



Afghanistan 2009 Presidential and Provincial Council Elections Kit

1) ELECTION DATE

August 20, 2009: Provincial and Presidential elections
If no presidential candidate receives 50%+1 vote there will be a second round of presidential election.

2) DEADLINES TO REGISTER (BOTH FOR THE CANDIDATES AND THE POPULATION)

Presidential and provincial council candidates had to register between April 25 and May 8, 2009.
Voter registration was from Oct 6, 2008 to Feb 18, 2009.

3) WHAT ARE THE BASIC ELECTION RULES?

PRESIDENTIAL:

Two-round majority vote; if no candidate or party receives an absolute majority in the first round, then a second round of voting with the two highest vote winners is held within two weeks of the date election results are announced. The winner of this round is declared elected.

PROVINCIAL COUNCIL:

Single Non-Transferable Vote (SNTV), where each voter casts one vote for a candidate; however, there is more than one seat to be filled in each electoral district. Those candidates with the highest vote totals fill these positions. Voters vote for candidates rather than political parties.

4) WHAT ARE THE MAIN POLITICAL PARTIES?

- Afghan Republican Party
- Islamic Society
- Islamic Movement of Afghanistan
- Islamic United Party of Afghanistan
- Islamic Party

5) WHO ARE THE CANDIDATES? ARE TRIBAL/ETHNIC/RELIGIOUS AFFILIATIONS RELEVANT?

There are 41 presidential candidates, two of which are women. There are 82 candidates for vice president (each president has two VPs).

There are also 3197 provincial council candidates, 328 of which are women.

The three most popular presidential candidates are incumbent Hamid Karzai (teamed with former Defense Minister Fahim and current Vice President Khalili); former Ministers Ashraf Ghani (former Finance

Minister and World Bank consultant); and Dr. Abdullah Abdullah (former Foreign Minister.) In a country where ethnic and tribal affiliation is key, it is worth mentioning that both Karzai and Ghani are Pashtuns, Dr. Abdullah Abdullah is half Pashtun-half Tajik.

Other candidates that may get significant number of votes are former Attorney General Abdul Jabbar Sabit; First Deputy Wolesi Jirga Speaker Mirwais Yasini; and Senior Minister Hedayat Anim Arsala.

Other high profile candidates include Najib-era Defense Minister Shahnawaz Tania; poet and activist Abdul Latif Pedram; Hazara pundit and parliamentarian Ramazan Bashardost; Turkmen leader Akbar Bai; and Saudi-based trouble shooter Sayed Jalal.

Two of the presidential candidates – one of them is the current Member of Parliament Shahla Atta – and seven of the 82 VP candidates are women.

There are rumors that large number of candidates will withdraw their candidacy (although it is technically impossible at this point when the ballots are already being printed and delivered to Kabul) in favor of other candidates.

6) WHO IS ELIGIBLE TO RUN FOR OFFICE?

President: Candidates must be an Afghan citizen, Muslim, and born of Afghan parents; at least 40 years old on day of candidacy; and not convicted of crimes against humanity, a criminal act, or deprivation of civil rights by a court.

Provincial Council member: Must have been Afghan citizen for past 10 years prior to candidacy date; at least 18 years old, not convicted of crimes against humanity, a crime, or deprivation of civil rights by court; and not associated with non-official military forces.

At least one quarter of of seats in each Provincial Council will be reserved for female candidates.

If there is an insufficient number of women on the candidate list to fill the seat or seats allocated to women, then the seat or seats will remain vacant for the next four years until the next Provincial Council elections which should take place four years from the election on August 20th.

7) HOW LONG ARE THE TERMS?

Presidential: Five years. Two terms can be served.

Provincial: Four years. No term limits.

8) WHAT ARE THE ISSUES?

Key issues are security, economy, healthcare, education and gender.

9) WHO IS ALLOWED TO VOTE? (ARE WOMEN AND MINORITIES ALLOWED?)

Any Afghan citizen who is at least 18 years old on Election Day, has not been deprived civil or political rights by a court of competent jurisdiction, and is registered as a voter by the Independent Election Commission (IEC) is allowed to vote.

10) WILL THE VOTE BE FREE AND FAIR?

Both the IEC and the international community have put a lot of effort into making these elections as free and fair as possible under the challenging circumstances facing them. The hope is that they are free and fair.

11) HOW MANY PEOPLE ARE REGISTERED?

There are over 17 million registered Afghan voters that registered during the previous elections and during the most recent voter registration drive.

During the previous Presidential Election in 2004, over 11 million people registered to vote. For the 2005 National Assembly election, 1.7 million people received new cards or corrected errors on existing cards.

