidated if Recount, Audit, Conducted Well: IECC,” February 24, 2020.
766. TEFA, “TEFA’s Press Release on the Final Results of the 2019 Election,” press release, February 19, 2020; election official, SIGAR interview, February 25, 2020.
767. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 32.
768. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 31.
769. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 29.
770. Shinkai Karokhel, Member of Parliament from Kabul, SIGAR interview, April 10, 2019; Razia Saadat, Member of Parliament from Paktya, SIGAR interview, April 17, 2019; TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 16; Ghizaa Haress, *Adjudicating Electoral Complaints: Afghanistan: The Perils of Unconstitutionality*, AREU, March 2014, p. 17; Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, prepared under contract for USAID, January 2015, p. 24.
771. ETWA, “Observation Report on Electoral Complaint Process,” n.d., p. 2; Government of Afghanistan, Election Law, Article 31, 2019; Government of Afghanistan, Independent Electoral Complaints Commission, “Procedure on Adjudication of Electoral Objections and Complaints,” Articles 32 and 47, July 2019.
772. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 32.
773. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 24.
774. Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
775. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
776. ETWA, “Observation Report on Recounting Process,” 2018, p. 3; TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 13.
777. TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 16. Likewise an unsuccessful candidate from Kabul claimed that more than ten of her observers witnessed fraud first hand during the recount for that province. Zakia Wardak, unsuccessful candidate for Parliament from Kabul, SIGAR interview, April 18, 2019.
778. TEFA, “Final Narrative Report on 2018 Election Observation,” n.d., electronic p. 16.
779. UN Department of Political and Peacebuilding Affairs, Electoral Assistance Division, “Elections and Technology: Key Considerations,” draft report, n.d., pp. 1–3. According to a report by International IDEA, approximately 35 percent of the electoral management bodies it surveyed in 2016 captured biometric data as part of their voter registration process, and utilization rates were higher in Latin America and Africa. The same study found that biometric voter verification, in which a voter’s data is compared in a one-to-all comparison against that of other voters on Election Day, was utilized by just 9 percent of EMBs surveyed. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, pp. 5–6. One-to-one comparisons of biometric data collected on election day to data collected from that voter during registration are rarer still. For example, a report by the Center for Global Development about the use of election technology in Africa found that only three African countries had used, or attempted to use, this approach: Ghana in 2012, Kenya in 2013, and Nigeria in 2015. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?*, Center for Global Development, August 2016, p. 1. Electronic voting is rare on any continent. As of 2018 only fourteen countries had implemented electronic voting, and of these, four had already abandoned it. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 155.

780. ACE Project, “Biometric Voter Registration and Voter Identification,” March 19, 2014, accessed September 11, 2020.
781. Ali Adili, “Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn a Host of New Problems,” AAN, October 19, 2018, p. 3. Although the process utilized in Afghanistan in 2018 was referred to as BVV, some literature on election technology refers to this one-to-many approach as biometric voter identification, defining BVV more specifically as a one-to-one comparison of biometric information collected from voters on election day against biometric data previously collected during registration. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, pp. 1–2.
782. The two main types of electronic voting machines are Direct Recording Electronic machines and ballot scanners. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 25.
783. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 3.
784. Martine van Bijlert and Jelena Bjelica, “The Troubled History of the E-Tazkera (Part 1): Political Upheaval,” AAN, January 25, 2016; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow: Phase II (2012–2015): 2013 Annual Project Progress Report*, 2013, p. 34.
785. For example, cost estimates for the planned 2010–2013 rollout of the e-tazkera were between \$101 and \$122 million. Bahara Hussein, “E-Tazkera: Evolution, Opportunities, and Challenges,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 36. In addition, Kenya’s 2017 election, which utilized biometric voter verification and electronic results transmission, is thought to have been the most expensive in the history of the world at about \$25 per voter. In contrast, elections in Uganda, where little technology is used, cost \$4 per voter. Nanjala Nayabola, “What Kenyan Voters Got for the \$500M Spent on Elections,” *Al Jazeera*, August 18, 2017; Nic Cheeseman, Gabrielle Lynch, and Justin Willis, “Digital Dilemmas: Democratization: The Unintended Consequences of Election Technology,” *Democratization*, vol. 25, no. 8 (2018).
786. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July, 26, 2018, p. 1; senior elections advisor, SIGAR interview, June 19, 2019. For example, the extremely last minute adoption of BVV in the 2018 election took attention away from the implementation of the polling center-based voter register in the critical last few weeks before the election. Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and a Debate about Technology,” AAN, November 28, 2017.
787. Senior elections advisor, SIGAR interview, October 23, 2019; senior elections advisor, SIGAR interview, June 19, 2019.
788. Martine van Bijlert, SIGAR interview, March 7, 2019; international official, SIGAR interview, January 22, 2019. The fact that election observers lack sufficient technical expertise to detect digital election manipulation is a common problem around the world. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 231–232.
789. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, pp. 15–16; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020. Specifically in the 2019 election, BVV displaced efforts to fix the election from ballot stuffing to the process of separating valid ballots from invalid ones. Ali Adili, “Afghanistan’s 2019 Election (4): Disputed Recount, Threats not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
790. USAID official, SIGAR interview, October 26, 2018; Africa Confidential, “Technology against Tricksters,” *Africa Confidential*, vol. 57, no. 18 (2016). An internal USAID memo found that any “basis for the extensive claim of fraud control using [electronic voting systems] remains non-existent.” It also finds that “when the system is networked and centralised, the chances of internal fraud could increase greatly.” USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016.
791. USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016.
792. Africa Confidential, “Technology against Tricksters,” *Africa Confidential*, vol. 57, no. 18 (2016).
793. Ali Adili, “Afghanistan’s 2019 Election (24): Disputed Recount, Threats not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
794. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
795. Senior elections advisor, SIGAR interview, August 17, 2018.
796. International official, SIGAR interview, October 15, 2018; USAID official, SIGAR interview, October 26, 2018.
797. State official, SIGAR interview, March 5, 2019; international official, SIGAR interview, October 15, 2018.
798. According to an international official, the study’s name reflects the enormous pressure that its authors were working under: it was called a “feasibility study.” He said that it was clear that the experts who formed the study panel were in agreement that none of the proposed approaches made sense in Afghanistan; none of them were *advisable*. However, this conclusion was unacceptable to President Ghani, and so the experts were asked to consider whether the elections technologies were *feasible*. International official, SIGAR interview, October 15, 2018.

799. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, pp. 2–3; international official, SIGAR interview, October 15, 2018.
800. Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and a Debate about Technology,” AAN, November 28, 2017.
801. International official, SIGAR interview, September 6, 2018; Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and a Debate about Technology,” AAN, November 28, 2017.
802. EU, “Action Document for Supporting Elections in Afghanistan,” Annex 4 of the Commission Implementing Decision on the financing of the annual action program, May 2, 2018, p. 3.
803. International official, SIGAR interview, January 22, 2019.
804. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 2. Ali Adili told SIGAR that knowledge of biometrics amongst the Afghan political class was mostly based on marketing by the companies pitching it, rather than a thorough understanding of the technology. Ali Adili, SIGAR interview, September 18, 2018. Likewise, another Western donor official told SIGAR, unprompted, that political party leaders supported BVV because “they are ignorant about how it works.” Western donor official, SIGAR interview, January 26, 2019.
805. Government of Afghanistan, Election Law, Article 19, 2019.
806. UN General Assembly Secretary General, “The Situation in Afghanistan and its Implications for International Peace and Security: Report of the Secretary-General,” A/73/902–S/2019/493, June 14, 2019, p. 2.
807. Jelena Bjelica and Ali Adili, “The E-Tazkera Rift: Yet Another Political Crisis Looming?,” AAN, February 22, 2018.
808. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?* Center for Global Development, August 2016, p. 16.
809. USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016. In the absence of a nationwide network across which data could have been transmitted to check for duplicates across the entire country in real time, the BVV devices used in the 2018 election could only identify duplicates on a single device, and retroactively invalidating duplicate votes by the same person proved impossible. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019.
810. International official, SIGAR interview, October 15, 2018; IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 3.
811. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 7.
812. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?* Center for Global Development, August 2016, p. 16.
813. For example, Pakistan has experienced three peaceful political transitions in recent years. Nation, “Third Consecutive Democratic Transition in Pakistan,” August 13, 2018.
814. International official, SIGAR interview, October 15, 2018.
815. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?* Center for Global Development, August 2016, p. 20.
816. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, pp. 15–16; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020; Shogoofoa Noorzai, Afghan Parliamentarian from Helmand, SIGAR interview, July 26, 2019; Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; Fazal Muzhary, “Afghanistan’s 2019 Election (25): Contradictory Figures and Low Turnout in Kandahar,” AAN, November 27, 2019. In 2013 IFES found that ballot stuffing was the main fraud vulnerability in Afghan elections. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 25. Specifically in the 2019 election, BVV displaced efforts to fix the election from ballot stuffing to the process of separating valid ballots from invalid ones. Ali Adili, “Afghanistan’s 2019 Election (4): Disputed Recount, Threats not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
817. Fraud during EDR had been a problem in previous elections, but it was not the main problem until 2018, although Martine van Bijlert argued to SIGAR that its significance may have been underestimated in the past. Martine van Bijlert, “Who Controls the Vote?: Afghanistan’s Evolving Elections,” AAN, May 2010; Martine van Bijlert, SIGAR interview, March 7, 2019.
818. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; AAN Team, “Thematic Dossier (XXI): The Aftermath of the 2018 Afghan Parliamentary Elections,” AAN, December 21, 2018; Ali Adili, “Afghanistan’s 2019 Elections (27): The Preliminary Result, Finally, but not End to Controversy,” AAN, December 22, 2019.
819. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 131–132.
820. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 236.
821. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; USAID implementing partner, SIGAR interview, November 13, 2019; international official, SIGAR interview, November 6, 2019; CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract with USAID, June 2019, electronic p. 2.

822. USAID implementing partner, SIGAR interview, November 13, 2019.
823. USAID, email to SIGAR, March 10, 2020.
824. The IEC's efforts to consult with political parties and presidential campaigns prior to the 2019 election were mere formalities that accomplished little of substance. UNDP, "Readout—Independent Election Commission Meeting with Political Parties and Presidential Candidates on Technology," April 15, 2019.
825. Senior elections advisor, email to SIGAR, October 18, 2019.
826. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 236.
827. Africa Continental, "Technology against Tricksters," *Africa Confidential*, vol. 57, no. 18 (2016).
828. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Shahmahmood Miakhel, former member of the SERC, SIGAR interview, January 21, 2019; Shinkai Zahin Karokhel, Afghan Parliamentarian from Kabul, SIGAR interview, April 10, 2019; Hilla Mujtaba, SIGAR interview, unsuccessful parliamentary candidate from Paktika, July 9, 2019; Zakia Wardak, unsuccessful parliamentary candidate from Kabul, SIGAR interview, April 18, 2019.
829. Democracy International, *Afghanistan Election Observation Mission 2014: Final Report*, prepared under contract for USAID, January 2015, pp. 3–4.
830. Oxford Analytica, "Africa: Election Fraud Will Persist Despite Innovation," October 14, 2016.
831. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract with USAID, June 2019, p. 4.
832. Nic Cheeseman, Gabrielle Lynch, and Justin Willis, "Digital Dilemmas: Democratization: The Unintended Consequences of Election Technology," *Democratization*, vol. 25, no. 8 (2018).
833. As a best practice and according to UN guidance, election technology should be introduced gradually and be characterized by early, on-going, and transparent consultation with stakeholders. UN Department of Political and Peacebuilding Affairs, Electoral Assistance Division, "Elections and Technology: Key Considerations," draft report, n.d., p.2; IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 9, footnote 1. Likewise, a joint statement by the Afghan government and donors on the use of technology in elections reiterated the central importance of thorough and inclusive consultations. UNAMA, "Government and International Community Joint Messages on Elections," draft, April 2, 2017.
834. According to CGD donors should also insist on "a timeframe that permits reasonable testing, training, public information, and deployment." Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?* Center for Global Development, August 2016, pp. 19–20.
835. Michael Yard, "Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019," IFES, prepared under contract with USAID, May 8, 2019, p. 4.
836. Michael Yard, "Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019," IFES, prepared under contract with USAID, May 8, 2019, p. 11.
837. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, pp. 22–23.
838. Hamdullah Mohib, Sahid Zazai, and Israr Karimzai, "E-Tazkira Project Technical Review," June 2015, pp. 3, 5.
839. UNDP, *Analysis of Current Biometric Voter Verification (BVV) System*, UNESP Project, December 25, 2018, pp. 9, 11–12.
840. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?*, Center for Global Development, August 2016, p. 1.
841. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 17.
842. In fact, BVR based on iris scans was the first technological approach to elections that President Ghani first proposed in 2003. Scott Seward Smith, "Elections and Democratization" in *State Strengthening in Afghanistan: Lessons Learned, 2001–14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, p. 40, and footnote 42 on p. 49. A voter registration pilot exercise using facial recognition technology and iris scanning was conducted between 2006 and 2008. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, p. 20. However, it was unsuccessful. For example, the facial recognition pilot ran into problems caused by the prevalence of "burkas and beards" in Afghanistan, resulting in high failure rates. Senior elections advisor, SIGAR interview, September 26, 2018. Indeed, one of the challenges of using biometric data to register, identify, or verify voters in Afghanistan is the cultural sensitivity to women showing their faces in public. The IEC feasibility study noted that, while it degrades the quality of the biometric database, consideration should be given to allowing women the option not to have their photograph taken, in order to avoid mass disenfranchisement. Photographs have generally been optional for women registering to vote in Afghanistan for this reason. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 17; OSCE, *Islamic Republic of Afghanistan: Presidential and Provincial Council Elections*, OSCE/ODIHR Election Support Team report, August 20, 2009, electronic p. 21; Ali Adili, "Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn a Host of New Problems," AAN, October 19, 2018. Finally, facial recognition technology requires high-quality photographs taken in good lighting conditions and images with a neutral facial expression. Getting such high-quality pictures, especially in a field environment, is very difficult. Similarly, iris scanning requires specific lighting conditions. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 14.

843. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 1.
844. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 5.
845. According to Cheeseman and Klaas in Nigeria “the introduction of BVR, complete with biometric permanent voter cards, is credited with removing as many as 10 million illegitimate registrations from the electoral roll, paving the way for better-quality elections, and, ultimately, facilitating a transfer of power in 2015. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 180. Other countries where the introduction of BVR has improved the credibility of the voter register include Mongolia and Uganda. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, pp. 46–47, 57. However, logistical challenges, time constraints, and the use of sub-standard technology have contributed to a failure to effectively deduplicate biometric voter registries in other countries. Alan Gelb and Julia Clark, *Identification for Development: The Biometrics Revolution*, Center for Global Development, January 2013, pp. 31–32.
846. For example, the 2008 election in Somaliland and 2011 election in the Democratic Republic of the Congo. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 236.
847. In addition to the fact that deduplication did not occur, this voter registration exercise produced a new and distinct voter registration database that was not merged with the existing database. Therefore, while it had previously been possible to check tazkera serial numbers against the register, it was no longer possible during the 2009 elections. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 6. Along similar lines, lack of interoperability between the voter register that the IEC created from scratch in 2018 and the ACCRA tazkera database prevented the voter registry from being cross-verified against the tazkera database to confirm the validity of the national IDs used for registration and identify duplicate registrations based on the same ID. Senior elections advisor, email to SIGAR, November 20, 2018.
848. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 91.
849. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 91.
850. SIGAR, *Lessons Learned in Preparing and Conducting Elections*, SIGAR 10-16-AR, September 9, 2010, p. 7.
851. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic pp. 90, 92.
852. UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 90.
853. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 8.
854. Gavin Weise, *UN Electoral Support Project (UNESP): Mid-Term Review*, July 2019, p. 4.
855. “A typical timeline would be a) six or more months for procurement, tendering, vendor selection, and contracting. As these initial steps often take longer than planned, ample time buffers are recommended; b) two to four months for the production and delivery of equipment, testing, and deployment; c) one to six months for the field registration process (obviously, increasing the number of registration kits will speed up the registration process, but this will also increase related costs); d) two to three months for data processing, deduplication, and establishing and displaying preliminary voter lists, and adjudication of appeals; e) two to three months for printing voter ID cards, and printing and distributing voter lists, finishing about one month before the election.” International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 27.
856. Senior elections advisor, SIGAR interview, October 23, 2019.
857. UN General Assembly Secretary General, “The Situation in Afghanistan and its Implications for International Peace and Security: Report of the Secretary-General,” A/73/902–S/2019/493, June 14, 2019, p. 2; UNDP, *UN Electoral Support Project (UNESP): 2019 Second Quarterly Progress Report*, June 30, 2019, p. 2.
858. A study of 160 cases in 73 countries in which biometric technology was adopted for identification purposes found that “using biometrics for periodic voter registration in very difficult environments may impose more cost than benefits.” Alan Gelb and Julia Clark, *Identification for Development: The Biometrics Revolution*, Center for Global Development, January 2013, pp. 4, 19.
859. For example, it took the Pakistani government 20 years to refine its civil registry sufficiently that it could be used as the basis for its voter registry. Senior elections advisor, SIGAR interview, October 23, 2019.
860. Senior elections advisor, SIGAR interview, October 23, 2019.
861. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 6.
862. International IDEA recommends that BVR be rolled-out over an 18–24 month process, of which it recommends 1–6 months for the registration itself. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 27. Shorter timeframes make the use of biometrics on election day more costly than BVR, because large-scale registration exercises conducted on a rolling basis can be accomplished

- with a relatively low equipment/citizen ratio. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?*, Center for Global Development, August 2016, p. 32.
863. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 2. According to Africa Confidential, “The use of voter verification kits on polling day has failed more times than it has succeeded.” Africa Continental, “Technology against Tricksters,” *Africa Confidential*, vol. 57, no. 18 (2016).
864. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 6.
865. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?*, Center for Global Development, August 2016, p. 15.
866. Alan Gelb and Anna Diofasi, *Biometric Elections in Poor Countries: Wasteful or a Worthwhile Investment?*, Center for Global Development, August 2016, p. 15. Although the process utilized in Afghanistan in 2018 was referred to as BVV, literature on election technology sometimes refers to a one-to-many approach as biometric voter identification, defining BVV, in contrast, as conducting a one-to-one comparison of biometric information collected from voters on election day against data previously collected during registration. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, pp. 1–2.
867. UN General Assembly Secretary General, “Report to the General Assembly on the Situation in Afghanistan and its Implications for International Peace and Security: Report of the Secretary-General,” September 10, 2018, p. 3. 21 parties first coalesced around a demand for a change in the electoral system in February 2018, to which a demand for BVR was later added. The number of parties participating in these demands reportedly eventually increased to 35. Ali Adili, “Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn a Host of New Problems,” AAN, October 19, 2018. This coalition included major parties such as Jamiat-e Islami, which is predominantly Tajik, predominantly Pashtun Hezb-e Islami (both factions), mainly Uzbek Jombesh-e Melli Islami and two major factions of the Hazara-dominated Hezb-e Wahdat. Ali Adili, “Afghanistan Election Conundrum (5): A Late Demand to Change the Electoral System,” AAN, March 8, 2018. Delays threatened to push the elections into the spring, because delaying the elections any later in the fall would have limited accessibility to many parts of the country due to weather conditions. Reuters, “Afghanistan Pledges October Date for Parliamentary Election,” April 1, 2018.
868. USAID, “Election Support Group—Working-level Meeting Notes,” August 29, 2018; Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019.
869. Ali Adili, “Afghanistan Election Conundrum (21): Biometric Verification Likely to Spawn Host of New Problems,” AAN, October 19, 2018; UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, November 2018, p. 5. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, pp. 9–10. In addition to photographs of voters’ faces and fingerprint scans, photos were taken of their tazkeras and voter registration stickers. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, October 2018, p. 8.
870. Scott Worden, “Afghanistan Election Conundrum (13): New Voter Registry Too Good to be True,” AAN, August 28, 2019. The polling center-based voter registry was first mandated by the 2016 Election Law. Ali Adili and Thomas Ruttig, “The Afghanistan Election Conundrum (8): Controversies over Voter Registration,” AAN, May 27, 2018. Government of Afghanistan, Election Law, issue no. 1226, Article 6, September 25, 2016.
871. The SERC recommended that a national voter registry, the first true registry the country had ever had, be established and tie voter registration to voters’ tazkeras, as opposed to stand-alone voter registration cards. Ali Adili and Martine van Bijlert, “Pushing the Parliament to Accept a Decree: Another Election without Reform?,” AAN, June 10, 2016.
872. USAID, “NTF—Working Level ESG Meeting,” October 3, 2018.
873. Former senior election official, SIGAR interview, August 6, 2018; USAID, “NTF—Working Level Electoral Support Group,” October 24, 2018.
874. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019; senior election advisor, SIGAR interview, October 23, 2019.
875. TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 28. This estimate is generally consistent with a statement by the IEC Chairman that 20 percent of polling centers had not used BVV. However, the IEC’s Deputy Spokesperson Zabihullah Sadat later claimed that that number was lower and the devices had been used in more than 90 per cent of polling centers. Ali Adili, “Aftershocks of a Procedural Ambiguity: The IEC and ECC Dispute over Which Votes to Validate,” AAN, November 2, 2018. Ironically, even President Ghani and CEO Abdullah were unable to use the BVV devices when they voted. Rod Nordland and Fatima Faizi, “Afghanistan Considers Delaying Presidential Election,” *New York Times*, November 25, 2018.
876. Ali Adili, “Afghanistan Elections Conundrum (21): Biometric Verification Likely to Spawn Host of New Problems,” AAN, October 19, 2018; Ahmad Shah Zamanai, IEC chief election officer, SIGAR interview, January 24, 2019.
877. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2018.
878. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2018.
879. Senior elections advisor, SIGAR interview, October 23, 2019.

880. As a point of comparison, the effort involved would have been akin to the audit conducted after the 2014 election, which was supported by 400 international observers and 200 UN advisors. USAID, “NTF—Working Level ESG Meeting,” October 3, 2018.
881. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019; IEC, “IEC Lessons Learned Workshop,” December 18–20, 2018, electronic p. 7.
882. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 8.
883. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 16.
884. NSIA, “Concept Note: Voters and Votes Statistics Collection Using Technology,” August 2018, p. 5.
885. Ali Adili, “Afghanistan Elections Conundrum (21): Biometric Verification Likely to Spawn a Host of New Problems,” AAN, October 19, 2018.
886. IEC, “Dermalog Will Deliver 4400 Sets of Biometric Machines to IEC,” press release, September 26, 2018. In a letter to the National Procurement Authority as part of its bid on the contract, the company stressed its work on passports in the ASEAN region, and the only election-specific past performance qualifications it mentioned was the provision of a biometric solution for a recent election in the Philippines. Dermalog, “Dermalog’s Shareholder—German Ministry of Finance,” letter to National Procurement Authority, August 28, 2018.
887. Senior elections advisor, email to SIGAR, March 30, 2020. The contract for support to the e-tazkera project had suffered from the same problems with deduplication run outside the country. Hamdullah Mohib, Sahid Zazai, and Israr Karimzai, “E-Tazkera Project Technical Review,” June 2015, p. 7.
888. UNDP, *Analysis of Current Biometric Voter Verification (BVV) System*, UNESP Project, December 25, 2018, p. 22.
889. USAID, email to SIGAR, August 21, 2020.
890. AAN Team, “Afghanistan’s 2019 Elections (13): Observations from Kandahar, Takhar, Wardak, and Balkh,” AAN, October 4, 2019.
891. IEC, “Decision of the Independent Election Commission,” decision no. 98-1398, September 28, 2019.
892. TEFA, *TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election*, n.d., electronic p. 5.
893. This capability had been built into the system to enable poll workers and security personnel ordered to work at polling centers other than the one they had been assigned to vote at to cast their ballots on election day. Sibghatullah Tamim, former legal director of the ECC Electoral Complaints Commission, SIGAR interview, January 21, 2019; USAID implementing partner, SIGAR interview, October 15, 2019.
894. Senior elections advisor, SIGAR interview, October 23, 2019.
895. William Maley, “Afghanistan’s 2019 Election (15): Administrative and Technical Problems in Kabul City,” AAN, October 7, 2019.
896. Senior elections advisor, SIGAR interview, October 23, 2019.
897. Michael Yard, “Technical Assessment on the Implementation of Biometric Technologies for Afghanistan Elections 2019,” IFES, prepared under contract with USAID, May 8, 2019, p. 8.
898. Ali Adili, Jelena Bjelica, and Thomas Ruttig, “Afghanistan’s 2019 Elections (9): Presidential Poll Primer,” AAN, September 25, 2019.
899. The numbers reported by the IEC remain confusing, but it appears that roughly 4 percent of the total votes were invalidated after the IEC determined that they were duplicates. Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary Results,” AAN, February 8, 2020.
900. Ali Adili, “Afghanistan’s 2019 Election (24): Disputed Recount, Threats Not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
901. IEC, “Recount Procedures,” Article 7, p. 4; Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
902. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
903. Ahmad Azizi, “A Technical Insight into Biometric Voting Devices,” *Tolo News*, October 24, 2019.
904. Anisa Shaheed, “Dermalog Reports Over 1.9M Biometric Votes,” *Tolo News*, October 29, 2019.
905. Mujib Mashal, “Afghan Vote Crawls Toward Crisis, With No Results After 2 Months,” *New York Times*, November 22, 2019; Ali Adili, “Afghanistan’s 2019 Election (24): Disputed Recount, Threats Not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
906. USAID, email to SIGAR, August 21, 2020.
907. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 31.
908. Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 29.
909. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020; Ali Adili, “Afghanistan’s 2019 Elections (29): A Statistical Overview of the Preliminary

