Manual of the Workshop
Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process
Workshopmanual
Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

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Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

**Expert Opinion Survey on Election Risks**

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**Summary**

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The project aimed at two objectives. The first and primary objective was the training of executive staff members and regional officers of the Independent Election Commission (IEC) and members of national monitors, organised in NGOs and CSOs (like FEFA and AIHRC) in techniques of anti-corruption, electoral law and electoral process handling.

The goal of the training was:

- to enhance the organisation’s ability to maintain and defend its independence;
- to cooperate together and with international election monitors;
- to manage the electoral process and to deal with irregularities in a more professional manner.

Both participant groups, IEC and NGOs as well as the AIHRC were brought together, to offer them an opportunity to exchange their views and experiences, learn from each other and develop proposals for the improvement of the electoral and democratic process.

The second consecutive objective was to improve the electoral process. Better trained IEC staff will be able to better defend the independence of the commission, cooperate with national and international election monitors, manage the polling stations and deal with irregularities in a more professional manner. As a result community members will experience more transparent elections. Ultimately, this is expected to contribute to the general public regaining trust in the democratic system. The training of NGOs, CSOs and the AIHRC will support their members in monitoring elections and in strengthening the Afghan civil society more effectively.

**Project Objectives**

- to enhance the organisation’s ability to maintain and defend its independence;
- to cooperate together and with international election monitors;
- to manage the electoral process and to deal with irregularities in a more professional manner.
During the workshop, the risks experienced in past elections and risks that were believed to materialise in upcoming elections were discussed in various group discussions based on three levels: national level, provincial level and district level, and divided in the following categories of risks: critical, severe, limited and routine.

The following steps and tasks of an election have been discussed and will be taken through the analysis of the task (4), the summary of the risks (5) and conclusions and recommendations (6) after introducing the results of the expert surveys.

1. Monitoring and Election Observation
2. Election Management
3. Organisation Development
4. Communication/Coordination
5. Legal Framework
6. Election Day
Expert opinion Survey on Election Risks

The Survey

In order to better understand the risks threatening the efficiency, integrity and, ultimately, legitimacy of elections in Afghanistan, a brief expert opinion survey among the participants of the workshop has been conducted. The survey consisted of six questions asking for a general assessment of different kinds of risks possibly affecting elections, such as security risks, political pressure, corruption, incompetence, logistical and technical challenges, etc. The subsequent questions then tried to specify the risks by asking more detailed questions about each of them, e.g. the respondents have been asked to assess risks on the three different levels of the Afghan administration: the national, provincial and district levels (Question 2), to assess risks during the different phases of the election cycle (Question 3).

The next two questions rated security risks emanating from different violent actors (Question 4) and political pressure influencing the elections and emanating from different actors (Question 5). The last question (Question 6) asked for an assessment of the types of illegal strategies election candidates are most likely to use in order to influence the outcome in their favour, i.e. corruption, political pressure, violence, etc.

Out of the 30 participants of the workshop, 22 returned valid survey sheets. The survey was anonymous, but respondents were asked to indicate their gender and whether they worked for a government organisation (the IEC or AIHRC) or for a civil society organisation. Among respondents were 4 women and 16 men while 4 respondents failed to indicate their gender; 10 respondents indicated that they were working for a government agency and 8 for civil society organisations, 4 respondents did not indicate their employment status on the survey response sheet.

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The Results

In all six questions respondents were asked to assess risks in a scale of 1 to 10, with "1" signifying a very low level of risk, while "10" signifying the highest possible level of risk. The results has been presented by calculating the average of all responses.

Key highlights of the expert opinion survey are the following:

- **Overall Risk Assessment** (Question 1): Not surprisingly security was evaluated as being the largest threat to the conduct of elections, followed by political pressure, disregard for laws and the lack of support by the general public (i.e. legitimacy).

- **Risks on the different levels of the Afghan administration** (Question 2): According to the responding experts, in terms of risks there is no significant difference between the three levels of the Afghan administration, the national, provincial and the district level.

- **Risks during different phases of the election cycle** (Question 3): In contrast to the previous question, risk levels vary according to election phases. Highest risks are associated with the voter registration process, the election day itself, and the post-election period (counting votes, announcing results).

- **Security threat by actor** (Question 4): The most significant threat to security was attributed to the Taliban followed by other informal armed groups (a term that can refer to the various, recently established anti-insurgency militias, or fighters loyal to war-time Jihadis warlords). Risks associated with Afghan national security forces (a term including the Afghan army and the police, ANSF) international military forces (IMF) were lowest, but still relatively high. During the discussions, survey participants clarified that the risks associated with the latter two actors were indirect rather than direct, i.e. the failure to offer protection as agreed (e.g. not providing promised security to a polling station on the election day, thus exposing staff members at the station to great risks).

- **Political pressure by actor** (Question 5): According to respondents, the largest risk to the conduct of elections is represented by political pressure emanating from the circles of the president. In absolute terms, this risk was evaluated even higher than security threats related to the Taliban insurgency, receiving a score of "7.2", while the latter only received a score of "6.5" (Question 4).

- **Candidate strategies to influence elections** (Question 6): Candidates in elections are most related to the Taliban insurgency, receiving a score of "7.2", while the latter only received a score of "6.5" (Question 4). For an overview see Table 1.

<table>
<thead>
<tr>
<th>Question</th>
<th>Risk Category</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Security threat by actor</td>
<td>7.2</td>
</tr>
<tr>
<td>2</td>
<td>Political pressure by actor</td>
<td>6.5</td>
</tr>
<tr>
<td>3</td>
<td>Risks during different phases of the election cycle</td>
<td>6.5</td>
</tr>
<tr>
<td>4</td>
<td>Security threat by actor</td>
<td>6.4</td>
</tr>
<tr>
<td>5</td>
<td>Risks on the different levels of the Afghan administration</td>
<td>4.3</td>
</tr>
<tr>
<td>6</td>
<td>Candidate strategies to influence elections</td>
<td>4.3</td>
</tr>
</tbody>
</table>

The analyses of the survey is given on the following pages.

نتایج

در این آمار از سوالات جواب‌دهندگان به تهدیدات داده شده را 1 تا 10، با "1" نشان‌دهنده سطح خطر مناسب و "10" نشان‌دهنده سطح خطر واقعی‌تر، در نظر گرفته شده است.

نکات کلیدی نظرات متخصصین عبارت اند از تأکید بر سطح خطر امنیت ناشی از طالبان، امتیاز امنیت اغلب است. در حالیکه امنیت دیگر افراد درباریکه اختلاف مشاهده نمی‌شود.

| سوال | کاندیدا استراتژی انتخابات | گزارش | 4.3 |
Several risks can endanger the electoral process. In the following we list some such risks that you have mentioned in the last few days. Please rate the impact of these risks on the legitimacy and efficiency of the elections: how important are they?

**General Assessment of risks**

<table>
<thead>
<tr>
<th>Risk Description</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security</td>
<td>7</td>
</tr>
<tr>
<td>Post-Poll Violence</td>
<td>8</td>
</tr>
<tr>
<td>Corruption</td>
<td>6</td>
</tr>
<tr>
<td>Inexperience / incompetence</td>
<td>5</td>
</tr>
<tr>
<td>No training programs</td>
<td>4</td>
</tr>
<tr>
<td>Lack of support</td>
<td>3</td>
</tr>
<tr>
<td>High costs</td>
<td>2</td>
</tr>
<tr>
<td>Disputing lines</td>
<td>1</td>
</tr>
</tbody>
</table>

**Question:** Several risks can endanger the electoral process. In the following we list some such risks that you have mentioned in the last few days. Please rate the impact of these risks on the legitimacy and efficiency of the elections: how important are they?
**QUESTION 2:**

In general terms, how high are risks to the legitimacy and effectiveness of elections at the following levels?