The IEC conducted a new round of voter registration from October 2008 – February 2009 in four phases. The exercise registered over 4.4 million new voters in total, of which 38 per cent were women. According to the IEC's official numbers:

- First phase (October 6-November 4, 2008) – 1,295,347 people registered
- Second phase (November 5-December 4, 2008) – 1,650,438 people registered
- Third phase (December 12, 2008-January 12, 2009) – 924,023 people registered
- Fourth phase (January 20-February 18, 2009) – 495,484 people registered

12) BRIEF HISTORY OF ELECTIONS IN AFGHANISTAN

Afghanistan's only experience with elections prior to 2004 was under the reign of King Zahir Shah, during which parliamentary elections were held. The last of these elections took place in 1969. As a result, according to the Congressional Research Service of the Library of Congress, Afghanistan did not have a fully elected government until 2004.

The establishment of presidential, parliamentary and provincial elections, and the adoption of a new constitution, came about through a post-Taliban transition roadmap established by the UN-sponsored agreement signed by major Afghan factions in Bonn, Germany on 5 December 2001 ("Bonn Agreement"). The Bonn meeting formed an interim administration, led by Hamid Karzai, an ethnic Pashtun. A new constitution was approved at a "constitutional *loya jirga*" (traditional Afghan assembly) in January 2004.

The October 9, 2004 election that resulted in the victory of Karzai as president was held under this agreement. Karzai received the support of 4.4 million out of 10.5 million registered voters, 42 percent of which were women.

On September 18, 2005, the parliamentary and provincial elections were held. During these elections, 34 provincial councils selected two representatives: one permanent for a full four-year term, and one interim.

The system used for the election is the "single non-transferable vote system" (SNTV), in which candidates stand as individuals, not as members of a party list.

13) DEMOGRAPHICS IN THE PRISM OF ELECTIONS

The population of Afghanistan is divided into a wide variety of ethnic groups. A systematic census has not been held in the country in decades and exact figures about the size and composition of the various ethnic groups are not available.

Therefore, most figures are approximations only: Pashtuns – 40%, Tajiks – 35%, Hazaras – 9%, Uzbeks – 9% and the rest is Turkmen, Baluch, Aimak, Nuristani, other.

14) WHO IS IN CHARGE OF RUNNING ELECTIONS?

The upcoming elections in 2009 and 2010 are being held under the sole responsibility of the Afghan government. The Independent Electoral Commission (IEC) of Afghanistan is an independent and nonpartisan body tasked to conduct free and fair elections in Afghanistan. Members cannot be officials of political parties or election candidates. Laws, regulations, press releases, and other information may be found at www.iec.org.af.

15) IS THERE A PUBLIC CAMPAIGN FINANCING AND FINANCIAL DISCLOSURE?

There is no campaign financing from public funds for candidates or political parties. However, the IEC Media Commission will set up and oversee a Sponsored Advertising Program that will provide each candidate in the election for president with limited free-of-cost airtime on radio or television stations

The IFES STEP Monthly report for April 2009 states that the IEC has now established a Campaign Finance Unit within its Legal Department with two campaign finance officers.

In April 2009, the IEC passed a Campaign Finance Disclosure Regulation, applicable only to the presidential election, requiring candidates to submit, after the election, a report showing all campaign contributions, with those over 5000 Afghani showing the name of the donor, all expenses incurred during the campaign and a statement on how the surplus or deficit will be handled. IEC will publish the reports, showing only the names of contributors who gave 50,000 or more Afghani in total.

The Electoral Law does not specifically mention disclosure, but states that candidates may not use illegal or foreign funds. However, the IEC has issued regulations covering political campaign finance which require the candidates to disclose the source of all contributions. Candidates who do not disclose their funding sources are not allowed to run in any future election until they provide the required reports or satisfactory reasons for not doing so.

The IEC has also ordered presidential candidates to submit interim reports and the first reports, covering the first 15 days of the campaign, were due on June 29, 2009. Only 15 candidates submitted reports. Those who failed have been ordered to consolidate the first period with the reports for the second period, due July 16th, 2009.

There is no limit to the amount of campaign expenditure stated in the law. The Commission decided not to apply limits, partly because such a restriction should have a clear basis in the law and partly because the Commission did not believe that limits should be set at this stage.

16) ARE THERE SECURITY CONCERNS? IS THERE A RISK FOR ELECTION VIOLENCE?

Security is a key concern, if not the most important concern, in the period of upcoming elections in Afghanistan. The presence and activities of Taliban groups, Al-Qaeda, insurgence from the Pakistan borders, presence of the Western alliance troops, poverty, undeveloped infrastructure, drug trafficking and powerful war lords, among other factors, create serious instability in the country and its surrounding region.

Analyses show that anti-government militant groups do not wish to influence elections, but to discredit the democratic process and de-legitimatize the government. Such threats will most likely assume the form of intimidation, abduction and assassination of election workers and monitors. Attacks against polling stations and poling centers are also possible.

An operation by Afghan National Police to protect the center of Kabul, labeled "Ring of Steel" commenced in July. It involves approximately 600 Afghan Policemen manning 30 checkpoints in a circle which will cover the most sensitive areas of the city (police districts 1, 2 and 10). A quick response or mobile force estimated at approximately 1000 men will be based in Kabul for the election period.