- Results,” AAN, February 8, 2020; Colin Cookman, *Assessing Afghanistan’s 2019 Presidential Election*, U.S. Institute of Peace, report no. 166, August 2020, p. 24.
910. ACE Project, “Country Experience with Electronic Voting,” August 1, 2013, accessed December 10, 2019.
911. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 155; UN Department of Political and Peacebuilding Affairs, Electoral Assistance Division, “Elections and Technology: Key Considerations,” draft report, n.d., p. 3. Other sources provide different numbers of countries that have implemented electronic voting. ACE: The Electoral Knowledge Network claims that 31 countries use or have used electronic voting, but many of these have used it only in certain regions or have only launched pilot exercises, which likely accounts for the numeric discrepancy. ACE Project, “Country Experience with Electronic Voting,” August 1, 2013, accessed December 10, 2019.
912. According to the IEC-commissioned feasibility study, all of the seven countries that had recently successfully implemented electronic voting have taken at least several years, but more often decades, to do. These countries are Brazil, India, Kyrgyzstan, Mongolia, Namibia, the Philippines, and Venezuela. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 28.
913. USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016.
914. This finding was made specifically with regards to one type of electronic voting: direct recording electronic voting machines. The cost of optical mark reader machines, which have also been proposed in Afghanistan, or other types of electronic voting was not explored in the study. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, pp. 4, 32; Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019.
915. Manual recounts and audits of electronically tallied results are common in countries where trust in elections is low. For example, in Venezuela, which uses electronic voting, the percentage of ballots covered by the manual recount has increased steadily over time until 100 percent of ballots are now covered. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 27.
916. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 34. These arguments did not convince President Ghani, however, who reportedly rejected the entire feasibility study based on its failure to recommend electronic voting. International official, SIGAR interview, October 15, 2018.
917. International official, SIGAR interview, October 15, 2018.
918. USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016.
919. Abdullah Ahmadzai, SIGAR interview, February 26, 2019; Ali Adili, “The Results of Afghanistan’s 2018 Parliamentary Elections: A New, But Incomplete Wolesi Jirga,” AAN, May 17, 2019; Mujib Mashal, Fatima Faizi, and Najim Rahim, “Ghani Takes Oath of Afghan President, his Rival does, too,” *New York Times*, March 9, 2020.
920. Zmarai Qalamiar, IEC chief of field operations, SIGAR interview, January 24, 2019; Zmarai Qalamiar, email to SIGAR, February 13, 2019.
921. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 29.
922. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July 26, 2018, p. 25; Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 6; Borhan Osman, “Elections 2014 (8): Kandahar, a Centre-Districts Divide and the Weakening of the Tribal Factor,” AAN, April 11, 2014; Martine van Bijlert, “What to Watch in the Elections (4): The Count, the Complaints, and the Result,” AAN, April 1, 2014.
923. UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, July 26, 2018, p. 25; UNDP, *Project Document: UN Electoral Support Project, 2017–2019*, August 1, 2019.
924. Michael Callen and James Long, “Institutional Corruption and Election Fraud: Evidence from a Field Experiment in Afghanistan,” *American Economic Review*, vol. 105, no. 1 (2015), p. 355.
925. Ali Adili, Jelena Bjelica, and Thomas Ruttig, “Afghanistan’s 2019 Elections (9): Presidential Poll Primer,” AAN, September 25, 2019.
926. Thomas Gibbons-Neff and Najim Rahim, “To Disrupt Elections, the Taliban Turn to an Old Tactic: Destroying Cell Towers,” *New York Times*, October 2, 2019; TEFA, *TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election*, n.d., electronic p. 5; Ali Adili, Jelena Bjelica, and Thomas Ruttig, “Afghanistan’s 2019 Elections (9): Presidential Poll Primer,” AAN, September 25, 2019.
927. Senior elections official, SIGAR interview, October 25, 2019.
928. IEC, *Feasibility Study for the Introduction of New Technology in Voter Registration and Elections in Afghanistan*, final report, April 17, 2017, p. 3; USAID, “Background Analysis: Feasibility of Electronic Voting System for Next Afghan Elections,” February 19, 2016. The SERC called on the government to explore the use of technology to “accelerate safe data transfer from the polling centres to the IEC headquarters” although only in the “mid-term and long-term.” Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and Debate about Technology,” AAN, November 28 2017, p. 5.

929. Senior elections official, SIGAR interview, October 23, 2019; Ahmad Azizi, “A Technical Insight into Biometric Voting Devices,” *Tolo News*, October 24, 2019.
930. Senior elections official, SIGAR interview, October 23, 2019; Ahmad Azizi, “A Technical Insight into Biometric Voting Devices,” *Tolo News*, October 24, 2019.
931. Senior elections official, SIGAR interview, October 23.
932. Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
933. Martine van Bijlert, “What to Watch in the Elections (4): The Count, the Complaints, and the Result,” AAN, April 1, 2014.
934. Ali Adili, “Afghanistan’s 2019 Election (24): Disputed Recount, Threats not to Accept Results, and Some Interesting New Data,” AAN, November 21, 2019.
935. USAID official, SIGAR interview, October 26, 2018. The creation of the e-tazkera was heartily endorsed by the 2015 SERC as a means of improving the integrity of the voter register, calling for distribution to start “as soon as possible.” Government of Afghanistan, Special Electoral Reform Commission, “Summary of SERC Reform Recommendations I,” August 30, 2015, p. 2. USAID’s internal after action report on the 2014 election cycle came to the same conclusion. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 27.
936. National Unity Government, “Agreement between the Two Campaign Teams Regarding the Structure of the National Unity Government,” September 21, 2014, electronic p. 1.
937. Wais Payab, deputy minister for e-tazkera, SIGAR interview, February 12, 2019; Hamdullah Mohib, Sahid Zazai, and Israr Karimzai, “E-Tazkera Project Technical Review,” June 2015, p. 4.
938. Only 16 of the 48 civil registry programs studied by a UN body in 2016 collected more than one type of biometric information. International Telecommunication Union, *Review of National Identity Programs: ITU-T Focus Group Digital Financial Services*, May 2016, p. 8.
939. Government of Afghanistan, Election Law, Article 6, 2019.
940. Wais Payab, deputy minister for e-tazkera, SIGAR interview, February 12, 2019; Western donor official, SIGAR interview, January 26, 2019; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow—Phase II (ELECT II)*, revised project document, June 6, 2013, p. 25; Bahara Hussein, “E-Tazkera: Evolution, Opportunities, and Challenges,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 34.
941. USAID, “Considerations for Developing a Polling Centre Based Voter List,” n.d. The collection of biometric data on a national scale is an expensive proposition and there are economies of scale in collecting data once for multiple purposes, including voter registration and the civil registry. International IDEA, *Introducing Biometric Technology in Elections*, June 20, 2017, p. 10.
942. Bahara Hussein, “E-Tazkera: Evolution, Opportunities, and Challenges,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 33; Obaid Ali, “E-Tazkera: Relieving Pre-Election Tension or Adding to the Confusion?,” AAN, January 7, 2013.
943. For example, service improvements experienced in other countries have included improved adherence to treatment of TB patients in India and HIV patients in South Africa and Malawi. Alan Gelb and Julia Clark, *Identification for Development: The Biometrics Revolution*, Center for Global Development, January 2013, p. 20. The deputy minister for e-tazkera told SIGAR that the government eventually hopes to use e-tazkeras as the basis for a number of other government programs, including the registration of SIM cards and pension payments. Wais Payab, SIGAR interview, February 12, 2019.
944. Jelena Bjelica and Martine van Bijlert, “The Troubled History of the E-Tazkera (Part 2): Technical Stumbling Blocks,” AAN, January 26, 2016. The first pilot project to integrate the VR and civil registry was conducted between 2006 and 2007. OSCE, *Islamic Republic of Afghanistan: Parliamentary Elections*, OSCE/ODIHR Election Support Team report, September 18, 2010, electronic p. 20. A contract to issue e-tazkeras was issued in 2010 but ultimately stalled over political controversies, and another pilot was approved in 2015 but never got off the ground. Martine van Bijlert and Jelena Bjelica, “The Troubled History of the E-Tazkera (Part 1): Political Upheaval,” AAN, January 25, 2016.
945. Jelena Bjelica and Martine van Bijlert, “The Troubled History of the E-Tazkera (Part 2): Technical Stumbling Blocks,” AAN, January 26, 2016; UNDP, *Mid-Term Evaluation of the Project: Enhancing Electoral and Legal Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 96. Afghanistan’s anti-corruption body found in 2015 that “the E-Tazkera Authority is plagued by nepotism, discrimination, political interference, and ethnic conflicts.” Independent Joint Anti-Corruption Monitoring and Evaluation Committee, “Vulnerability to Corruption Assessment (VCA) of the Electronic National Identification Cards Authority in the Ministry of Interior Affairs,” October 2015, p. 10.
946. ITV, “Afghan Authorities Distribute 287K Electronic ID Cards in One Year and a Half,” September 22, 2019.
947. Jelena Bjelica and Martine van Bijlert, “The Troubled History of the E-Tazkera (Part 2): Technical Stumbling Blocks,” AAN, January 26, 2016.
948. Wais Payab, deputy minister for e-tazkera, SIGAR interview, February 12, 2019.
949. Samuel Hall and Norwegian Refugee Committee, *Access to Tazkera and Other Civil Documentation in Afghanistan*, August 16, 2016, p. 23.
950. Hamdullah Mohib, Sahid Zazai, and Israr Karimzai, “E-Tazkera Project Technical Review,” June 2015, p. 5.

951. Hamdullah Mohib, Sahid Zazai, and Israr Karimzai, “E-Tazkera Project Technical Review,” June 2015, p. 6.
952. Martine van Bijlert, SIGAR interview, March 7, 2019.
953. Western donor official, SIGAR interview, January 26, 2019; Martine van Bijlert, SIGAR interview, March 7, 2019.
954. Out of this amount, \$102 million was allocated to a contract to purchase electronic equipment and support to set it up, and the rest would have covered distribution and administrative costs. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, “Vulnerability to Corruption Assessment (VCA) of the Electronic National Identification Cards Authority in the Ministry of Interior Affairs,” October 2015, p. 1.
955. Obaid Ali, “E-Tazkera: Relieving Pre-Election Tension or Adding to the Confusion?,” AAN, January 7, 2013.
956. Martine van Bijlert, SIGAR interview, March 7, 2019; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, “Vulnerability to Corruption Assessment (VCA) of the Electronic National Identification Cards Authority in the Ministry of Interior Affairs,” October 2015, p. 1. In January 2018, ACCRA told donors that its budget for purchasing biometric technology for the e-tazkera project was only \$3 million. USAID, “NTF—Working Level Election Support Group meeting,” January 24, 2018.
957. Jelena Bjelica and Ali Adili, “The E-Tazkera Rift: Yet Another Political Crisis Looming?,” AAN, February 22, 2018; international official, SIGAR interview, October 15, 2019. The 2013 Population Registration Act did not list nationality or ethnicity as categories of information to be displayed on the e-tazkera. Martine van Bijlert and Jelena Bjelica, “The Troubled History of the e-Tazkera (Part 1): Political Upheaval,” AAN, January 25, 2016.
958. Martine van Bijlert, SIGAR interview, March 7, 2019. For this reason, a 2015 internal government assessment of the e-tazkera project found that only a third of its staff had been hired through a competitive process and recommended comprehensive HR and hiring reform at the e-tazkera authority. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, “Vulnerability to Corruption Assessment (VCA) of the Electronic National Identification Cards Authority in the Ministry of Interior Affairs,” October 2015, pp. 5–10.
959. SIGAR, *Quarterly Report to the United States Congress*, July 30, 2015, p. 137.
960. Western donor official, email to SIGAR, March 5, 2019; EU, “Action Document for Supporting Elections in Afghanistan,” Annex 4 of the Commission Implementing Decision on the Financing of the Annual Action Program, May 2, 2018, pp. 3–4.
961. Bahara Hussein, “E-Tazkera: Evolution, Opportunities, and Challenges,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), pp. 39–40; Jelena Bjelica and Ali Adili, “The E-Tazkera Rift: Yet Another Political Crisis Looming?,” AAN, February 22, 2018. The process through which the 2013 Population Registration Act was amended remains politically and legally controversial. Library of Congress, “Afghanistan: Distribution of Controversial Electronic Identity Cards Launched,” July 19, 2018, accessed December 12, 2019.
962. There have been protestors on both sides of the issue: In 2015 protestors in Kandahar announced their intention to refuse to apply for e-tazkeras if they did not include “Afghan” as the nationality. Library of Congress, “Afghanistan: Distribution of Controversial Electronic Identity Cards Launched,” July 19, 2018, accessed December 12, 2019.
963. Wais Payab, deputy minister for e-tazkera, SIGAR interview, February 12, 2019; Jelena Bjelica and Ali Adili, “The E-Tazkera Rift: Yet Another Political Crisis Looming?,” AAN, February 22, 2018.
964. State official, U.S. Embassy Kabul, SIGAR interview January 17, 2019.
965. USAID implementing partner, SIGAR interview, April 3, 2019.
966. Senior elections advisor, SIGAR interview, October 23, 2019.
967. Susan Hyde, “Experimenting in Democracy Promotion: International Observers and the 2004 Presidential Elections in Indonesia,” *Perspectives on Politics*, vol. 8, no. 2 (2010), p. 513.
968. Nic Cheeseman and Brian Klaas argue this is common in what they call “counterfeit democracies,” which they define as countries “where elections are held, but they are neither free nor fair.” Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), pp. 2–3, 11–13.
969. Government of Afghanistan, Election Law, Article 19, 2019.
970. For example, in past Afghan elections international observers have been mobilized by NDI, IRI, Democracy International, IFES, the EU, the OSCE, and the Asian Network for Free Elections. Thomas Ruttig, “Under Fire: The Status of 2014 Election Observation,” AAN, April 5, 2014; ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, 2009, p. 8. The EU-funded organization Election Observation and Democracy Support lists previous experience with either the observer’s own domestic electoral process or a UNDP electoral technical assistance mission as desired qualifications. Election Observation and Democracy Support, “Frequently Asked Questions,” accessed December 19, 2019. International observers are typically more experienced than their domestic counterparts. Thomas Carothers, “The Rise of Election Monitoring: The Observers Observed,” *Journal of Democracy*, vol. 8 no. 3 (1997), p. 27.
971. In addition to CSOs, the Afghanistan Independent Human Rights Commission and the Independent Joint Anti-Corruption Monitoring and Evaluation Committee also mobilized observers to oversee the 2018 election. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, October 2018, p. 30.