**Risk on different administrative levels**

<table>
<thead>
<tr>
<th>Level</th>
<th>10</th>
<th>9</th>
<th>8</th>
<th>7</th>
<th>6</th>
<th>5</th>
<th>4</th>
<th>3</th>
<th>2</th>
<th>1</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>National L</td>
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<td>Provincial L</td>
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<td>District L</td>
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</tr>
</tbody>
</table>

**QUESTION 3:**

Please estimate the degree of risks to the following three phases of the election cycle:

**Election phases**

<table>
<thead>
<tr>
<th>Phase</th>
<th>10</th>
<th>9</th>
<th>8</th>
<th>7</th>
<th>6</th>
<th>5</th>
<th>4</th>
<th>3</th>
<th>2</th>
<th>1</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Voter reg.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Candidate reg.</td>
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<tr>
<td>Election day</td>
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<td>Post-election</td>
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</tbody>
</table>

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بلند بردن شایستگی کمیسیون مستقل انتخابات و موسسات غیر دولتی افغانی در ساحه قانون انتخابات، سازماندهی پروسه انتخابات و مبارزه با فساد

سوال 2: به صورت عموم، در سطح ذیل تهدیدات علیه مشروعیت و موثریت انتخابات به کدام انداده است؟

خطر در سطوح مختلف اداری

سطح ولسوالی سطح ولایتی سطح ملی

سوال 3: لطفاً درجه تهدیدات را در سه مرحله انتخاباتی دیل تخمین نمائید:

مراحل انتخابات

ثبت نام رأی دهندگان آمادگی ها بعد از انتخابات روز انتخابات تنظیمات ها
**QUESTION 4:**

In the field of security please rate the severity of the following specific sources of security threats:

<table>
<thead>
<tr>
<th>Security threat by actor</th>
<th>Taliban</th>
<th>ANSF</th>
<th>IMF</th>
<th>Informal armed groups</th>
<th>Polit. powerful people</th>
<th>Internal of IEC</th>
<th>Internal of voters</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10</td>
<td>9</td>
<td>8</td>
<td>7</td>
<td>6</td>
<td>5</td>
<td>4</td>
</tr>
</tbody>
</table>

**QUESTION 5:**

In your opinion, in the field of political interference please rate the severity of the following specific sources of political influencing:

<table>
<thead>
<tr>
<th>Political pressure by actor</th>
<th>Pressed pressure</th>
<th>Int'l pressure</th>
<th>Provincial officials</th>
<th>Press. powerful</th>
<th>District officials</th>
<th>Dist. powerful</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10</td>
<td>9</td>
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<td>7</td>
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<td>5</td>
</tr>
</tbody>
</table>

**Expert opinion Survey on Election Risks**

**Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process**

Question 4:
In the field of security please rate the severity of the following specific sources of security threats:

- Taliban
- ANSF
- IMF
- Informal armed groups
- Politically powerful people
- Internal of IEC
- Internal of voters

**Question 5:**
In your opinion, in the field of political interference please rate the severity of the following specific sources of political influencing:

- Pressed pressure
- Int’l pressure
- Provincial officials
- Press. powerful
- District officials
- Dist. powerful

Beholder political influence

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process
**Question 6:**

Election candidates can influence the outcome of elections in several different ways, through corruption (bribery), relations, political pressure, or violence. Please rate, in your opinion, which is most widespread?

**Candidate strategies to influence elections**

<table>
<thead>
<tr>
<th></th>
<th>Number 10</th>
<th>Number 9</th>
<th>Number 8</th>
<th>Number 7</th>
<th>Number 6</th>
<th>Number 5</th>
<th>Number 4</th>
<th>Number 3</th>
<th>Number 2</th>
<th>Number 1</th>
<th>Number 0</th>
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<tbody>
<tr>
<td>Corruption</td>
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<td>Polt pressure</td>
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<td>Violence</td>
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<tr>
<td>Intimidation</td>
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</tbody>
</table>

**Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process**

**Expert opinion Survey on Election Risks**
Setting the Tasks

The first part of the workshop aimed at understanding standards and possibilities in order to explore the tasks awaiting an election observer. International best practices as well as inner-organizational techniques are discussed, thus setting the scope for the tasks at hand.

1. Monitoring and Election Observation

The discussion on monitoring and observation focused on three key questions:

a) Which international standards apply to all elections?
b) What should election managers do?
c) What should observers check?

A number of universal standards apply to all elections and must be respected. This includes the right to vote (universal and equal suffrage), the right to be elected, genuine elections, periodic elections, secret ballot/vote, and the free expression of the will of the electors. The UN Human Rights Committee was the first body to establish international Standards of Elections in 1996. In 1990 the Organisation for security and co-operation in Europe OSCE followed with its Copenhagen Document, then the International Institute for Democracy and Electoral Assistance (IDEA), the International Foundation for Electoral Systems (IFES) and the Interparliamentary Union (IPU), among others. Beyond these standards, countries introduce best practice, such as

- a transparent, professional and accessible electoral management body,
- clear and equitable campaign regulations,
- equitable access to the media,
- adequate identification requirements for voters or
- full election results being published promptly down to the lowest level.

Fundamental issues are addressed in the Constitution and the Electoral Law. Finer details (voting procedures etc.) are placed within regulations. Codes of conduct can be introduced but are informal and not legally binding.

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The first part of the workshop aimed at understanding standards and possibilities in order to explore the tasks awaiting an election observer. International best practices as well as inner-organizational techniques are discussed, thus setting the scope for the tasks at hand.
The role of election observers is widely recognised. They can
• promote openness and transparency;
• enhance public confidence in the electoral process, including the secrecy of the vote;
• ease tensions and increase security;
• deter improper practices and attempts at fraud;
• identify and defuse potential areas of conflict;
• increase political credibility and legitimacy;
• enhance the credibility of the electoral authority.

All parts of the electoral cycle should be observed, and not just during the time around the election day, to capture all essential elements of an election. For an Election Commission, it is important
• to develop professional and effective relations with observers.
• to ensure that observers are independent, trained and informed.
• to prepare the public for the presence of observers.
• to make the Election Commission accessible for observers.
• to tackle any arising issues efficiently and swiftly.
• to abide Observers by the CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS, which was commemorated on October 27, 2005, at the United Nations, New York.

Scope of the independent observers within the election cycle
2. Election Management

The Criteria for Ethical Election Administration as published by International IDEA in March 2005, has become a recognised standard for the way elections should be managed. They call for:

- respect of the law (comply with the laws, ensure proper implementation of election law; fair and just treatment of all stakeholders in the elections).

They also ask election managers to be:

- non-partisan and neutral (be neutral and unbiased to all; be non-partisan; be correct, discrete - and think; communicate any conflict of interest; not participate in any activity seen as sympathetic with one party; not discuss politics; not wear partisan symbols).

