

Democratic Handover in Afghanistan?

2014 PRESEDENTIAL ELECTIONS ARE CRUCIAL

Successful presidential elections on 5 April 2014 would produce the first democratic handover in Afghanistan's history. The vote also represents a milestone in the current transition phase. The organisation and conduct of the election process and the extent of proven manipulation will reveal a great deal about the progress of Afghan democratisation. Ensuring that the election can be held across the entire country will also represent the ultimate test for the Afghan security forces – shortly before the withdrawal of NATO combat forces. Although the election process has rolled out promisingly, there is still a danger of the ballot being postponed or so overshadowed by violence and fraud as to leave the new Afghan president with minimal legitimacy. Three candidates have forged ahead in recent weeks, but none can yet be regarded as a clear favourite.

On 5 April 2014 Afghanistan will hold its third presidential elections since the removal of the Taliban in autumn 2001. Hamid Karzai, who served as interim president (2002 to 2004) before being elected in 2004 and 2009, is not permitted to stand a third time. Successful elections would thus bring about the first democratic handover in Afghanistan's history. In the eyes of the international community the vote will have been successful if it is freer, fairer and more inclusive than the 2009 presidential election, which was overshadowed by fraud, abuse of power and violence.

As well as a president, Afghans will also be electing the 34 provincial councils on 5 April. Depending on the population of the

province, these have between nine and 29 seats. Altogether almost 2,700 candidates, including about 300 women, are standing for the 420 provincial council seats across the country.

Significance of the elections

Since the second half of 2013 the political debate in and about Afghanistan has been dominated by two themes: the US-Afghan Bilateral Security Agreement (BSA) and the presidential elections. These two issues have lately overshadowed discussion about the central action areas for the transition phase (mid-2011 to the end of 2014) defined by the Afghan government and the international community: (1) governance and corruption, (2) building national security forces, (3) regional cooperation (above all with Iran and Pakistan), (4) reconciliation and peace process, and (5) creating an economic perspective. Nonetheless, the conduct and outcome of the presidential elections will function as a barometer of progress and deficits in the aforementioned policy fields and decisively influence future developments in these central areas.

First of all, it will reveal to what extent the current government is willing and able to organise free and fair elections and thus fulfil its promises on good governance. Since the beginning of the year the Afghan security forces have gone on the offensive to erode the insurgents' resources and restrict their radius of action. On election day the security forces will be forced to operate defensively to protect polling stations and other facilities. Especially in the eyes of the Afghan population, these operations represent

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an important indicator of the current strength of the police, army and intelligence service. Success in safeguarding more or less nationwide elections and largely preventing spectacular, headline-grabbing attacks would boost the reputation and morale of the army and police force. If the elections are also perceived as largely free, fair and transparent, that would strengthen respect for the institutions of the Afghan state. But if escalating violence prevents the poll taking place at all in some parts of the country, or it is overshadowed by fraud and abuse of power, the population will probably finally lose its faith in the political system.

The regional powers of Iran and Pakistan will, like the leadership of the Afghan Taliban, only decide their future political course once it has become clear how the elections went and what the post-2014 NATO and US military presence will look like. An Afghanistan with a legitimate president, strengthened political institutions and a US and NATO military presence (even if heavily reduced) represents a completely different scenario than the same country after chaotic elections, with a severely damaged government and an aborted Bilateral Security Agreement.

So the shape of the election process will influence whether Iran and Pakistan choose to pursue a cooperative or more aggressive approach to the peace process and future stabilisation efforts by the international community, and the extent of concessions the Afghan Taliban may be willing to make. The question of the outcome of the election, the election winner, is of secondary importance in this connection. And because the stance of outgoing President Karzai in recent months has tied the Bilateral Security Agreement to the elections, the shape of the election process will influence the entire planning of Western military and civilian for the period after 2014. Karzai is leaving it to his successor to sign (or reject) the Bilateral Security Agreement between Afghanistan and the United States. That means that a parallel agreement between Afghanistan and NATO, the necessary formal invitation by the Afghan government, United Nations legitimisation of the new mission, and the

consent of national parliaments in certain NATO member-states all also have to wait until after the elections. Consequently, any significant delay in holding the elections would torpedo the required planning phase for US and NATO post-2014 military engagement in the country. This means that the future Afghanistan policy of the NATO states and a part of the associated military and development aid depend directly on the shape of the election process.

The election process

On 17 and 20 July 2013 President Hamid Karzai signed two laws regulating the process and responsibilities for organising and conducting the presidential elections: a general election law and the Law on the Structure, Duties and Authorities of the Independent Election Commission (IEC) and the Independent Electoral Complaints Commission (ECC).¹ As required by the legislation, President Karzai on 29 July 2013 appointed a nine-member Independent Election Commission.