972. For example, during the 2014 audit of presidential election results, “the process was built on the assumption that the candidate agents would provide the partisan push and pull that would keep the process credible.” NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 95.
973. The IEC also accredits media representatives, but these will not be covered by this report because of space constraints. Government of Afghanistan, Election Law, Article 19, 2019. The wording of the Election Law is vague about the difference between partisan representatives of political parties and independent campaigns versus neutral observers, either international or domestic. However, for the purposes of clarity, this report will use the term “observer” to refer to neutral observers and “agent” to refer to partisan agents.
974. The public issuance of “timely, accurate, and impartial statements” by international election observers is one of the core principles of the discipline. UN Electoral Assistance Division, *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers*, October 27, 2005, p. 3.
975. USAID implementing partner, SIGAR interview, April 18, 2019.
976. Neil Nevitte and Santiago Canton, “The Rise of Election Monitoring: The Role of Domestic Observers,” *Journal of Democracy*, vol. 8, no. 3 (1997), p. 50.
977. USAID implementing partner, SIGAR interview, April 18, 2019; Asia Foundation, “From Afghanistan: Observation of the August 20 Elections,” September 9, 2009, accessed April 29, 2019. The EU did send what it called an Election Expert Mission in 2018. However, its three members, who arrived five weeks before the election, were confined to Kabul and tasked with identifying ways the EU could support domestic observers and partisan agents. USAID implementing partner, SIGAR interview, April 18, 2019; Western donor official, SIGAR interview, January 26, 2019. In 2010 Martine van Bijlert criticized the international community’s tendency to opt for “election support” variants, rather than proper observation missions, arguing that donors do this to avoid making public statements about the quality of elections. However, the smaller size and less ambitious goals of these efforts were probably necessitated in recent election cycles by the restrictive security environment. Martine van Bijlert, “Who Controls the Vote?: Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 26. Indeed, the OSCE and EU’s limited observation missions in 2014 were tasked with “review[ing] but not evaluat[ing] the quality of the process.” USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 25.
978. According to Martine van Bijlert, “It is the silence, or late or muted reactions, of international observers that has most often confused Afghan voters.” Martine van Bijlert, “Who Controls the Vote?: Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 26. Internationally it is not uncommon for donors, including the U.S. government, to water down their own public statements or order changes to weaken criticism of their implementing partners’ reporting. Thomas Carothers, “The Rise of Election Monitoring: The Observers Observed,” *Journal of Democracy*, vol. 8, no.3 (1997). Scholarly research has confirmed that there is some rationale for donors’ caution about releasing potentially inflammatory election reporting: international observers play a role in whether violence breaks out in the post-election period, with criticism increasing the risk of violence and endorsement of the election reducing it. Ursula Daxecker, “The Cost of Exposing Cheating: International Election Monitoring, Fraud, and Post-Election Violence,” *Journal of Peace Research*, vol. 49, no. 4 (2012), p. 515. Sometimes donors even prevent their implementing partners from releasing reports related to international observation missions. For example, the U.S. government prevented an implementing partner from releasing the results of a postelection quick count after the 2007 Kenyan election. Judith Kelley, “Election Monitoring: Power, Limits, and Risks, Council on Foreign Relations,” March 29, 2012, accessed December 20, 2019.
979. According to Tony Ribeiro, security advisor to the UN, after the attack observers had to travel by air, flying in and out of an area in the same aircraft and spending just a few hours on the ground. Tony Ribeiro, SIGAR interview, September 11, 2019.
980. He made this statement after security restrictions had limited the EU’s international observers to staying in their compound in Kabul and focusing on data analysis. Thomas Ruttig, “Under Fire: The Status of 2014 Election Observation,” AAN, April 5, 2014.
981. Thomas Ruttig, “Under Fire: The Status of the 2014 Election Observation,” AAN, April 5, 2014; USAID implementing partner, SIGAR interview, April 17, 2019.
982. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 28; Thomas Ruttig, “Under Fire: the Status of the 2014 Election Observation,” AAN, April 5, 2014.
983. UNAMA, “Domestic Observers to Anchor Observation Activities of Afghan Vote—UN Official,” March 31, 2014, accessed April 10, 2019.
984. TEFA, “TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election,” n.d., electronic p. 7.
985. Thomas Carothers, “The Rise of Election Monitoring: The Observers Observed,” *Journal of Democracy*, vol. 8 no. 3 (1997), p. 26. A typical international observation mission might send its core team to the country eight weeks in advance, with long-term observers following two weeks later, and conclude its mission two months after election day. Richard Lappin, “Why Observe Elections? Reassessing the Importance of Credible Elections to Post-Conflict Peacebuilding,” *Peace Research*, vol. 41, no. 2 (2009), p. 88.

986. Worldwide, the travel, accommodation, and logistical costs associated with domestic observers are generally lower than those of international observers. Thomas Carothers, “The Rise of Election Monitoring: The Observers Observed,” *Journal of Democracy*, vol. 8 no. 3 (1997), pp. 26–27.
987. Senior elections advisor, SIGAR interview, August 15, 2018; Neil Nevitte and Santiago Canton, “The Rise of Election Monitoring: The Role of Domestic Observers,” *Journal of Democracy*, vol. 8, no. 3 (1997), p. 48; Chloe Bordewich, Avery Davis-Roberts, and David Carroll, “Origins and International Election Observation,” ACE project, accessed December 20, 2019.
988. A USAID after action review of the 2014 election found “the presence of election observers at polling stations throughout the country has long been recognized as providing a major deterrent to election day fraud.” USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 25. Further, analysis by Democracy International after the 2014 election showed “there was insufficient observer coverage of some of the provinces that had the highest rates of invalidated votes,” suggesting that the absence of domestic observers may have driven these higher rates of fraud. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 4.
989. Government of Afghanistan, Election Law, Article 83, 2019.
990. IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 5; senior elections advisor, SIGAR interview, August 17, 2018; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 28.
991. USAID implementing partner, SIGAR interview, November 8, 2018; IFES, *Afghanistan Electoral Integrity Assessment 2018*, final report, prepared under contract for USAID, June 2018, p. 5.
992. IEC, *Polling and Counting Procedures: Wolesi Jirga Elections of Afghanistan*, October 20 2018, p. 11; Ghizaa Haress, *Adjudicating Electoral Complaints: Afghanistan: The Perils of Unconstitutionalism*, AREU, March 2014, p. 17. Whether or not observers were able to properly monitor the 2019 audit process is unclear. USAID told SIGAR that candidate agents and observers were given 24 hours’ notice before audits in that cycle. However, this statement may have been made in reference to the IEC-ordered audits specifically, as TEFA complained that the ECC-ordered audit was conducted in the middle of the night, in the absence of candidate agents, observers, or even ECC representatives. USAID, email to SIGAR, March 10, 2020; TEFA, “TEFA’s Press Release on the Final Results of the 2019 Presidential Election,” press release, February 19, 2020.
993. Ali Adili, “Aftershocks of a Procedural Ambiguity: The IEC and ECC Dispute over Which Votes to Validate,” AAN, November 2, 2018.
994. Ali Adili, “Afghanistan’s 2019 Elections (3): New Electoral Commissioners, Amendments to the Electoral Law,” AAN, March 5, 2019.
995. USAID implementing partner, SIGAR interview, April 18, 2018.
996. Ghizaa Haress, *Adjudicating Election Complaints: Afghanistan and the Perils of Unconstitutionalism*, AREU, March 2014, pp. 1, 27; ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, 2009, pp. 146–147.
997. USAID official, SIGAR interview, October 26, 2018; Thomas Ruttig, “Under Fire: The Status of the 2014 Election Observation,” AAN, April 5, 2014; senior elections advisor, SIGAR interview, August 15, 2018.
998. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 27; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
999. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 28; IFES, *Afghanistan Electoral Integrity Assessment Summary Report: 2015 Update*, March 2015, p. 18.
1000. CEPPS, “CEPPS Quarterly Report: Afghanistan,” December 31, 2018, prepared under contract for USAID, p. 5.
1001. Specifically, a USAID implementing partner told SIGAR that CEPPS had concerns about TEFA and ETWA’s financial reporting and accountability, while FEFA and TEFA objected to the fact that CEPPS had decided to award support to organizations to cover one or more regions. They wanted to cover the whole country in order to maintain the capacity of their organizations and in keeping with their strategic plans. USAID implementing partner, SIGAR interview, October 15, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, October 7, 2019.
1002. AABRAR received funding to cover seven provinces in the south, THRA received funding to cover four provinces in the east, and ACFSO received funding to cover the rest of the country’s 22 provinces. NDI, “2019 Domestic Observer Coordinated Deployment,” 2019.
1003. Yousuf Rasheed, FEFA executive director, SIGAR interview, October 7, 2019.
1004. USAID, response to SIGAR data call, December 23, 2018; USAID implementing Partner, SIGAR interview, April 18, 2018. In 2018 the EU did organize some trainings and develop a manual for domestic observation. Western donor official, SIGAR interview, January 26, 2019; USAID implementing partner, SIGAR interview, April 18, 2019. Other donors have supported domestic observation in the past. For example, FEFA received funding from the German government, the Danish Nordic Council, and the Asia Foundation in 2010, and ETWA has received funding from the British Council and CIDA. NDI, *The 2010*