Specifically, election managers should:

- not accept any gift or favour from a political party, organization or person involved in the election process;
- reject any improper influences and, except as provided by law or custom, refrain from accepting directions relating to the performance of their tasks;
- not participate in any activity that could lead to a conflict of interest;
- be transparent. They must justify or explain their decisions if asked; inform about their decision-making; allow and facilitate access to documents;
- consult with stakeholders about decisions;
- disclose deficiencies in the election;
- be accurate. Their treatment of information must be systematic, clear and unambiguous. They should make sure information is based on facts;
- be designed to serve voters. They should make voter participation easy, let voters understand the elections and enable voters in difficult situations to vote.

Setting the Tasks

1. تجهیز به دانشگاه های همکاری کرده همکاری کرده همکاری کرده HUMBOLDT-VIADRINA School of Governance

منشأ متین شایستگی کمیسیون مستقل انتخابات و موسسات غیر دولتی افغانستان سازمان‌های انتخابات و صنعت با شاخصی تجهیز به دانشگاه های همکاری کرده HUMBOLDT-VIADRINA School of Governance
3. Organisational Development

It is increasingly recognised that organisations need to be transparent and accountable to be legitimate and effective. Such organisations are characterised by the existence of integrity, accountability; responsibility; calculability; audits; comparability and measurability. An important benefit is that trust is built inside the organisation through a culture that follows standards, and outside the organisation, giving people reasons to trust the organisation, by being open about its working. A transparent organisation can direct people’s attention and become a leader. It makes information visible and people will depend on it to guide them through its information. It is beneficial to use transparency to improve the organisation, for example for ‘after the event’ examination of decisions and processes, to attribute responsibility and learn from past problems and successes. Transparent organisations can give incentives for change: Internal and external scrutiny can be a stimulus and incentive for behaving in an ethical manner. Transparent election management bodies can make elections effective and legitimate. The credibility of elections depends on the organisation setting the tasks.

In order to build a transparent organisation, codes of conduct can be established. This is a good approach for organisations taking a fresh start or operating in a challenging environment. The problems with this approach are that it can be difficult to agree on the rules, to make them known, and to enforce them.

Organisational values can be good for an organisation whose members are able to agree on common goals. The technique for example is to develop a values statement. The problem with this approach is that interpretations can differ, values are harder to enforce than rules/codes, that it is difficult to link values with day-to-day work and to identify when to loosen rules and rely more on values.

Ethical leadership is another useful approach. Leaders are in a strong position to influence an organisation’s culture and guide behaviour. This is especially useful in reform processes and after organisational troubles. The downside of this approach is its dependency on people, finding no continuity if leadership changes/breaks down; the moral authority of the leader must be credible (’Do as I do’, not ‘do as I say’) and there must be a balance between organisational ethics and individual imperatives.

Some other tools and actions are the registration of interests and gifts (avoiding conflicts of interest); clear rules for hiring and firing; rules on decision-making: forward plans, making clear who is responsible for decisions, when and how, rules on access to information (tools for organisational openness); systems of whistleblowing and feedback mechanisms.

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4. Coordination/Communication

The focus of this session was on communication both within the electoral administration bodies and with the public. The training part looked at the necessity for the development of a comprehensive communication strategy for all levels of the election administration. This should follow the logical progression described in the following. The aim of the coordination effort would be to establish functional channels of communication within the election administration and with stakeholders, ultimately leading to a positive public perception among all stakeholders.

The next step aimed at defining the targets of communication and the communication themes, thus clarifying that there are a variety of target groups for structured communication, which need to be addressed with a variety of differing and tailor-made messages. In order to do that, the group of communication themes needs to be defined precisely. Both direct tools (direct contact with stakeholders) and indirect tools (the use of a variety of media) need to be defined and specific sets of measures need to be developed for each tool. No strategy will work without sufficient and well trained staff being assigned to implement it. Also the staff’s responsibilities with regards to each single measure need to be defined. Once this is clarified, there needs to be a clear and binding timeline for the implementation, the communication effort will only succeed if sufficient funds are assigned to implement the strategy.

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<tr>
<th>PREREQUISITES OF A COMMUNICATION STRATEGY</th>
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<tr>
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<tr>
<td>Defining direct &amp; indirect tools</td>
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<tr>
<td>Developing measures for each tool</td>
</tr>
<tr>
<td>Assigning the staff’s responsibilities</td>
</tr>
<tr>
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Ultimately, the communication strategy will be relevant only if it is created in an inclusive and transparent process, preferably with stakeholder participation. Once it is prepared, it is a good practice to publish the strategy and to invite stakeholders to participate in its implementation, thus adding to the communication effort’s credibility. The discussions during the training as well as the risk assessment revealed the need for more and specific training and funding regarding this particular issue.
5. Legal Framework

The legal framework for elections in Afghanistan is very complex; it consists of legal norms in the constitution, the electoral law and numerous regulations and by-laws. Among many other legal problems, the constitutionality of election law has been seriously questioned by legal experts. The constitutional basis of ECC was also doubted after it took several far-reaching decisions before and after the electoral fraud during Afghanistan’s 2009 presidential election and 2010 parliamentary election. Many other difficulties made the proper implementation of the legal framework difficult, if not impossible. In the workshop it became clear that improvements of the legal framework were urgently needed. The IEC did follow up to the discussions in the Dushanbe workshop and proposed, on 28 April 2012, amendments to the electoral law aiming at the prevention of future election fraud. The changes include alterations in parliamentary elections which would allocate one-third of seats to political parties based on proportional representation. The remaining two-thirds of parliament would remain subject to the original system whereby seats are determined by a single, non-transferable vote for one candidate. The IEC’s proposed amendments also include a redefinition of its own authority to further deter election violations.

http://www.gndem.org/afghan-election-law-draft
6. Election Day

In this section, the presentation was cut short due to time constraints, and the training session was redesigned to take the form of an open discussion. It was assessed that by the time of this session, the levels of familiarity between the participants were high enough to ensure a relationship of trust. In consequence, the discussion focussed mainly on the various shortcomings in the electoral process. Generally, the opinion prevailed that regulations are sufficient in theory, including codes of conduct for the election stakeholders. However, during the discussion this standpoint was questioned by a number of factors. It seems, for example, that the formulation of regulations makes it difficult for participants with a lower educational level to follow the electoral process, leading to unnecessary confusion and wrong interpretations. In extreme situations, this can constitute a serious risk.

It seems that there are great difficulties in organising field checks and more generally, the monitoring of the process on the election day. This is often due to the case of the security situation. Still, this argument is more often than not invoked in order to avoid long trips to remote areas in difficult conditions. While this is a logistical issue, appropriate sanctions as well as targeted training on the importance of field monitoring seem to be necessary.

Connected to this is also the perceived lack of knowledge about conflict avoidance and systematic conflict management techniques with the electoral staff. Also it became apparent that there is no systematic conflict management system in place across the entire electoral administration. Not exclusively a shortcoming of this section only, the variety of problems regarding staff recruitment (transparency, appropriate qualification, sufficient training, etc.) was mentioned by several participants as a major handicap for a smooth handling of the challenges during the election day. As all the above mentioned issues are interconnected, it appears that a systematic conflict management system is necessary to address only with appropriate levels of funding and willingness to seriously engage in capacity building.

The workshop consisted of lectures, presentations and group discussions. The summary of risks was carried out by the group results with single quotes. In addition, the summary was discussed in a plenary session and modified if necessary.

6. Rontology Day

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**Summary of Risks**

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**Critical**

1. Security: Observers cannot reach polling stations because of bad security
   - Large-scale fraud can happen, urgent on-the-ground decisions and adjustments cannot be decided.