In May 2013, even before the passage of the election laws and the appointment of the Independent Election Commission and the Independent Electoral Complaints Commission, the Afghan government began re-registering voters at the district level. The process was completed by November 2013. The number eligible to vote is estimated at about 12 million, out of a total population of approximately 30 million, although it is believed that up to 20 million voting cards could be in circulation. More than three million of these were issued in the latest registration phase in 2013, the rest originate from voter registrations in advance of the 2004 and 2009 presidential

¹ Independent Election Commission of Afghanistan.
http://www.iec.org.af/pdf/legalframework/aw/electorallaw_eng.pdf and
http://www.iec.org.af/pdf/legalframework/aw/law_structure_iec_duties_authorities_eng.pdf.

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elections and the 2005 and 2010 parliamentary elections.²

Altogether, according to the Independent Election Commission, there will be 6,775 polling stations across the country on 5 April.³ Initially, in January, the Interior Ministry declared that 414 polling stations would have to remain closed because of security concerns. But shortly thereafter, on 21 January, the Independent Election Commission announced that 313 additional polling stations would be set up. Security circles in Kabul expect that about 5 percent (in the worst case 10 percent) of the polling stations currently planned by the Independent Election Commission may have to be closed at the last minute or will remain unstaffed on election day, and that voting at those locales will be impossible.

The actual election process began on 16 September 2013 with a three-week registration phase for presidential candidates. By 6 October, 27 candidates had submitted applications. On 16 November 2013, after several weeks of scrutiny, the Independent Election Commission published its final list of eleven approved candidates and their respective running mates for the posts of first and second vice-president. Thus since the end of 2013 the attention of the Afghan electorate and media has focused on 33 individuals in eleven three-person teams.

According to the election law the presidential and vice-presidential candidates may campaign between 2 February and 2 April 2014, followed by a 48-hour political campaign silence period before the first round of voting on 5 April. The timetable continues with publication of provisional election re-

sults on 24 April and announcement of final results on 14 May. Complaints about the conduct of the election may be submitted between 7 and 27 April, for investigation by the Independent Electoral Complaints Commission by 7 May. If, as presently expected, none of the candidates passes the 50 percent threshold in the first round, a second round must be held 14 days after announcement of the first round final result (in other words on 28 May) to decide between the two leading candidates. In this event the announcement of a provisional result would be expected in mid-June and the final second round result not before the end of June. So even without delays in the process the identity of the new Afghan president will not be known until the beginning of the holy month of Ramadan.⁴

In the event of one of the eleven presidential candidates dying during the first or second round or before the election result has been announced, the constitution and election law stipulate that a new vote be held with the surviving candidates within 30 days.

Candidates

The most prominent presidential candidates are the 2009 runner-up and former foreign minister Dr. Abdullah Abdullah, former finance minister Ashraf Ghani Ahmadzai, the recently retired foreign minister Zalmay Rasoul,⁵ President Karzai's older brother Qayyum Karzai (who has since withdrawn from the contest), Wahhabite-leaning former mujahideen leader Abdur Rab Rasul Sayyaf, former defence minister Rahim Wardak, and the former governor of Kanda-

² *Guardian*, 3 February 2014.

<http://www.theguardian.com/world/2014/feb/03/afghanistan-election-guide-candidates-list>.

³ Independent Election Commission of Afghanistan.

<http://www.iec.org.af/pdf/summary-pc-list-eng.pdf>.

⁴ Ramadan is expected to begin on 28 June this year.

⁵ All candidates had to resign their public offices before submitting their applications to the Independent Election Commission.

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har and Nangarhar provinces, Gul Agha Sherzai.⁶

The compositions of the eleven three-person candidate teams, which have been known since November 2013, are extremely heterogeneous and in some cases represent curious political alliances. It would appear that most of the presidential candidates have forged alliances with political adversaries or rivals in order to appeal to as many as possible of the relevant political camps and societal groups. Most candidate teams are thus composed of members of different ethnic groups, although it is conspicuous that there is only one non-Pashtun presidential candidate, the Tajik Abdullah Abdullah. He is also the only candidate standing officially for a party, Jamiat-e Islami Afghanistan (Islamic Society of Afghanistan). All the other hopefuls registered as independents.

The two main Islamist parties, Jamiat-e Islami Afghanistan and Hezb-e Islami Afghanistan (Islamic Party of Afghanistan), which were among the main protagonists in the wars of the 1980s and 1990s, are represented by prominent figures in various candidate teams. This underlines the marginal role of political parties in this year's elections: individuals and alliances of individuals and networks are uppermost. From the announcement of the final list in November 2013 until well into the campaign there was speculation that candidate teams would break apart as presidential candidates fell out with their running mates. While that has not occurred to date, three presidential candidates have withdrawn in the course of March, thus reducing the field to eight (as of 27 March).

⁶ The other candidates are Outbuddin Helal (former negotiator for Gulbuddin Hekmatyar's Hezb-e Islami), Nader Naim (former chief of staff to the king), economist Hedayat Amin Arsala, and former member of parliament Mohammad Daud Sultanzoy.