- Wolesi Jirga Elections in Afghanistan*, 2011, pp. 35–36; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1005. FEFA mobilized approximately 6,000 observers in the 2010 Parliamentary election, while TEFA mobilized a few hundred. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 28.
1006. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 24. USAID's decision to fund a larger number of observers during the presidential election compared to the parliamentary election was logical in light of Afghanistan's strong presidency and weak parliament. NDI, *Political Parties in Afghanistan: A Review of the State of Political Parties after the 2009 and 2010 Elections*, June 2011, pp. 10, 52; Salima Ahmadi, "Political Landscape: 2015 Performance of the Wolesi Jirga: Low Attendance, Nominal Oversight," AAN, February 22, 2019.
1007. USAID official, SIGAR interview, October 26, 2018; USAID implementing partner, SIGAR interview, November 23, 2018.
1008. Greg Minjack, SIGAR interview, August 30, 2018; former senior USAID official, SIGAR interview, September 17, 2018; senior election advisor, SIGAR interview, August 15, 2018. According to the UN, UNESP's total budget through the end of the program in 2019 is estimated to be approximately \$134 million. UNDP, *UN Electoral Support Project (UNESP): 2019 Third Quarterly Progress Report*, September 30, 2019, electronic p. 2.
1009. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1010. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019; USAID implementing partner, SIGAR interview, November 8, 2018.
1011. UNDP, "Briefing Note: Election Observation," August 8, 2018.
1012. CEPPS, *Strengthening Civic Engagement in Elections in Afghanistan (SCEEA): Year 1 Work Plan*, prepared under contract for USAID, n.d., p. 6.
1013. CEPPS, "CEPPS Quarterly Report: Afghanistan," December 31, 2018, prepared under contract for USAID, p. 2; UNDP, *Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) II: 1 January 2012–31 July 2015*, final report, n.d., p. 92; NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 27.
1014. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, pp. 23–24. In 2018, CEPPS' Afghan grantees did not assign any male observers to female polling stations, but CEPPS received sporadic reports that it had occurred. USAID implementing partner, SIGAR interview, November 8, 2018.
1015. A 2010 OSCE report found that "the low number of female domestic observers and candidate agents increased opportunities for fraud in female polling stations." OSCE, *Islamic Republic of Afghanistan: Parliamentary Elections*, OSCE/ODIHR Election Support Team report, September 18, 2010, electronic p. 4. The IEC and Ministry of Interior have also struggled to recruit sufficient numbers of female poll workers and searchers. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 4.
1016. CEPPS released funding to domestic observation groups at the beginning of October 2018 for the election on October 20, 2018. CEPPS, *Strengthening Civic Engagement in Elections in Afghanistan (SCEEA): Year 1 Work Plan*, prepared under contract for USAID, n.d., p. 4.
1017. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Anand Gopal, "Rigging the Afghan Vote," *New Yorker*, March 31, 2014; FEFA, *2014 Elections Observation Report*, 2014, p. 52; DROPS Policy Study Workshop Participants, "Policy Brief: Ensuring Electoral Transparency on Election Day: The Role of Observers," *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), pp. 119–120; Civil Society Election Coordination Group, "Civil Society Election Coordination Group (CECG) Findings: Parliamentary Election—2018," slide 7.
1018. FEFA, *2014 Elections Observation Report*, 2014, p. 52.
1019. Government of Afghanistan, Election Law, Article 85, 2019.
1020. Michael Callen and James Long, "Institutional Corruption and Election Fraud: Evidence from a Field Experiment in Afghanistan," *American Economic Review*, vol. 105, no. 10 (2015), p. 362; IFES, *Afghanistan Electoral Integrity Assessment Summary Report: 2015 Update*, March 2015, p. 18. FEFA, "Preliminary Election Report: 2018 Parliamentary Election," November 2018, electronic p. 14. Collecting results sheets has been a critical way for observation organizations and other stakeholders to detect fraud later in the process. Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019. In an attempt to address this issue, a change in the election law in 2019 increased the number of results sheets that are supposed to be distributed at each polling center to representatives of observation organizations and media organizations. Ali Adili, "Afghanistan's 2019 Elections (3): New Electoral Commissioners, Amendments to the Election Law," AAN, March 5, 2019.
1021. Government of Afghanistan, Election Law, Article 83, 2019. In addition, since 2016, Afghanistan's election law has contained a provision saying that it is illegal to threaten, intimidate, or exert pressure an election observer or monitor. Government of Afghanistan, Election Law, issue no. 1226, Article 99, September 25, 2016; Government of Afghanistan, Election Law, Article 99, 2019.
1022. FEFA, "Preliminary Election Report: 2018 Parliamentary Election," November 2018, electronic p. 13.
1023. TEFA, *Final Narrative Report on 2018 Election Observation*, n.d., electronic p. 29.

1024. USAID implementing partner, SIGAR interview, November 8, 2019; USAID implementing partner, SIGAR interview, April 17, 2019.
1025. USAID implementing partner, SIGAR interview, November 8, 2019.
1026. Civil Society Election Coordination Group, “Civil Society Election Coordination Group (CECG) Findings: Parliamentary Election—2018,” slide 7; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; USAID implementing partner, SIGAR interview, November 8, 2019. Partisan agents also reported being prevented from bringing cell phones into polling stations in 2014 and reported that these prohibitions seriously hindered their ability to document fraud in complaints to the ECC. DROPS Policy Study Workshop Participants, “Policy Brief: Ensuring Electoral Transparency on Election Day: The Role of Observers,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 117.
1027. TEFA, “Final Narrative Report on 2018 Election Observation,” n.d., electronic p. 30; TEFA, “TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election,” n.d., electronic p. 2.
1028. ETWA, *ETWA Preliminary Report: 2018 Parliamentary Elections Observation Mission*, n.d., p. 7. The EU assessed that poll workers “frequently” prevented observers from entering polling locations in 2014. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 25.
1029. USAID official, SIGAR interview, October 26, 2018.
1030. ETWA, *ETWA Preliminary Report: 2018 Parliamentary Elections Observation Mission*, n.d., p. 7; Jelena Bjelica and AAN Team, “Election Day Two: A Triumph of Administrative Chaos,” AAN, October 21, 2018.
1031. Habibullah Shinwary, ETWA program manager, email to SIGAR, February 14, 2019; USAID implementing partner, SIGAR interview, November 8, 2018.
1032. USAID implementing partner, SIGAR interview, November 8, 2018.
1033. USAID implementing partner, SIGAR interview, November 8, 2018; DROPS Policy Study Workshop Participants, “Policy Brief: Ensuring Electoral Transparency on Election Day: The Role of Observers,” *Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), pp. 119–120. In 2019, an ACFSO observer was killed in Balkh. Aziz Rafiee, ACFSO executive director, email to SIGAR, October 11, 2019. In addition, three TEFA observers were held hostage in Takhar Province that year. TEFA, “TEFA’s Preliminary Election Observation Report on the 2019 Presidential Election,” n.d., electronic p. 2.
1034. Habibullah Shinwary, ETWA program manager, email to SIGAR, February 14, 2019.
1035. UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1036. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1037. Government of Afghanistan, Planning Directorate of the General Directorate of Operations and Plans, “Joint Report of the ANDSF, Independent Election Commissions, and the Independent Directorate of Local Organs in reference to After Action Review (AAR) of the Parliamentary Election 2018,” October 28, 2018, p. 2; NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 70; USAID implementing partner, SIGAR interview, November 8, 2018.
1038. USAID implementing partner, SIGAR interview, November 13, 2019; USAID, email to SIGAR, August 21, 2020. A report by Democracy International estimated that about half of the ballots cast in the two rounds of the 2014 election were cast in the absence of observers. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 3. However, FEFA claims to have had observers in 70 percent of polling stations in 2014. FEFA, *2014 Elections Observation Report*, 2014, p. 43.
1039. USAID official, SIGAR interview, October 26, 2018.
1040. OSCE, *Islamic Republic of Afghanistan: Presidential and Provincial Council Elections*, OSCE/ODIHR Election Support Team report, 2014, p. 21.
1041. USAID official, SIGAR interview, October 26, 2018. As a point of reference, observers were reportedly present in 423 out of 438 districts in 2018. USAID, “NTF—Working Level Election Support Group,” October 31, 2018.
1042. Specifically, he said it will be difficult to track observer deployments until there is a consistent method for observers to sign polling station books, so that these signatures can be used to track their locations. USAID official, SIGAR interview, January 27, 2019.
1043. Letter dated October 10, 2018, annex 3D of NDI, “Request for Proposals for the 2019 Election,” provided by USAID in response to a 2019 SIGAR data call.
1044. For example, starting in 2018, CEPPS also mandated that all observers be paid electronically, as means of verifying their identities. CEPPS, “Responses to Questions Related to the Request for Proposals on National Election Observation for the April 20, 2019 Presidential and Provincial Council Elections of the National Democratic Institute,” RFP bulletin no. 2, December 1, 2018, p. 4. FEFA pioneered this requirement in 2014 when it used Roshan’s mobile money program to pay its observers. Roshan confirms observers’ photos and badge and tazkera numbers before processing payment, and they report back to FEFA about any suspicious attempts to claim money. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.

1045. USAID implementing partner, SIGAR interview, October 15, 2019. ACFSO described a slightly more detailed five-step process whereby observers used their phones to send the following information to headquarters: (1) their geo-located position from their designated polling center, (2) photos of the attendance sheet from the polling center, including their names (3) a photograph of the results sheet, (4) the polling center code. Finally, ACFSO staff also triangulate information from other people at the polling center. Aziz Rafiyee, ACFSO executive director, SIGAR interview, October 8, 2019.
1046. A report by Democracy International expressed concern about the efficiency of the distribution of domestic observers in the 2014 election, saying: “given the inaccessibility of particular districts throughout the country, there was significant overlap of observers in what are considered to be the more secure areas and many areas where there were no observers at all.” Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 3.
1047. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 20. CEPPS’ facilitation was necessitated by an underlying lack of trust between the domestic observation organizations to coordinate among themselves and a preference for a neutral international entity to oversee the de-confliction of deployment strategies. UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1048. USAID implementing partner, SIGAR interview, November 8, 2018.
1049. USAID implementing partner, SIGAR interview, April 17, 2019.
1050. USAID implementing partner, SIGAR interview, November 13, 2019.
1051. NDI, “2019 Domestic Observer Coordinated Deployment,” 2019; USAID implementing partner, SIGAR interview, November 13, 2019.
1052. USAID implementing partner, SIGAR interview, October 15, 2019.
1053. Yousuf Rasheed, FEFA executive director, SIGAR interview, October 7, 2019.
1054. USAID implementing partner, SIGAR interview, November 14, 2019.
1055. “Mobile” observers may cover multiple polling centers or multiple polling stations within a polling center. Unlike mobile observers, static observers are able to conduct more comprehensive monitoring of the electoral process, covering everything that happens there from opening to close. While covering more polling centers has its benefits, mobility decreases observers’ exposure to security threats in insecure areas. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 8.
1056. FEFA, *2014 Election Observation Report*, 2014, p. 14.
1057. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1058. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 32. Additionally, a Democracy International report suggested that the exercise should result in district profiles containing an assessment of the security environment, physical infrastructure, whether an active civil society is present, the number of polling stations, how many ballots were cast in each station, and how many of those ballots were subsequently invalidated by either EMB. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 5.
1059. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 24.
1060. USAID implementing partner, SIGAR interview, November 13, 2019.
1061. USAID implementing partner, SIGAR interview, April 18, 2019; Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, p. 4.
1062. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
1063. USAID implementing partner, SIGAR interview, May 28, 2019; USAID implementing partner, SIGAR interview, April 17, 2019. Working with the National Maliks Association, WADAN identified target communities based on three criteria: (1) they suffered high rates of fraud and electoral violations in 2014; (2) did not have an observation group present in the 2014 elections; and (3) were safe enough for local observers to operate within. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 13.
1064. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 2.
1065. USAID official, SIGAR interview, January 27, 2019. For example, IRI’s partnerships with local organizations are 24 months in length, while NDI’s are 3-12 months long. This longer time frame enables them to engage more extensively with local communities and receive more intensive training and technical support from WADAN. USAID implementing partner, SIGAR interview, May 28, 2019.
1066. USAID implementing partner, SIGAR interview, May 28, 2019.
1067. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 26; OSCE, *Islamic Republic of Afghanistan: Presidential and Provincial Council Elections*, OSCE/ODIHR Election Support Team report, 2014, p. 22.
1068. UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1069. NDI, “Technical Guidance on Releasing Public Statements,” memorandum to partner sub-grantees of NDI, October 17, 2018, p. 1.
1070. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 2.