2. Lack of mobile IEC teams:
   - Massive breach of rules due to incompetence or fraud can happen.

3. Preventing monitors from reaching polling stations:
   - Local or regional power-brokers (sometimes even Afghan security forces) might prevent monitoring in certain areas.

4. Restrictions to female observers:
   - Insufficient number of trained and educated female observers.

5. Lacking communication equipment for observers:
   - On the district level.

6. Little concentration of election observer organisations:
   - On preparatory phases of the election (candidates, voter lists, etc.).

**Severe**

7. Low level of training of observers:
   - Observers might fail to identify breaches of the electoral procedure.

8. Observers not receiving adequate information from election officials:
   - Adequate performance of observer functions at risk.

9. Partiality of observers:
   - A differentiation between election observers and party/candidate agents is necessary.

10. Too many observers in one polling station:
    - Election processes face delays.

11. Late accreditation of observers:
    - Observers do not understand observers’ tasks.

**Limited**

12. Polling station or regional / local IEC staff does not understand observers’ tasks:
    - Observers might prevent them from doing their work or fail to provide them with adequate information.

**Routine**

13. Day-to-day election processes:
    - Face delays.

14. Observers not understanding observers’ tasks:
    - They might fail to identify breaches of the electoral procedure.

**Summary of Risks**

1. **Critical**
   - Observers cannot reach polling stations due to bad security. Large-scale fraud can happen, urgent on-the-ground decisions and adjustments cannot be decided.

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   - Preventing monitors from reaching polling stations. Local or regional power-brokers (sometimes even Afghan security forces) might prevent monitoring in certain areas.

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   - Day-to-day election processes face delays.
Summary of Risks

2. ELECTION MANAGEMENT

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Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process
### Summary of Risks

#### Organization of the Electoral Process

Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Enhancement of Competency of the Independent Election Commission and School of Governance

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<td>2. No feedback / insufficient feedback; there are few – if any – systematic ways to gain feedback on the impact of processes and decisions of IEC; moreover, there is a culture in the organization that sees feedback as a personal attack.</td>
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<td>4. Insufficient trust, appreciation within the organisation; this leads to lack of interest to one's work, no identification with the organisation and less loyalty. Lacking ethical and authoritative leadership. Especially mentioned on the national level.</td>
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<td>5. Problems with recruitment process; both for temporary staff as well as for permanent staff. process repeatedly subverted possibility of not sufficiently qualified staff entering the organisation partiality, incompetence fraud, loss of legitimacy</td>
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#### Organisational Development

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Summary of Risks

4. COMMUNICATION / COORDINATION

Critical

1. Comprehensive national level communications strategy by IEC
2. Insufficient capacity of IEC staff with regard to public communication; this is a national and provincial/district level problem
3. Insufficient communication between IEC and security forces [provincial level] — overall security of preparations and during the election day partly depends on whether this communication is good or bad.
4. Insufficient communication of IEC with civil society and media

Severe

5. Insufficient communication with media [provincial level 2], see also lack of communication strategy Critical-Serious
6. Partially lacking communication between IEC and AIHRC, this is particularly important during candidate registration; in some provinces the communication is very good, in others it is not. [provincial level]
7. Insufficient technical equipment — this effects the entire internal communication of IEC, i.e. between provincial and national level IEC Critical-Serious

Limited

10. Insufficient communication with the public — see also lack of strategy and insuffficient communication between IEC and training partners
11. Insufficient communication with candidates; what is the damage — e.g. no coordination with candidates about observers

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

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5. Legal framework

1. Quick succession of elections (3 in two years) leads to frequent postponement of elections. This question of legitimacy of institutions whose mandate is extended (e.g. overlapping authorities in cases of infringements) should be clarified.

2. Changes of procedures shortly before elections.

3. IEC temporary staff who have violated election rules employed again in subsequent elections.

4. Complaints procedures & feedback mechanism are unsatisfactory.

5. Constitutionality of election law >> validity of last elections.


7. Protection of whistle-blowers and of related documentation.

8. Insufficient possibilities to appeal against decisions of vetting committee.

9. Complaints mechanism does not provide for independent appeal.

10. Transparency of election procedures throughout process (e.g. storage of material, counting process).

11. Lack of IEC field monitoring on election day.

12. Lack of self-scrutiny of IEC.

13. Lack of clarity regarding constitutional basis of ECC.

14. Legitimacy of vetting process for potential candidates >> assumption of innocence should apply unless person has been convicted, no provisions to check allegations for crimes against humanity.

15. Deposits for presidential nomination too high (2.5 million AFN).

16. Professional qualification of IEC job applicants on all levels.

17. Candidates must resign from current position >> many qualified persons do not nominate themselves.

18. Current electoral system limiting opportunities for women to be elected.

19. Development of the electoral system towards a stronger position of political parties.

20. Incoherent terminologies in legislation (e.g. in electoral law and criminal code).

21. Unreliability of statistical data used to draw delineations of constituencies.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Summary of Risks

5. Critical

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### Summary of Risks

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1. **Critical**: Shirk ساختن نتایج: شایعات، معلومات غلط، مداخلات سیاسی
2. **Severe**: مسایل لوژستیکی
3. **Limited**: عکس العمل در مواجهه با نزاعات انتخاباتی

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### Enhanced Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

- **Enhancement of Competency** of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

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### Summary of Risks

1. **Critical**: روز انتخابات
   1. شریک ساختن نتایج: شایعات، معلومات غلط، مداخلات سیاسی
   2. مسایل لوژستیکی

2. **Severe**: مشکلات در رابطه با نیروهای موقت کمیسیون مستقل انتخابات
   1. کشاکش های روز انتخابات
   2. کمبود با مواد انتخاباتی
   3. مشکلات با مواد انتخاباتی

3. **Limited**: کمبود

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### Summary of Risks

- **Critical**: Communication of results: rumours, wrong information, political interference
- **Severe**: Election day procedures difficult to understand for people with limited education
- **Limited**: Problems with election material
Clarification and Recommendations

This last part takes a choice of severe and critical risks of the analysis, which has been chosen by the participants and leads it through clarification and recommendations. If adequate, legal constraints are also included in the clarification. Within the workshop, recommendations were not yet detailed but collected as a first step that can be deepened for each recommendation in the future.

1. Monitoring and Election Observation

A Risk: Limitation of female observers

Clarification of the risk:
The number of female observers is, especially on the district level, very limited.

Recommendations:
- Increasing rights and privileges of female staff in districts
- Maintaining security of voting centres in the districts for better observation
- Establishing observer organization
- Clarifying Procedures for observer organizations

This risk adversely affects the election process, the reporting, and the equal opportunity of women in the election.

1. توضیحات و پیشنهادات

این بخش اخیر خطرات بحرانی و شدید نتایج که توسط اشتراک کنندگان انتخابات بود و منجر به توضیحات و پیشنهادات گردید. اگر مناسب بود اجرای قانونی نیز شامل توضیحات می‌گردید. در جریان ورکشاپ پیشنهادات با جزئیات مطرح نگردده بلکه به حیث یک فرم اول که در آینده میتوان در عمق هریک رفت مطرح گردید.

الف. خطر: محدودیت ناظرین زن

توضیحات در مورد خطر:
تعداد ناظرین زن خصوصاً در سطح ولسوالی ها بسیار محدود است.