The campaign

The 2014 election campaign differs significantly from its predecessor in 2009. The campaigns have become noticeably more sophisticated and professional. During the first weeks the candidates concentrated above all on Kabul, and held a series of debates and political talk shows to present and defend their goals and programmes. This helped to stimulate popular interest in the elections, the candidates and to some extent also the political issues. Fundamentally, it should be noted that more people, especially from the younger generations, now ask about political ideas and differences, but the candidates' programmes frequently remain threadbare and the substantive political issues are not at the centre of the political debates. Almost all the candidates have promised to create jobs, fight corruption, advance the peace talks and sign the Bilateral Security Agreement with the United States.⁷

There are still considerable differences in political participation and knowledge about democracy between the urban centres and the villages. In many villages there is no election campaigning at all, or it is conducted in a very traditional manner, with election helpers coming in person to hold meetings for their candidate. Here, as in many other political and social questions, the stark urban/rural contrast that characterises Afghanistan comes to the fore.

In the course of the campaign four candidates emerged relatively quickly as heavyweights: Abdullah Abdullah, Ashraf Ghani, Zalmai Rassoul and Qayyum Karzai. However, from the outset either Qayyum Karzai or Zalmai Rassoul was expected to withdraw as both are close to President Karzai. Since Qayyum Karzai stepped down on 4 March and called on his supporters to vote for Zalmai Rassoul, the latter has been regard-

⁷ Only the outsider Outbuddin Helal from Hezb-e Islami criticises the Bilateral Security Agreement and refuses to say whether he would sign.

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ed as the candidate of Karzai's political camp. He would be expected to continue the (clientelist) policies of the outgoing president and leave existing patronage networks largely untouched. For that reason Zalmay Rassoul enjoys particularly strong backing among state employees. This gives him supporters in all provinces, although not necessarily a majority. Abdullah Abdullah has worked hard to win Pashtun voters, knowing he can be sure of strong support among non-Pashtuns and having seen in 2009 that he cannot win without receiving Pashtun votes. Ashraf Ghani Ahmadzai has, like Abdullah Abdullah, strong support among younger voters, and has succeeded in drawing numerous smaller parties, politicians and influential council bodies (shuras) to his side.

Observers in Kabul forecast that Abdullah Abdullah, Ashraf Ghani and Zalmay Rassoul will share about 90 percent of the votes between them, with only 10 percent falling to the other candidates. The withdrawals of Rahim Wardak and Nader Naim on 16 and 26 March have not influenced the campaign and will have minimal effect on the vote shares of the other candidates. Lately, some Afghan observers – including members of all three campaign teams – see Abdullah Abdullah and Ashraf Ghani Ahmadzai roughly neck-and-neck, clearly ahead of Zalmay Rassoul.

In a press release on 10 March the Taliban announced they would conduct attacks on polling stations and persons involved in organising the election. They also threatened voters and called for an election boycott. In security circles in Kabul there are differing opinions about the insurgents' ability to significantly harm the election process. Some army, police and intelligence officers believe the resources and capacities of the Taliban and other groups to be limited and see the Afghan security forces strong enough to largely prevent an escalation of violence on 5 April. Others regard the recent increase in attacks and bombings as an indication that the insurgents will succeed in launching their announced offensive with a sharp increase in violence during the decisive phase.

One success the Taliban can certainly claim is the withdrawal of some of the few international election observers after the 20 March attack on the Serena Hotel in Kabul.

Summary

With a three-way fight in prospect there will already be a loser after the first round. Here, and after any run-off, it will be crucial whether the loser accepts defeat or disputes the victory of one or more rivals. If the second- and third-placed candidates are very close after the first round, protests must definitely be expected. Even if there is little fraud, margins of several percentage points must be reckoned with. Clear-cut first-round results, with a discernible gap between second and third place, would thus be beneficial for the election process, as it would grant the run-off candidates greater legitimacy.

With respect to the second round, there is a possibility that one of the candidates will withdraw and thus considerably shorten the election process, as occurred in 2009. This should naturally occur not, as five years ago, in protest at blatant ballot-stuffing, but ideally as an amicable agreement between the two remaining candidates.

Despite increasing insurgent attacks and numerous deficits and shortcomings,⁸ the election process thus far has been acceptable, in the sense that the problems many observers had expected to occur (including moves by Karzai to postpone the election) have not transpired. That in turn means that successful elections can still be held. On the other hand, the entire election process hangs by a thread: The recent attacks in Kabul show that the Taliban and their al-

⁸ See for example Afghanistan Analysts Network (AAN): <http://www.afghanistan-analysts.org/a-process-fast-and-patchy-new-independent-elections-commission-announced> and <http://www.afghanistan-analysts.org/not-a-promising-start-the-vetting-of-the-presidential-and-provincial-council-candidates>.

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lies still possess the capacity to conduct complex attacks in many parts of the country. The assassination of political leaders or presidential candidates can never be fully excluded and could utterly disrupt the election process. Or a wave of violence in the days before the vote could lead to a very low turn-out or the closure of many polling stations. The extent of vote-rigging is currently unpredictable and ultimately remains a major uncertainty factor.