1071. USAID implementing partner, SIGAR interview, April 17, 2019.
1072. Under articles 90, 91, 92, 93, 94 and 95 of the Electoral Law, ECC and PECCs are to address the filed complaints in two stages. First, PECCs are obliged to address the electoral complaints at the provincial level within 15 days of receipt of each complaint and report on their performance to the ECC. If the complainants are not satisfied with the decisions of PECCs, they can file an appeal to the central ECC within 72 hours of the receipt of the decision. Decisions at this stage are final. ETWA, *Observation Report on Electoral Complaints Process*, n.d., p. 1.
1073. IFES, *Afghanistan Electoral Integrity Assessment Summary Report: 2015 Update*, March 2015, p. 18.
1074. Senior elections advisor, SIGAR interview, August 17, 2018.
1075. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 22.
1076. A Democracy International report had previously recommended that domestic observation groups use a USAID-funded, Counterpart International-produced list of NGOs and social organizations working in every province to identify new partners in areas that had historically lacked observers. Democracy International, *Challenges to Observing Afghan Elections: A Planning Guide*, prepared under contract for USAID, June 2015, pp. 7–8; UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1077. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019. FEFA did use volunteers, in addition to staff funded by its core budget, to observe the first phase of the voter registration process in 2018. UNDP, “Briefing Note: Election Observation,” August 8, 2018. FEFA had also mobilized volunteer observers in previous elections, including 100 university students in 2014. FEFA, *2014 Election Observation Report*, 2014, p. 13.
1078. Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
1079. CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 24.
1080. Senior elections advisor, SIGAR interview, August 16, 2018.
1081. Walid Akhbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019.
1082. IFES, *Afghanistan Electoral Integrity Assessment Summary Report: 2015 Update*, March 2015, p. 5.
1083. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019; Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
1084. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019. To put this number in perspective, an NDI report from 2010 notes that many candidates recruited more than 1,000 agents in that cycle. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 29. ETWA told SIGAR that candidates who ran unaffiliated made similar arrangements with political parties. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019. CEPPS requires domestic observers to self-certify to their organizations that they are non-partisan and are not also acting as candidate agents through an “Observer’s Pledge of Commitment.” CEPPS, *Election Day Manual for Observers: 2014 Presidential and Provincial Shura Elections*, n.d., p. 26.
1085. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
1086. USAID, email to SIGAR, August 21, 2020.
1087. OSCE, *Islamic Republic of Afghanistan: Presidential and Provincial Council Elections*, OSCE/ODIHR Election Support Team report, 2014, p.3.
1088. Senior elections advisor, SIGAR interview, August 23, 2018.
1089. Senior elections advisor, SIGAR interview, August 23, 2018; USAID implementing partner, SIGAR interview, November 8, 2018; Ali Adili, “Aftershocks of a Procedural Ambiguity: The IEC and ECC Dispute over Which Votes to Validate,” AAN, November 2, 2018.
1090. Letter dated October 10, 2018, annex 3D of NDI, “Request for Proposals for the 2019 Election,” provided by USAID in response to a 2019 SIGAR data call.
1091. CEPPS, “Responses to Questions Related to the Request for Proposals on National Election Observation for the April 20, 2019 Presidential and Provincial Council Elections of the National Democratic Institute,” RFP bulletin no. 2, December 1, 2018, p. 1.
1092. Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 237.
1093. The 2019 Election Law requires the ECC to publicly release its decisions, a requirement that also existed in the 2016 and 2014 laws. Government of Afghanistan, Election Law, Article 91, 2019; Government of Afghanistan, Election Law, issue no. 1226, Article 91, April 2016; Government of Afghanistan, Election Law, Article 63, August 6, 2014. The ECC’s internal procedures also require that the central and provincial bodies’ decisions be made public, complete with the legal rationales for their decisions. ECC, *Procedure on Adjudication of Electoral Objections and Complaints*, Articles 32 and 47, July 2019. The public release of court decisions is also a requirement under international law. Inter-American Court of Human Rights, *Castaneda Gutman v. Mexico*, August 6, 2008, p. 25. Nonetheless, in 2018 PECCs in five provinces refused to share their decisions with observation groups. ETWA, “Observation Report on Electoral Complaint Process,” n.d., p. 2.
1094. USAID implementing partner, SIGAR interview, November 13, 2019.

1095. Shahmamood Miakhel, SIGAR interview, January 21, 2019; Ahmad Shah Zamanzai, IEC chief electoral officer, SIGAR interview, January 24, 2019; Sibghatullah Tamim, former ECC Legal Director, SIGAR interview, January 21, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
1096. Martine van Bijlert, “Who Controls the Afghan Vote?: Afghanistan’s Evolving Elections,” AAN, November 15, 2010, p. 1.
1097. USAID, email to SIGAR, August 21, 2020; IEC, “Annex 1—National Tally Center Process Flow,” 2018.
1098. ACFSO, *Recommendations for Improving the Delivery of the 2019 Presidential Elections*, June 2019, p. 35.
1099. European Union Election Assessment Team, *Islamic Republic of Afghanistan: Final Report: Presidential Election*, 2014, p. 30; CEPPS, *CEPPS Quarterly Report: Afghanistan*, prepared under contract for USAID, December 31, 2018, p. 23; FEFA, *2014 Elections Observation Report*, 2014, p. 112.
1100. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, November 2018, p. 10.
1101. IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, p. 182.
1102. Aziz Rafiyee, ACFSO executive director, SIGAR interview, October 8, 2019.
1103. Anisa Shaheed, “IEC to Recount Votes from 11 Provinces,” *Tolo News*, November 6, 2018; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1104. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
1105. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019.
1106. Shahmamood Miakhel, former SERC member, SIGAR interview, January 21, 2019; Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019; Ahmad Shah Zamanzai, former IEC chief electoral officer, SIGAR interview, January 24, 2019; Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Razia Sadaat, Parliamentarian from Paktya, SIGAR interview, April 17, 2019; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 26.
1107. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
1108. UNDP, *UN Electoral Support Project (UNESP): Monthly Electoral Update*, November 2018, p. 10; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, pp. 3, 7, 25.
1109. USAID implementing partner, SIGAR interview, October 15, 2019.
1110. As SIGAR has previously documented, even the 2009 vote tabulation that was overseen by UNDP was criticized for lack of transparency. USAID said that UNDP did not allow observers or other stakeholders to verify the accuracy of the tabulation software. SIGAR, *Lessons Learned in Preparing and Conducting Elections in Afghanistan*, SIGAR Audit-10-16-AR, September 2010, p. 6.
1111. FEFA, *2014 Election Observation Report*, 2014, p. 121.
1112. In Cheeseman and Klaas’ words, “making the most of new technology will require it to be transferred into the hands of independent civil society groups and opposition parties. With this done, the prospects for detecting ballot-box stuffing become much better, leading to a damaging loss of legitimacy for election cheats.” Nic Cheeseman and Brian Klaas, *How to Rig an Election* (Cornwall, UK: Yale University Press, 2018), p. 181.
1113. Yousuf Rasheed, FEFA executive director, SIGAR interview, October 7, 2019.
1114. Mujib Mashal, “Afghans Demanded a Fair Election. They Could be Waiting a While for the Results,” *New York Times*, October 13, 2019; Aziz Rafiyee, ACFSO executive director, SIGAR interview, October 8, 2019. For example, Zakia Wardak, an unsuccessful 2018 Wolesi Jirga candidate from Kabul, told SIGAR that the manager of the National Tally Center database asked her for a bribe to protect her vote. Zakia Wardak, SIGAR interview, April 18, 2019.
1115. Local Partnership for Legitimacy through Democracy, “LPLD Asks IEC and ECC for Full Reporting of Ballots,” press release, February 23, 2020.
1116. USAID implementing partner, SIGAR interview, November 13, 2019.
1117. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.
1118. ACFSO, *Recommendations for Improving the Delivery of the 2019 Presidential Elections*, June 2019, p. 34; USAID implementing partner, SIGAR interview, November 13, 2019.
1119. USAID implementing partner, SIGAR interview, October 15, 2019.
1120. USAID implementing partner, SIGAR interview, October 15, 2019.
1121. ACFSO, *Recommendations for Improving the Delivery of the 2019 Presidential Elections*, June 2019, p. 34.
1122. USAID implementing partner, SIGAR interview, October 15, 2019. The 2019 Election Law requires the release of the vote count broken down by polling station, but the rest of these details are not mentioned. Government of Afghanistan, *Election Law*, Article 85, 2019.
1123. Thomas Ruttig, “Afghanistan’s 2019 Elections (30): Final Results . . . and Parallel Governments?,” AAN, February 19, 2020.

1124. Ali Adili, “Afghanistan’s 2019 Elections (29): a Statistical Overview of the Preliminary Results,” AAN, February 19, 2020.
1125. Government of Afghanistan, Election Law, Article 83, 2019; IEC, “Polling and Counting Procedure of Wolesi Jirga Elections of Afghanistan,” October 20, 2018 p. 11; UNDP, *United Nations Electoral Support Project: 2018 Annual Project Progress Report*, 2018, p. 25. Starting with the 2016 Election Law, the IEC was mandated to provide a copy of the results sheet from each polling station to the agent of the candidate who had received the most votes, a provision which was retained in 2019. Government of Afghanistan, Election Law, issue no. 1226, Article 85, 2016; Government of Afghanistan, Election Law, Article 85, 2019.
1126. Special Assistant to the Deputy Special Representative to the Secretary General, “Critical Risks around the Upcoming Elections,” April 17, 2017, p. 2.
1127. USAID, “NTF—Working Level Election Support Group,” October 31, 2018.
1128. USAID implementing partner, SIGAR interview, November 8, 2018.
1129. Obaid Ali, Thomas Ruttig, and Jelena Bjelica, “The 2018 Election Observed (4) in Nuristan: Disenfranchisement and Lack of Data,” AAN, November 17, 2018. A 2010 OSCE report found that “the low number of female domestic observers and candidate agents increased opportunities for fraud in female polling stations.” OSCE, *Islamic Republic of Afghanistan: Parliamentary Elections*, OSCE/ODIHR Election Support Team report, November 26, 2010, p. 4.
1130. USAID Office of the Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 21.
1131. USAID implementing partner, SIGAR interview, November 13, 2019.
1132. Western donor official, SIGAR interview, January 26, 2019; USAID Office of the Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program* F-306-14-001-S, February 6, 2014, p. 8.
1133. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 26.
1134. Senior elections advisor, SIGAR interview, August 17, 2018.
1135. USAID implementing partner, SIGAR interview, November 8, 2019; NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 2; Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018; international official, SIGAR interview, August 31, 2018; Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 25. For example, with USAID funding in 2010, NDI ran workshops in 31 provinces to train 36,000 candidate agents to observe and report on election-day activities. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 2.
1136. USAID implementing partner, SIGAR interview, November 8, 2018.
1137. A Western donor official told SIGAR that political party agents “can be big troublemakers. Polling stations are often extremely crowded, and there was a low level of understanding of what the process is supposed to look like. Even someone with low understanding, but with good intentions, can create problems.” Western donor official, SIGAR interview, January 26, 2019.
1138. USAID implementing partner, SIGAR interview, November 8, 2018. In contrast, a party leader told mid-term evaluators of USAID’s SPECS program that the training the program provided to his party’s agents prior to the 2014 presidential election had empowered them to achieve a tangible reduction in the level of fraud at the polling centers where they were present during the run-off. NDI, *Midterm Performance Evaluation Report: Strengthening Political Entities and Civil Society (SPECS)*, prepared under contract for USAID, November 2015, p. 36.
1139. NDI and IEC, *Candidate’s Agents Training Manual: 2019 Presidential Elections*, 2019, electronic p. 19. 12 of the 18 campaigns sent their agents to CEPPS trainings. USAID implementing partner, SIGAR interview, October 15, 2019.
1140. USAID, “Election Support Group—Working Level,” August 29, 2018, p. 2; Western donor official, SIGAR interview, January 26, 2019.
1141. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, p. 75. In its final report on the 2005 elections, the JEMB addressed this issue: “without a party-based electoral system, the JEMB had little choice but to allow each candidate to accredit an unlimited number of agents so that a candidate’s agents could observe the process in each polling station in the constituency. The resulting number of agents proved extremely problematic on election day, with widespread reports of intimidation of voters and polling staff, aggressive behaviour by candidate agents in the polling stations, and occasional reports of disorder outside polling centres.” Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 22.
1142. USAID, “NTF—Working Level Election Support Group,” October 31, 2018.
1143. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 27, 2019; IEC, *Polling and Counting Procedure: Wolesi Jirga Elections of Afghanistan*, October 20, 2018, p. 12. Prior to the establishment of this rule, the IEC had sought to avoid overcrowding by allowing their local representatives to impose time limits on the presence of agents and observers in registration, polling, and counting centers. In some areas, this reportedly led to observers being restricted to just three to seven hours in a polling center. DROPS Policy Study Workshop Participants, “Policy Brief: Ensuring Electoral Transparency on Election Day: The Role of Observers,”