پیشنهادات:
- حقوق و امتیازات کارمندان زن در ولسوالی‌ها احترام داده شود.
- اجرای جهت حفظ کمیته نظارت بر تأمین مالی کرده.
- تأسیس موسسه برای بررسی و تحلیل
- طرح‌العمل‌ها برای موسسات ناظر واضح گردید.
Clarification and Recommendations

1. Monitoring and Election Observation

**B Risk: IEC Mobile Mentoring Team**

**Clarification of the risk:**
Especially on the district level there is a lack of control teams by the election commission. There should be a monitoring team by the commission to see whether regulations are implemented or not.

**Legal background:**
Article 156 of the Afghanistan constitution stipulates that for the administering and monitoring of any elections and referenda, an Election commission shall be established based on the provisions of the law.

**Recommendations:**
1. For conducting the duties of the mobile monitoring team of IEC, specific procedures should be created and adopted.
2. Checklists provided by polling centres should be analysed and should be used as experiences in the future.
3. Some specific staff members should be hired and trained for monitoring the activities performed by IEC staff in the centre and provinces on the election day (at the provincial level).
4. A clear and understandable methodology should be formulated by the IEC and provided to the monitoring teams.
5. A monitoring schedule should be provided by the IEC and given to the monitoring team.
6. In case a report is received from one of the polling stations regarding a particular incident, these monitoring teams should provide assistance.

**C Risk: Insecurity and Interference of power brokers and local officials**

**Clarification of the risk:**
Powerful people can influence the election process in the country. These pressures can cause partiality of observers towards a specific candidate and it can undermine the transparency of the election process. This is especially a problem on the provincial and district level.

**Recommendations:**
1. Improving the effectiveness of security forces
2. Supporting peace talks or reconciliation process
3. Preventing the extension of arbakai (local police)
4. Carrying merit based recruitment
5. Increasing the number of police and National-Army
6. Accelerating awareness and capacity building programs
7. Sending official letters by High Officials of government
8. Considering or carrying out of merit based recruitment of local officials
9. Participation of representatives of observer organization in Joint HQ meetings
10. Special attention to the security and immunity of observers after reporting in the field.

**Risk:**
- Monitoring and Election Observation
- Insecurity and Interference of power brokers and local officials
2. Election Management

Clarification of the risk:
Lack of impartiality of members and staff of IEC
- Decisions taken are not impartial
- Some decisions are taken in favour of some candidates
- Damage legitimacy and election
- The level of the people’s trust in the process is decreasing
- Participation is decreasing

Lack of professionalism of IEC members and staff
- Decisions are not according to the needs of IEC
- There are problems of feedback
- Participation in activities was very low
- Problems are created in the implementation of electoral rules and regulation

Legal background:
Article 156 of the constitution
- This article has pointed to the independence of IEC and in a way of conducting elections.

Electoral law:
- In the electoral law there is a provision to guarantee the impartiality of members and staff of IEC.

Recommendations:
- The law on jurisdiction and organization of IEC should be amended by the respective organs.
- This law should clarify the method and mechanism of appointing commissioners in such a way that insures their impartiality and professionalism. For example, conditions:
  - They should not be a member of a political party
  - Their education should lie in the fields of law, political science, election or management.
  - Sharia law, good background, experience etc.
- A list of qualified people should be prepared considering the advice of the civil society and the president should choose a few people and send them to the House of Representatives to receive a vote of confidence. This way the method of appointing could be transparent and could insures impartiality and professionalism.
- The law on jurisdiction and organization of IEC should also clarify the impartiality of ordinary staff of IEC.
- There should be clear provisions on the law on preconditions like chanting.

Clarification and Recommendations

2. میدیریت انتخابات

توضیحات خطر:
تعلیق استقلال ای تبون کارامدنان و اعضای کمیسیون مستقل انتخابات
- عدم بیطرفی اعضای کارامدنان کمیسیون مستقل انتخابات
- تصمیم اخذ شده بیطرفانه
- بعضی تصمیم‌هایی به نفع از افرادی که می‌گردد
- به مرحلاتی که انتخابات خصوصاً به مرحله
- سطح اعتماد مردم را به پروتکس انتخابات کاملاً می‌کند.
- اشتراک می‌رود کاملاً بی‌سیکلت
- عدم مسئولیت بودن اعضای و کارامدنان کمیسیون مستقل انتخابات
- تصمیم‌ها به ضرورت‌های کمیسیون مستقل انتخابات اخذ نیگرد.
- مشکلات در سیستم یادن و جریری می‌باشد.
- اشتراک در فعالیت‌ها با یک و نه است
- مشکلات در تطیبیه قواعد و مصوبات انتخابات برابر می‌باشد.

پیشنهادات:
- قانون رفع نیست
- ماده 151 قانون اساسی
- این نواحی به استقلال کمیسیون و راه‌های برگزاری انتخابات اشاره نمی‌کند.
- قانون انتخابات
- قانون انتخابات احکام در مورد تضمین بیطرفی اعضای و کارامدنان کمیسیون مستقل انتخابات
- جلوگیری
- انتخابات اجرایی و میان‌بان

2. Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations
Appointment of Commissioners

- Special attention should be paid to the issue of impartiality in codes of conduct.

Recommendations:

- Hiring voluntary civil servants, teachers and students to provide assistance in the election process.
- Government employees and teachers should cooperate during election.
- In past elections, the Ministry of Education and the Ministry of Public Health introduced their staff members to cooperate during elections. If a teacher did not do so, he/she was dismissed from his/her position. In the relevant law it should be mentioned that they are duty bound to cooperate during elections (employees of Ministry of Education and Ministry of Public Health).
- (It may even be good if they are made duty bound by the electoral law)
- Afterwards, the IEC can make a regulation based on which it can direct IEC employees for the cooperation of the mentioned Ministry employees.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

1. Appointment of Commissioners

- Special attention should be paid to the issue of impartiality in codes of conduct.

Recommendations:

- Hire qualified staff, particularly females.
- During the registration of voters in 2008 and presidential elections in 2007 as well as during the parliamentary elections in 2010, the IEC faced some serious problems in hiring quality employees at the district level. This was as a result of security problems, problems in the market competition, low literacy levels and cultural limitations. This problem not only reduced the quality of a good election, but also created some barriers to the election process.

Recommendations:

- Hiring of voluntary civil servants, teachers and students to provide assistance in the election process.
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2. Election Management

Clear preconditions (education, impartiality)

List of qualified people

President’s choice

Vote of confidence by house of representatives

Appointment of Commissioners

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Clarification and Recommendations

2. Election Management

C. Risk: Planning/Defects on having ethical standards in administration

Clarification of the risk:
Identifying effective methods for implementation of programs in the administration is a challenge. Improvements and implementation of a decision cannot be estimated and time management would be interrupted. Cooperation and trust of stakeholders would be lowered or decreased and transparency and accountability is not possible.

Recommendations:
1. Enrichment of existing plans and advice from stakeholders.
2. Role and responsibilities of stakeholders should be clear.

D. Risk: Interference of the powerbrokers, commanders and local officials

Clarification of the Risk:
Potential risks are the result of interference as follows:
• The election process stops.
• There is no transparency.
• Partiality is promoted.
• There is an increase in fraud.
• There is a low level of trust of the general public.
• Participation of people in the election process decreases.
• Democracy principles are undermined.

Legal Background:
There is DIAG program, DDR and Electoral Law, but not enough attention has been paid to their implementation and there is no accountability. DDR and DIAG programs had very low efficiency.

Recommendations:
• Implementation of the law, high level of accountability and disarmament of commanders
Clarification and Recommendations

2. Election Management

E. Risk: Problem in recruitment process

Clarification of the risk:
Procedures and codes of conducts in the recruitment of electoral staff are not implemented properly. This leads to a low level of quality of works and paves the ground for interference of political parties and candidates in the election process. Some recruitment procedures and terms of reference (TORs) or job descriptions exist.

Recommendations:
• Recruitment should be done through advertising and a recruiting committee (representative of Human Rights Commission, civil society and IEC).
• Work background should be checked, while observing the principle of impartiality.
• People who are blacklisted should not be recruited, special attention should be paid to this particular fact.
• If female staff cannot be found in rural areas find, they should hire from neighbouring areas.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

4. Miscellaneous

- Problem in recruitment process

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Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

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Clarification and Recommendations

2. Election Management

F. Risk: Lack of qualified female employees

Clarification of the risk:
A risk on provincial and district levels is the lack of qualified female employees in the IEC and in the civil society.

Recommendations:
• Receiving and enriching gender policy at the IEC.
• Providing coordination by enhancing communication among women at the Ministry of Women Affairs, Ministry of Rural Development, Ministry of Pilgrimage and Islamic Affairs and Ministry of Labour.
• Including election issues in the training curriculum.
• Providing education to female high school students in order to prepare them through short term courses as IEC employee.
• Communicating the importance of participation of women in social activities to women.
• Providing information to women regarding the number of seats allocated to women.
• Providing information to women regarding their political rights.

G. Risk: Lack of a vetting process

Clarification of the risk:
Only one phase of vetting is against the principle of justice. If the decision of the vetting committee is wrong or perceived as being wrong or unjust by a party, there is no chance to appeal to a higher level for a review of the decision. The lack of a legal venue for appealing decisions of the Vetting Committee can lead to candidates or parties choosing informal ways to protest against a decision, such as demonstrations, violence or threats. This also increases the probability of violence by protesters against the election staff members. As a result, the trust of the public in the elections decreases.

Recommendations:
• The vetting process in an election should be included in legal documents, rules and regulations in order for it to be a legitimate process.
• The right to appeal should be guaranteed by the electoral law.
• Steps should be taken to prevent the misuse of the Vetting Committee by influential groups to disqualified competitors. Steps necessary to protect the Vetting Committee from undue political or violent influencing will need to be specified in detail.
• The Electoral Complaints Commission (ECC) should be considered in the electoral law to act as the body responsible for processing appeals to the decisions of the Vetting Committee.

The mechanism of vetting should be transparent and should guarantee civil right such as the right to have a defence attorney, etc.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

2. Election Management

F. Risk: Lack of qualified female employees

Clarification of the risk:
A risk on provincial and district levels is the lack of qualified female employees in the IEC and in the civil society.

Recommendations:
• Receiving and enriching gender policy at the IEC.
• Providing coordination by enhancing communication among women at the Ministry of Women Affairs, Ministry of Rural Development, Ministry of Pilgrimage and Islamic Affairs and Ministry of Labour.
• Including election issues in the training curriculum.
• Providing education to female high school students in order to prepare them through short term courses as IEC employee.
• Communicating the importance of participation of women in social activities to women.
• Providing information to women regarding the number of seats allocated to women.
• Providing information to women regarding their political rights.

G. Risk: Lack of a vetting process

Clarification of the risk:
Only one phase of vetting is against the principle of justice. If the decision of the vetting committee is wrong or perceived as being wrong or unjust by a party, there is no chance to appeal to a higher level for a review of the decision. The lack of a legal venue for appealing decisions of the Vetting Committee can lead to candidates or parties choosing informal ways to protest against a decision, such as demonstrations, violence or threats. This also increases the probability of violence by protesters against the election staff members. As a result, the trust of the public in the elections decreases.

Recommendations:
• The vetting process in an election should be included in legal documents, rules and regulations in order for it to be a legitimate process.
• The right to appeal should be guaranteed by the electoral law.
• Steps should be taken to prevent the misuse of the Vetting Committee by influential groups to disqualified competitors. Steps necessary to protect the Vetting Committee from undue political or violent influencing will need to be specified in detail.
• The Electoral Complaints Commission (ECC) should be considered in the electoral law to act as the body responsible for processing appeals to the decisions of the Vetting Committee.

The mechanism of vetting should be transparent and should guarantee civil right such as the right to have a defence attorney, etc.
3. Organisation Development

A Risk: Lack of feedback mechanism in the IEC

Clarification of the risk:
There is an internal “Lessons Learned” mechanism at the IEC, but is only an internal process. The IEC receives feedback regarding procedures, regulations, activities, shortcomings, problems, solutions and recommendations for all future processes. These feedbacks are received from provincial and regional employees. This Lessons Learned-mechanism is conducted at the end of every electoral process.

Recommendations:
• Improving the existing method.
• Considering the establishment of a similar Lessons Learned-mechanism when working with relevant external institutions and stakeholders (the current mechanism only considers IEC internal stakeholders).
• Seeking additional ways to receive feedback from stakeholder involved in different processes of the election. It can be done by conducting investigations and surveys with stakeholders and relevant institutions.
• Consulting sufficiently with the civil society, political parties, and the AIHRC after receiving feedback (via a Lessons Learned-mechanism or through surveys), at the analysis stage and implementations stage.
• Based on the feedback prioritising identified problems and taking effective measures for removing shortcomings.
• Having regular feedback meetings with international observers.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations
Clarification and Recommendations

3. Organisation Development

**Risk:** Defects in implementation of procedures, insufficient evaluation and discipline system

**Clarification of the risk:**
The current situation is the following: IEC procedures have small defects, but so far there were no systematic assessments of these defects. There are no clear procedures and mechanisms for evaluating election day processes and procedures. There is no sufficient system of punishments and sanctions for the breach of procedures.

**Recommendations:**
- Existing procedures have minor problems - these have to be revised and corrected.
- We also have problems in the implementation of procedures. The revision of procedures should be carried out in a way that is in compliance with environmental and social needs of Afghanistan. Counter measures [probably meaning “sanctions”] for preventing the abuse of procedures should be considered.
- Establishing organized mechanisms for evaluating the performance of staff shall be implemented, as well as procedures for detecting and solving of defects in the processes.
- Designing of rules and regulations to prevent corruption and to maintain discipline and order are necessary. These rules and regulations shall contain punishments and rewards for the employees.
Clarification of risks / the current situation:
The present decision-making in the IEC is the following: IEC is comprised of two parts: the commission and the secretariat. The commission makes decision and the secretariat executes decisions. There is a legal department that has the duty to draft policies and proposes, which then are reviewed by the IEC members and different meetings are held afterwards. The members vote on every decision. Determination of the Election Day is proposed by the commission and approved by the president. The president issues a specific decree regarding the Election Day. Subsequently the electoral calendar is determined and procedures are provided.

Recommendations:
• Stronger involvement of institutions, which have activities related to elections in the working processes of the IEC. In order to enhance the transparency of decision-making at the IEC, we suggest to establish consultations with the above mentioned relevant institutions in the IEC decision making process.