- Electoral Trajectory in Post-2001 Afghanistan: Assessment and Recommendations*, ed. Mariam Safi, *Women and Public Policy*, vol. 4 (2018), p. 117.
1144. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1145. IEC, “Lessons Learnt Notes,” day one agenda, December 18, 2018, p. 8.
1146. OSCE, *Islamic Republic of Afghanistan: Presidential Election*, OSCE/ODIHR Election Support Team report, 2014, p. 25.
1147. Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Elections Vulnerability to Corruption Assessment*, draft interim report, March 2019, p. 25.
1148. NDI, *The 2010 Wolesi Jirga Elections in Afghanistan*, 2011, pp. 20, 29; Adam Gallagher, “Afghan Voters Exhibit Enthusiasm Despite Election Flaws,” November 6, 2018, U.S. Institute of Peace, accessed September 13, 2020; Joint Election Management Body, *Final Report: National Assembly and Provincial Council Elections 2005*, December 2005, p. 22.
1149. IEC, “Lessons Learnt Notes: Day One Agenda,” December 18, 2018, p. 8.
1150. Senior elections advisor, SIGAR interview, August 23, 2018. It is also difficult for candidate agents to reach parts of the country where their opponents are popular. For example, Abdullah’s agents had very limited access to Zabul Province in 2019. Aref Zabuli, “Afghanistan’s 2019 Election (16): Signs of Fraud in Zabul,” AAN, October 8, 2019.
1151. Senior elections advisor, SIGAR interview, August 23, 2018. Noah Coburn has made the same point. Noah Coburn, “Caught Between the Technical and Political: International Support for the 2014 Elections and the Future of Democratic Politics in Afghanistan,” *Georgetown Journal of International Affairs*, vol. 17, no. 1 (2016), pp. 59–60. Another senior elections advisor said he would like to see donors apply more pressure on the EMBs to fill critical positions in a timely fashion and provide more guidance on selection criteria. Senior elections advisor, SIGAR interview, August 16, 2018. A 2010 DFID and Foreign and Commonwealth Office report similarly called for the UK government to “watch for any signs of inappropriate executive interference with the EMB and refer the issue for an appropriate diplomatic intervention.” DFID and Foreign and Commonwealth Office, *How to Note on Electoral Assistance*, version 1.0, December 2010, p. 30.
1152. In 2009, an audit of the final results was conducted by teams made up of two IEC staff members and a UN staffer. ANFREL, *Upholding Democracy through Ballots: Presidential and Provincial Council Elections*, 2009, p. 171. Then, in 2014 the UN worked closely with the IEC to oversee an audit of the election results, in an effort to build confidence in the results, while hundreds of international observers monitored the process. When that failed to work, then-U.S. Secretary of State John Kerry brokered the compromise that resulted in the National Unity Government. FEFA, *2014 Elections Observation Report*, 2014, pp. 148–149; There was a similar intervention by the international community prior to the 2002 Loya Jirga. Scott Seward Smith, “Elections and Democratization” in *State Strengthening in Afghanistan: Lessons Learned, 2001–14*, U.S. Institute of Peace, eds. Scott Smith and Colin Cookman, March 2015, pp. 38–39.
1153. UNDP, *2014 Presidential Election: Complete Nationwide Audit of Ballots Cast in the Second Round*, November 2014, p. 10.
1154. A 2014 Democracy International report said that President Ghani and CEO Abdullah’s decision “to form a national unity government may have salvaged Afghanistan’s chances for a peaceful transfer of power, but it also abandoned the chance for a democratic one.” Democracy International, *Afghanistan Election Observation Mission 2014—Final Report*, January 2015, p. 4.
1155. Noah Coburn, “Caught Between the Technical and Political: International Support for the 2014 Elections and the Future of Democratic Politics in Afghanistan,” *Georgetown Journal of International Affairs*, vol. 17, no. 1 (2016), pp. 59–60.
1156. International official, SIGAR interview, November 6, 2019.
1157. Zalmay Nishat, “The Inauguration of Two Presidents: Afghanistan’s Constitutional Crisis,” *Diplomat*, March 11, 2020; Mujib Mashal, “Afghan President Orders Prisoner Release,” *New York Times*, March 10, 2020.
1158. Pamela Constable and John Hudson, “U.S. Vows to Cut \$1 Billion in Aid to Afghanistan as Political Crisis Threatens Peace Deal,” *Washington Post*, March 23, 2020; Rahim Faiez, “Afghan President and Rival Announce Power-sharing Agreement,” *Diplomat*, May 18, 2020.
1159. Ali Adili, “End of the Post-Election Impasse?: Ghani and Abdullah’s New Power-Sharing Formula,” AAN, May 20, 2020.
1160. International official, SIGAR interview, September 6, 2018; international official, SIGAR interview, October 15, 2018; senior elections advisor, SIGAR interview, August 23, 2018; international official, SIGAR interview, November 14, 2018. A 2010 report by DFID and the Foreign and Commonwealth Office emphasized the importance of ensuring that technical assistance is closely coordinated with diplomatic influence (aka political intervention). DFID and Foreign and Commonwealth Office, *How to Note on Electoral Assistance*, version 1.0, December 2010, p. 8. A different DFID and UK Aid report from the same year cautioned against a tendency for donors to focus on procedural issues at the expense of more substantive political issues. DFID and UK Aid, “Electoral Assistance and Politics: Lessons for International Support,” 2010, p. 17.
1161. International official, SIGAR interview, November 14, 2018.
1162. Donors focused a lot of energy on trying to avert the operational disaster of the 2018 election by trying to salvage the government’s decision to adopt BVV just weeks before election day. State official, SIGAR interview, March 5, 2019.

1163. International official, SIGAR interview, October 15, 2018.
1164. State official, SIGAR interview, March 5, 2019.
1165. Former senior USAID official, SIGAR interview, September 17, 2018.
1166. A Western donor official told SIGAR that the 2018 election was only held due to donor pressure. Western donor official, SIGAR interview, January 27, 2019.
1167. International official, SIGAR interview, January 22, 2019. Likewise another international official told SIGAR that in the spring of 2018 the ambassadors on the Electoral Support Group had to go out to the IEC and sit with the commissioners for two and a half hours to try to get them to reach a consensus on the question of whether duplicate tazkeras would be issued to make it safer for people to register to vote. International official, SIGAR interview, September 6, 2018.
1168. While donors provide funding to EMBs and observation organizations, the U.S. government has a policy of not funding political parties. Instead, in the past they have provided technical support with the goal of political party development, as well as training to political party agents. USAID policy allows the agency to provide a maximum of \$50,000 of in-kind support, but no cash funding. It also requires that the agency make a good faith effort to extend equitable assistance to all democratic parties. USAID, “Political Party Assistance Policy,” July 11, 2003, p. 2. However, other donors have given grants to political parties in the past. For example, the Deepening Democracy Programme in Uganda, funded by Danish, Irish, Swedish, Dutch, Norwegian and British donor agencies issued grants to parties on a competitive basis. Leni Wild, Marta Foresti, and Pilar Domingo, “International Assistance to Political Party and Party System Development,” Overseas Development Institute, January 2011, pp. 10–11.
1169. In 2012, the UK’s Independent Commission on Aid Impact found that, while some of the key lessons regarding electoral support had been well known for some time, they were still not implemented in some of the countries where they conducted case studies, including Burundi, Malawi, and Afghanistan. These key lessons included “starting early, sustaining capacity-building efforts over time, and embedding electoral support within a broader strategy for democratization.” Independent Commission on Aid Impact, *Evaluation of DFID’s Electoral Support through UNDP*, report 8, April 2012, pp. 10, 17.
1170. International official, SIGAR interview, November 14, 2018.
1171. International official, SIGAR interview, August 31, 2018.
1172. International official, SIGAR interview, September 6, 2018.
1173. This is hardly unique to Afghanistan. It is a problem that cuts across donors and recipient countries and in response to which the Electoral Cycle Approach was developed. ACE Project, “Facing Electoral Realities: Too Much Assistance, Too Late,” accessed October 1, 2019; DFID and UK Aid, “Electoral Assistance and Politics: Lessons for International Support,” 2010, pp. 6, 34. In a review of a decade of electoral assistance from 1990 to 2000 UNDP found that, in general, short-term and, therefore, short-sighted donor approaches to electoral support often fail to tie this assistance to other aspects of democratic governance, including “constitutional reform.” UNDP, *UNDP and Electoral Assistance: Ten Years of Experience*, June 11, 2002, pp. 2–3, 27, 50. Echoing that argument, the ACE Electoral Knowledge Network has argued that electoral assistance should also be tied to political and electoral system design and longer term EMB capacity development. ACE Project, “Wake-Up Call of the New Millennium,” accessed October 2, 2019. A review of USAID electoral assistance in Kenya recommended the adoption of an electoral cycle approach. Management Systems International, *Performance Evaluation of USAID Electoral Assistance to Kenya from January 2008–August 2013*, prepared under contract for USAID, June 2014, p. 6. Finally, the European Commission has also endorsed the electoral cycle approach. European Commission, *Methodological Guide on Electoral Assistance*, October 2006, electronic p. 4.
1174. Greg Minjack, elections advisor with Democracy International, SIGAR interview, August 30, 2018.
1175. Senior international official, SIGAR interview, August 15, 2018.
1176. International official, SIGAR interview, November 14, 2018.
1177. UNDP, *UNDP Electoral Assistance Implementation Guide*, 2007, p. 103.
1178. European Commission, *Methodological Guide on Electoral Assistance*, October 2006, p. 49.
1179. Kenneth Blackwell, “Electoral Assistance: A Cost Effective Investment for a More Stable, Prosperous World,” testimony before House Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, April 3, 2018, p. 5.
1180. International official, SIGAR interview, August 31, 2018.
1181. Senior elections advisor, SIGAR interview, August 23, 2018.
1182. Margie Cook, *Afghanistan Electoral Support: June 2008–January 2010*, March 2010, pp. 7–8.
1183. ACE Project, “Electoral Cycle Approach,” accessed October 1, 2019. DFID, which has been a leader in promoting the electoral cycle approach, has had success with a longer term approach to election support in Bangladesh. According to a DFID study on the effectiveness of its electoral support through UNDP, “UNDP put in place programmes to build capacity with the Bangladesh Election Commission several years before the 2008 election, scaling up substantially over the last 18 months. The assistance was provided in the context of political agreement on a ‘Road Map’ for restoring democracy, with an agreement between donors and the Bangladesh Election Commission governing external support. UNDP therefore had ample time to address systemic and capacity issues. These included strengthening the legal framework and the electoral system, building management capacity, establishing a training institute for election officials, and

- conducting large scale civic education programmes. This form of support was provided from 2005 onwards at an annual cost of US\$4.6 million. Larger-scale assistance was then mobilised closer to the election date to help with specific tasks, particularly voter registration. Both the longer time frame for capacity building and its separation from assistance for delivering the election itself contributed to more sustainable outcomes.” Independent Commission on Aid Impact, *Evaluation of DFID’s Electoral Support through UNDP*, report 8, April 2012, p. 10.
1184. International official, SIGAR interview, January 22, 2019; Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
1185. USAID implementing partner, SIGAR interview, November 8, 2018. According to a USAID official, because USAID generally has previous-year funding available to program, the Congressional funding cycle is not the main driver of funding delays. USAID official, SIGAR interview, October 9, 2019.
1186. USAID official, SIGAR interview, October 9, 2019.
1187. USAID, email to SIGAR, March 10, 2020.
1188. Anna Larson, *Afghanistan’s New Democratic Parties: a Means to Organise Democratisation?*, AREU, March 2009, p. 4.
1189. Abdullah Ahmadzai, former IEC chief electoral officer, SIGAR interview, February 26, 2019.
1190. Scott Worden, “Afghanistan Election Conundrum (13): New Voter Registry Too Good to be True,” AAN, August 28, 2018.
1191. USAID implementing partner, SIGAR interview, November 8, 2018.
1192. USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 28.
1193. USAID implementing partner, SIGAR interview, November 8, 2018; Jessica Donati, “Frustrated Donors End Funding for Afghan Parliamentary Elections,” *Reuters*, June 12, 2015; Ali Adili, “Afghanistan Election Conundrum (2): A Tight Date and Debate about Technology,” AAN, November 28, 2017. Donors also cut funding in a dramatic way after the 2005 election. According to an international official, after those cuts “the IEC lost a huge amount of capacity. . . Donors were fired after three years of heavy investment in elections. By the time we started the 2009 elections we were starting from scratch again.” International official, SIGAR interview, September 6, 2018.
1194. Rod Norland and Fatima Faizi, “Afghanistan Considers Delaying Presidential Election,” *New York Times*, November 25, 2018; international official, SIGAR interview, October 15, 2019.
1195. NDI, *Midterm Performance Evaluation Report: Strengthening Political Entities and Civil Society*, prepared under contract for USAID, November 2015, p. 32; Rod Norland and Fatima Faizi, “Afghanistan Considers Delaying Presidential Election,” *New York Times*, November 25, 2018; Reuters, “Afghanistan to Hold Delayed Parliamentary Elections in October, January 18, 2016.
1196. USAID implementing partner, SIGAR interview, November 8, 2018.
1197. International official, SIGAR interview, October 15, 2018.
1198. USAID official, SIGAR interview, January 17, 2019.
1199. International official, SIGAR interview, October 15, 2018.
1200. International official, SIGAR interview, October 15, 2018.
1201. Dominic Grant, UNOPS project manager, SIGAR interview, October 2, 2018.
1202. UNDP, *UN Electoral Support Project, 2017–2019*, October 28, 2017, pp. 1, 7.
1203. UNDP, *UN Electoral Support Project 2017–2019*, October 28, 2017, pp. 1, 34.
1204. Senior elections advisor, SIGAR interview, August 15, 2018.
1205. Dominic Grant, UNOPS project manager, SIGAR interview, October 2, 2018.
1206. Senior elections advisor, SIGAR interview, August 17, 2018. Support began farther in advance of the 2019 election, but it was limited. By March 2019 the EU had three technical advisors embedded at the ECC, one international and two Afghan. USAID, “NTF—Working Level Election Support Group,” March 20, 2019.
1207. Election advisor, SIGAR interview, October 23, 2019.
1208. Election advisor, SIGAR interview, October 23, 2019; Walid Akhbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019; State Department, email to SIGAR, March 10, 2020.
1209. Senior elections advisor, SIGAR interview, August 17, 2018; Walid Akhbar Sarwary, former ECC deputy chief electoral officer, SIGAR interview, January 19, 2019; Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019; IFES, *Elections on Trial: The Effective Management of Election Disputes and Violations*, prepared under contract for USAID, May 2018, pp. 9.
1210. Senior elections advisor, SIGAR interview, August 17, 2018.
1211. Senior elections advisor, SIGAR interview, August 23, 2018.
1212. USAID Office of Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 12.
1213. Dominic Grant, UNOPS project manager, SIGAR interview, October 2, 2018.
1214. Senior elections advisor, SIGAR interview, August 17, 2018; elections advisor, SIGAR interview, October 23, 2019. Responsibility for the primary adjudication of complaints was transferred from the central ECC office to the provincial offices in 2010. Since then, the central office has been responsible for adjudicating any appeals to those original decisions. Martine van Bijlert, “Who Controls the Vote?: Afghanistan’s Evolving Elections,” AAN, September 15, 2010, p. 25.