Analysis of the recommendation:
• When considering the above mentioned recommendations, we also need to consider the advantages and disadvantages of such measures.
  - The advantages are: Involvement of the institutions that have activities related to elections in decision making is effective and provides transparency for these decisions. It also promotes the trust of people on the election process. The experiences of the international community should be used in the decision making process. After decisions are made, they should be publicized by the media. These measures will make the election process more transparent.
  - The disadvantages are: such consultations might: a) take a lot of time, and b) create misunderstandings and cause conflicts.
4. Communication/Coordination

**A Risk: Low capacity of IEC in maintaining communication with the public**

Clarification of the risk:
Lack of communication with the public results in the following risks:
1. Low participation of people.
2. Affects the transparency of the elections.
3. Provides the ground for fraud.
4. Reduces the validity of the result of elections.

**Recommendations:**
- Procedure for providing information to all of people exists at the IEC including for men, women and various social groups. Based on this strategy, information is provided to the public by information officers.
- Providing a strategic plan to ensure communication with the relevant institutions including the Human Rights Commission, Civil society institutions, political parties, Governmental institutions, social and local councils who are involved and interested in the election process.
- Based on the prepared strategic plan, procedures should be created to maintain communication with different institutions. And from time to time the process of providing information should be conducted by organised teams.
- For information providing groups, there should be workshops at the national, provincial and district level and they should be monitored by mobile monitoring teams.
- The information gained should be kept and analysed and should be used for future elections.

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**Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process**

Clarification and Recommendations

4.  ارتباطات/ هماهنگی

الف‌ خطر: تلوثکیه یا کمیسیون مستقل انتخابات در نامن ارتباطات با مردم

توضیحات در مورد خطر:
نیو ارتباطات با مردم به خطرات مذکور می‌گردد:
1. لذتخاک کم مردم
2. اشتراک کم مردم
3. اشتراکی می‌تواند تأثیر می‌پذیرد
4. احتمال نتایج انتخابات را کاهش میدهد.

پیشنهادات:
- طریقه‌برداری برای مخابره معلومات به تمام مردم که در کمیسیون مستقل انتخابات بکار می‌رود. رنگ‌نمایی و گروه‌های مختلف اجتماعی موثر می‌باشد. به اساس این طریقه‌برداری معلومات در تمام مردم به جامعه مدنی، احزاب سیاسی، ارگان‌های دولتی، شرکای حرفه‌ای و اجتماعی که در پروتکل ارتباطات کمیسیون با کمیسیون مستقل حقوق بشر و ... جهت جمع‌آوری و ارائه شرایط کمیسیون مستقل حقوق بشر می‌باشد.
- ارائه یک برنامه صرفاً باعث می‌شود تا ارتباطات با موسسات مختلف انجام گیرد.
- افزایش و بررسی توجه و توجه بالای نظارت بیشتر برای مدارک فردی بررسی می‌شود.
- افراد از سیستم تعادلی طرح‌العمل می‌باشند به ابتدا ارتباطات با موسسات متفاوت انجام گیرد.
- اگر شرایط محیطی طرح‌العمل، می‌تواند تأثیر می‌گیرد. مطمئناً از صحت این مدارک تحقیقاتی و بررسی که در انتخابات آینده از آن استفاده گردید.

**COMMUNICATION STRATEGY**

<table>
<thead>
<tr>
<th>District</th>
<th>Provincial</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governmental institutions</td>
<td>Human rights commission</td>
<td>Social local councils</td>
</tr>
<tr>
<td>Political parties</td>
<td>Civil society institutions</td>
<td></td>
</tr>
</tbody>
</table>

**Communication strategy**
Clarification and Recommendations

4. Communication/Coordination

B Risk: Insufficient communication between IEC and security forces

Clarification of the risk:
Lack of communication between the IEC and security forces results in the following risks:
• Insecure voting centres
• Endangerment of staff and observer’s security
• Decrease of the level of voters’ participation in the process
• Conflicts
• Ground for corruption and interference

Recommendations:
• Coordination among security forces should be enhanced and voting centres should be clearly divided among security organs.
• It should be obligatory for the participants of joint-HQ meetings to execute what they have promised in the meeting.
• Ensuring relation and communication in the districts level and voting centres.
• Conducting more meetings on all aspects of security issues.
• An agreement at high level could be a guarantee. Heads of related departments should attend in mentioned meetings. In case the meetings are conducted on district levels, the IEC representative should also be invited.

C Risk: Insufficient communication between IEC and the civil society

Clarification of the risk:
Because of the insufficient communication, civil society will lose interest in the election process which then badly undermines the election process and consequently will cause more misunderstandings. The insufficient communication planning with Civil Society regarding relevant issues is a big problem. Even if there are procedures, they have been formulated without the consulting with civil society.

Recommendations:
• Including the manner of work relationship and coordination with civil society at all stages of the election, in the electoral law.
• Specific procedures and regulations should be formulated regarding the regulation of communication and coordination with civil society.
Clarification and Recommendations

4. Communication/Coordination

D. Risk: Insufficient communication with the media at the provincial level

Clarification of the risk:
There is no or insufficient communication between the IEC and the media and between civil society and the media.

Recommendations:
• Media representatives should be given the right to complain as the same right that has been given to the observers.
• The focus of communication should be on different types of giving messages and information (publishes), radio, TV etc. (This authority should be given at the provincial level)
• It communication with the media at the provincial level should be maintained, considering an appropriate structure for the offices at the provinces.

Case Study: Georgia for inclusive communication approaches.
Clarification and Recommendations

5. Legal Framework

A Risk: Lack of legal protection for observers and agents

Clarification of the risk:
The lawful activities of national election observers and agents of candidates are not sufficiently protected by the Electoral Law and other related laws, procedures and regulations. This includes not only their personal safety and security and access to information and sites on the Election Day, but also the results of their work such as reports, documents and statements. As most national observers and agents belong to political or social organisations or NGOs their status needs to be more clearly defined. Problems include the intimidation by power brokers from inside and outside the state institutions, criminalization and disadvantages in their status needs to be more clearly defined. Problems include the intimidation by power brokers from inside and outside the state institutions, criminalization and disadvantages in their status needs to be more clearly defined.

Recommendations:
• The legal status and lawful activities of observers and agents should be clearly defined by law.
• Electoral law should more clearly define the aspect of corruption in the election processes.
• Violations allegedly committed by the observers and agents should be reviewed by an independent institution such as the ECC.
• The legal status of the ECC and its mandate, capacity and facilities should be clarified.

B Risk: Insufficient feedback and complaints mechanism

Clarification of the risk:
The negative consequences of the lack of legitimate, transparent and well-functioning feedback and complaints mechanisms became obvious after the last elections. Well-functioning feedback mechanisms are necessary in order to enable the IEC to react in cases of occurring problems. Mismangement and interference have damaged this flow of information and complaints were not reported to the IEC headquarter. As to the complaints mechanisms, the lack of clearly defined jurisdictions and procedures for the handling of complaints damaged not only the reputation of many involved individuals, but also of the democratic process as a whole.

Recommendations:
• Both, the feedback and complaints mechanisms, should be clearly defined by law.
• The mandate and capacity of the ECC should be extended and clearly defined by law.
• Professional staff of the ECC should be hired from and work in all areas of the country.
• The procedures for reviewing electoral violations and sanctions against electoral violations should be explicitly mentioned in a law.
• An institution for the implementation of the ECC decisions should be created.

6. چارچوب قانونی

الف. خطر: نبود حفاظت قانونی برای ناظرین و بابت‌ها

توضیحات در مورد خطر:
فعالیت‌های ناظرین ناظرین و بابت‌ها کاملاً انتخاباتی به شکل علنی آن در قانون انتخابات قوالی شده و مرتب و منظمی به سطح عمومی گردیده است. این نه تنها شامل مسئولیت و انتیبی‌سمیتی آنها و سامان‌سازی شان به مغول‌ها و دارکار در روز آینده متغیر. جانشین‌کننده کمیسیون شکایات انتخاباتی به جای آن به عنوان سه‌سرای اختیاری تعیین داده شده‌اند. مشکلات شناختی باید جهت اجتماع ناظرین و بابت‌ها به این بخش از اجتماعات سیاسی با اختیاری تعیین داده شوند. مشکلات شناختی باید جهت اجتماع ناظرین و بابت‌ها به این بخش از اجتماعات سیاسی با اختیاری تعیین داده شوند.

پیشنهادات:
• وضعیت قانون و قانون‌های ناظرین و بابت‌ها باید به شکل واضح و توصیف‌های قانونی است. متن ناظرین و بابت‌ها باید به شکل واضح و توصیف‌های قانونی است. متن ناظرین و بابت‌ها باید به شکل واضح و توصیف‌های قانونی است.
• قانون انتخابات انتخابات انتخابات انتخابات را به شکل سیاسی و متنوع معین نامید.
• تشکیلات به قواعد معروف آماده شده توسط ناظرین و بابت‌ها باید توصیف از طریق کمیسیون شکایات انتخاباتی باشد.
• توصیف ناظرین و بابت‌ها شکایات انتخاباتی و حیطه اختیارات آن راجع به نظمیت و نسبیت آن.
• شکل واضح و توصیف‌های قانونی است.

ب. خطر: نبود حفاظت قانونی برای ناظرین و بابت‌ها

توضیحات در مورد خطر:
قانون بیان گردد. کارمندان کمیسیون شکایات انتخاباتی باید به شکل واضح و توصیف‌های قانونی است.

پیشنهادات:
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• شکل واضح و توصیف‌های قانونی است.
Clarification of the risk:
The main problem is the weakness of the involved institutions, overlap of mandates, unclear procedures and the lack of capacity to implement decisions. The results of the fight against electoral corruption is insufficient.

Legal background:
The numerous laws on fighting against corruption include the Penal Code, the Anti-Corruption Law and the Electoral Law. Afghanistan is bound by the International Convention on Fight against Corruption to enhance its efforts in this regard.

Recommendations:
• The Electoral Law should clearly define the aspect of corruption in election processes in accordance with the laws of Afghanistan.
• The authority and capacity of the IEC should be strengthened.
• A special institution should be established to implement the decisions of the ECC.
• ECC members and staff should meet higher standards in regard to education, experience, reputation and independence.

Clarification of the risk:
The re-employment of blacklisted IEC staff for elections undermines the reputation of the institution and bears the risk of increasing fraud and corruption. It damages people’s trust in the election process.

Recommendations:
• The representatives of institutions that are involved in the election process should be invited to monitor the recruitment process and express their opinions on the employees that are recruiting.
• In case a blacklisted employee is re-employed, there should be penalty for the blacklisted employee as well as for the person that has employs him/her.

Case study: South African experience

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

5. Legal Framework

C Risk: Lack of fight against corruption

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6. Election Day

A Risk: Logistic

Clarification of the risk:
In past elections there wasn’t enough time for checking electoral materials before they are packaged. Also there were some problems with packaging.

Recommendations:
- Representatives of constituencies should be present during packaging electoral materials.
- There should be enough time for receiving materials from the companies that provide electoral materials.
- Focus should be on the implementation of procedures in this field.

B Risk: Problem with the training of temporary employees

Clarification of the risk:
The temporary employees of the IEC are not or only insufficiently trained for the election preparation and the Election Day. This is a problem on all three levels: national, provincial and district.

Recommendations:
- Enhancing current training programs by extending the time of training for temporary employees.
- Enhancing the quality of training programs through reviewing the training programs.
- Revising the procedures for hiring temporary employees.
- Identifying capacities that have been out there during 8 years of elections in the past.
- Coordination with the Ministry of Education to include information in education curriculum regarding elections. For example, establishing summer schools for students of all 11th and 12th grade, who will then be able to function as observers and temporary IEC employees.
- Providing informative materials for raising awareness regarding elections in order to institutionalize the culture of elections and creating a logic for elections “Why do I vote?”, “What impact does it have on my life if I vote?”.

Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process

Clarification and Recommendations

RISING THE QUALITY OF TEMPORARY EMPLOYEES

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</table>
Clarification and Recommendations

6. Election Day

**C Risk: Change in procedures shortly before election day**

**Clarification of the risk:**
Employees become confused regarding the implementation of new procedures and consequently the level of trust decreases on the process. This causes conflicts and the quality of the process is undermined. This also provides the ground for abuse.

**Recommendations:**
1. Before the election, procedures should be tested in pilot projects.
2. Shortcomings in procedures should be recorded based on lessons learned.
3. Shortcomings should be included in procedures when reviewing procedures.
4. When reviewing procedures, there should be a consultation with all involved institutions.
5. The changes should be mentioned in the Electoral Law. Immediate changes should be included in the decisions of the IEC so that they can be included in these procedures later.

**D Risk: Disagreements on the election day - date**

**Clarification of the risk:**
There will be objections to the change of the date of the election. This leads to a loss of trust in the election.

**Recommendations:**
1. A change of the Election Day should be started in the constitution.
2. The date of the Election Day should be based on the climate of the country.

**Enhancement of Competency of the Independent Election Commission and Afghan NGOs in the fields of Anti-Corruption, Electoral Law and Organization of the Electoral Process**

**Clarification and Recommendations**
Clarification and Recommendations

6. Election Day

E Risk: Lack of procedures to resolve conflicts permanently

Clarification of the risk:
There is no procedure to resolve conflicts permanently. The law will not be observed and the efficiency of the activities of the IEC will be undermined.

Recommendations:
- Clarification of procedures to resolve conflicts permanently
- Legislative proposals for this problem.

F Risk: Procedure in the Election Day

Clarification of the risk:
There are no clear and transparent procedures on the Election Day. This causes confusion of the voters and representatives of the candidates to protest or object. Also the change of procedures during the Election Day causes confusion. These small changes are due to the political, economic and social conditions in the country.

Recommendations:
- Procedures should be revised.
- Relevant institutions should be consulted with when revising the procedures.
- Procedures should be simple in terms of their implementation time. There should be guidelines created for their implementation.
- There should be internal monitoring teams during elections to prevent any changes.

Case study: Bosnia and Herzegovina, where the legitimacy of institutions questioned initially.
Solid communication structures and transparent and inclusive work led to a situation, in which the election commission is one of the few credible and mutually accepted organisations in country.

6. Election Day

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Solid communication structures and transparent and inclusive work led to a situation, in which the election commission is one of the few credible and mutually accepted organisations in country.
Summary

In summary, it can be said that the workshop was very successful. To observe how open the dialogue between the IEC and the civil society was, was very impressive. The analysis of the risks and recommendations for the upcoming elections should help to successfully develop an cooperation between the institutions. The HUMBOLDT-VIADRINA School of Governance would like to further accompany and monitor this process.

Such an cooperation between the institutions should lead to even better transparent elections, and earn the trust of the population.