1215. A 2015 internal review found that the same is true of politically controversial election preparations: “By not cleaning up the [polling center] list early on, the discussion took place when each of the candidates was attempting to protect what they believed were their vote banks.” USAID, *USAID Support for Afghanistan’s 2014 Elections: Rapid Assessment Review*, August 2015, p. 20. In addition, the European Center for Electoral Support has concluded that “windows of opportunity often present themselves between elections, not during.” European Centre for Electoral Support, *EURECS: A European Response to Electoral Cycle Support*, n.d., p. 4.
1216. Shahla Haq, former IEC chief electoral officer, SIGAR interview, January 19, 2019; International Crisis Group, *Afghanistan: The Future of the National Unity Government*, Asia Report No. 285, April 10, 2017, p. 6.
1217. International official, SIGAR interview, November 14, 2018.
1218. USAID official, SIGAR interview, October 26, 2018.
1219. Greg Minjack, SIGAR interview, August 30, 2018.
1220. Greg Minjack, SIGAR interview, August 30, 2018. USAID’s SPECS program also supported civil society in pushing for electoral reform. In 2014 the program organized a joint declaration on principles of observation, which was signed by five domestic observation organizations and included a commitment to “collective efforts toward effective changes in the electoral law.” NDI, *The 2014 Presidential and Provincial Council Elections in Afghanistan*, final report, n.d., p. 39.
1221. NDI and U.S. Institute of Peace, “Report on November 2016 Mission to Afghanistan,” n.d., p. 4.
1222. Senior elections advisor, SIGAR interview, August 17, 2018.
1223. IEC, *Independent Election Commission of Afghanistan Capacity Building Plan*, December 2011, p. 4.
1224. Staffan Darndolf and Scott Smith, *Breaking not Bending: Afghan Elections Require Institutional Reform*, U.S. Institute of Peace, August 2019, p. 12; senior elections advisor, SIGAR interview, August 15, 2018; IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, p. 4.
1225. IFES, *Afghanistan Electoral Integrity Assessment 2018*, prepared under contract for USAID, June 2018, p. 35.
1226. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019. The phenomenon of donor funding for domestic observation arriving just before election day is not confined to Afghanistan. According to a former IEC Chief Technical Advisor, who has worked on elections around the world, USAID funding often arrives later than would be ideal. Margie Cook, SIGAR interview, August 31, 2018. Over time Afghan election observation groups have expanded the scope of their work from a narrow emphasis on oversight of election day to encompass other critical stages of the electoral process, electoral dispute resolution, and electoral reform. IFES, *Afghanistan Electoral Integrity Assessment Summary Report: 2015 Update*, March 2015, pp. 17–18.
1227. USAID implementing partner, email to SIGAR, June 18, 2019.
1228. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019. Likewise, a study by DFID and the Foreign and Commonwealth Office found that comprehensive observation requires a lengthy engagement, beginning well in advance of election day. DFID and Foreign and Commonwealth Office, *How to Note on Electoral Assistance*, version 1.0, December 2010, p. 41.
1229. Senior elections advisor, SIGAR interview, August 15, 2018; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 26, 2019.
1230. Observation groups could have done a parallel vote tabulation of sorts by double checking the numbers of new registrants reported at the local level with the aggregate totals later reported. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1231. Funding for long-term observers ended in December 2018, six months before the EDR process concluded in May 2019. Aziz Rafiyye, executive director of ACFSO, SIGAR interview, October 8, 2019; Ali Adili, “The Results of Afghanistan’s 2018 Parliamentary Elections: A New, but Incomplete Wolesi Jirga,” AAN, May 17, 2019. According to FEFA, the two no-cost extensions issued by USAID did not allow for adequate coverage of this process. Yousuf Rasheed, executive director of FEFA, SIGAR interview, October 7, 2019.
1232. UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1233. USAID Office of Inspector General, *Review of USAID/Afghanistan’s Electoral Assistance Program*, F-306-14-001-S, February 6, 2014, p. 11. Academic research from the 2008 Ghanaian election has also found that domestic observation has the potential to curb voter registration fraud. Nahomi Ichino and Matthias Schündeln, “Deterring or Displacing Electoral Irregularities? Spillover Effects of Observers in a Randomized Field Experiment in Ghana,” *Journal of Politics*, vol. 74, no. 1 (2012), pp. 305–306.
1234. USAID, “Election Support Group—Working Level,” August 15, 2018, p. 3. Delayed funding also restricted observer monitoring during the voter top-up effort before the 2009 elections. Horacio Boneo, Katherine Collin, Trevor George-Coker, and Catinca Slavu, *Mid-Term Evaluation of the Project: Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)*, November 4, 2009, electronic p. 42.
1235. Senior elections advisor, SIGAR interview, August 16, 2018; Yousuf Rasheed, FEFA executive director, SIGAR interview, January 26, 2019; UNDP, “Briefing Note: Election Observation,” August 8, 2018.
1236. USAID implementing partner, SIGAR interview, November 8, 2018.
1237. Senior elections advisor, SIGAR interview, August 16, 2018.
1238. Naeem Ayubzada, TEFA founder, SIGAR interview, February 6, 2019.
1239. Yousuf Rasheed, FEFA executive director, SIGAR interview, January 26, 2019.

1240. CEPPS' 2018–2021 program defines sustainability with regards to its support to domestic observation efforts “in terms of how to create sustainable democratic change within a system.” However, sustainable democratic change requires sustained engagement by these observation groups, facilitated by sustained USAID funding. This is particularly true in light of the weakness of Afghan political parties. NDI, *Strengthening Civic Engagement in Elections in Afghanistan (SCEEA) Baseline Assessment Report*, n.d., p. 11.
1241. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019.
1242. According to a 2016 report by NDI and the U.S. Institute of Peace, “These [Afghan observation] organizations need resources now to engage in the ongoing electoral reform process, not just once an election date has been set.” NDI and U.S. Institute of Peace, “Report on November 2016 Mission to Afghanistan,” n.d., p. 4.
1243. Habibullah Shinwary, ETWA program manager, SIGAR interview, January 26, 2019. Some of these advocacy efforts by domestic observation organizations have seen results. A number of FEFA’s recommendations in its 2014 Election Observation Mission report were adopted as part of the 2019 amendments to the election law. In that report FEFA advocated for civil society organizations to play a formal role in the identification of EMB Commissioners; the organization also argued that two international non-voting members should be appointed to advise each EMB. FEFA, *2014 Elections Observation Report*, 2014, electronic pp. 18, 161.
1244. USAID official, SIGAR interview, January 27, 2019.
1245. USAID official, SIGAR interview, January 17, 2019.
1246. USAID official, SIGAR interview, January 17, 2019; Sibghatullah Tamim, former ECC legal director, SIGAR interview, January 21, 2019.
1247. USAID official, SIGAR interview, October 26, 2018. For example, across three years, the average amount of time that it took USAID to issue a new acquisition award from Washington, DC, in fiscal year 2016 was almost 400 days. For an overview of how long it takes for USAID to issue various types of awards, also known as “procurement action lead time,” and USAID’s efforts to reduce these delays, see: USAID, *Fiscal Year 2016: Management Bureau Office of Acquisition and Assistance Progress Report*, n.d., electronic p. 6.
1248. Thomas Carothers, *Revitalizing US Democracy Assistance: The Challenge of USAID*, Carnegie Endowment for International Peace, 2009, pp. 11, 23.
1249. USAID implementing partner, SIGAR interview, October 15, 2019.
1250. Senior elections advisor, SIGAR interview, August 16, 2018.
1251. USAID official, SIGAR interview, October 26, 2018; senior elections advisor, SIGAR interview, August 16, 2018.
1252. USAID official, SIGAR interview, January 27, 2019.
1253. USAID official, SIGAR interview, October 26, 2018. Another official told SIGAR that both of the two direct hire USAID staff members working on elections left in 2017, and the portfolio was thinly staffed throughout 2018. USAID official, SIGAR interview, January 27, 2019.
1254. USAID, “USAID/Afghanistan Assistance and Staffing Review Summary Breakout,” draft, June 2019, pp. 10–11.
1255. State official, SIGAR interview, January 17, 2019. A Western donor official told SIGAR in January 2019 that reductions to only half or even one-third of her embassy’s governance team had already forced them to do “ruthless prioritizing” and more reductions were on the horizon. Western donor official, SIGAR interview, January 21, 2019.
1256. USAID, *Country Development Cooperation Strategy: FY 2019–2023*, September 2018, p. 55
1257. SIGAR meeting with U.S. embassy officials, January 27, 2019.
1258. International official, SIGAR interview, January 22, 2019; Western donor official, SIGAR interview, January 27, 2019.
1259. International official, SIGAR interview, October 15, 2018.
1260. International official, SIGAR interview, November 6, 2019. In 2019, nearly half of the international advisors were UN volunteers. Elections advisor, SIGAR interview, October 23, 2019.
1261. UNDP, *UNDP and Electoral Assistance: Ten Years of Experience*, June 11, 2002; European Centre for Electoral Support, *EURECS: A European Response to Electoral Cycle Support*, n.d.; Independent Commission on Aid Impact, *Evaluation of DFID’s Electoral Support through UNDP*, report 8, April 2012; European Commission, *Methodological Guide on Electoral Assistance*, October 2006; European Commission and UNDP, “Electoral Assistance Guidelines,” April 2016; Management Systems International, *Performance Evaluation of USAID Electoral Assistance to Kenya from January 2008—August 2013*, prepared under contract for USAID, June 2014; DFID and UK Aid, “Electoral Assistance and Politics: Lessons for International Support,” 2010; DFID and Foreign and Commonwealth Office, *How to Note on Electoral Assistance*, version 1.0, December 2010; ACE Project, “Electoral Assistance,” accessed October 1, 2019; ACE Project, “Facing Electoral Realities: Too Much Assistance, Too Late,” accessed October 1, 2019; ACE Project, “Wake-Up Call of the New Millennium,” accessed October 2, 2019; Kenneth Blackwell, “Electoral Assistance: A Cost Effective Investment for a More Stable, Prosperous World,” testimony before House Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, April 3, 2018; European Centre for Electoral Support, *EURECS: A European Response to Electoral Cycle Support*, n.d., p. 13; International IDEA, “Online Electoral Tool,” accessed June 19, 2020; Instituto Per GLI Studi Di Politica Internazionale, *The Electoral Cycle Approach: Effectiveness and Sustainability*

- of Electoral Assistance*, July 2011, p. 16; UNDP, *Global Program for Electoral Cycle Support (GPECS): Summary of Achievements 2009–2013*, p. 2.
1262. Independent Commission on Aid Impact, *Evaluation of DFID's Electoral Support through UNDP*, report 8, April 2012, p. 7.
1263. European Commission, *Methodological Guide on Electoral Assistance*, October 2006, p. 18.
1264. Afghan election official, SIGAR interview, February 24, 2020.
1265. Elections advisor, SIGAR interview, October 23, 2019.

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Research Team

Will Clift, Student Trainee
Jordan Kane, Senior Research Analyst
Paul Kane, Senior Research Analyst
Patrick O'Malley, Student Trainee
Jordan Schurter, Student Trainee
David H. Young, Supervisory Research Analyst/Project Lead

Lessons Learned Program Team

Nikolai Condee-Padunov, Program Manager
Tracy Content, Editor
Jason Davis, Visual Information Specialist
Vong Lim, Senior Visual Information Specialist
Joseph Windrem, Director of Lessons Learned Program




The National Defense Authorization Act for FY 2008 (P.L. 110-181) established the Special Inspector General for Afghanistan Reconstruction (SIGAR).

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- leadership and coordination of, and recommendations on, policies designed to promote economy, efficiency, and effectiveness in the administration of the programs and operations, and to prevent and detect waste, fraud, and abuse in such programs and operations.
- means of keeping the Secretary of State and the Secretary of Defense fully and currently informed about problems and deficiencies relating to the administration of such programs and operation and the necessity for and progress on corrective action.

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Source: P.L. 110-181, "National Defense Authorization Act for FY 2008," 1/28/2008.



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By fax: 703-601-4065

By email: sigar.hotline@mail.mil

By web submission: www.sigar.mil/investigations/hotline/report-fraud.aspx

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FOR AFGHANISTAN RECONSTRUCTION**

2530 Crystal Drive
Arlington, VA 22202

www.sigar.mil