

Afghanistan

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Note to the Secretary-General

AFGHANISTAN: ELECTORAL UPDATE ✓

1. The Independent Electoral Commission (IEC) of Afghanistan is responsible for organizing and conducting presidential and provincial council elections scheduled for 19 August 2009. The United Nations Assistance Mission in Afghanistan (UNAMA) is mandated to provide technical assistance to the IEC and to coordinate other international support for the IEC. While the election preparations are progressing well, the announced timeline leaves no room for error. Sustained efforts by all relevant UN partners will be required to ensure a credible electoral process.

2. UNAMA is an integrated mission and represents an important test of the UN's "delivery as one". UNAMA is responsible for the overall political direction of UN work on electoral matters, and UNDP provides operational support to the electoral process. UNDP's role also includes the administration of donor funding. At Headquarters, DPKO's Integrated Operational Team (IOT) for Asia coordinates political support and logistical backstopping by DFS and UNDP. DPA, through EAD, provides strategic guidance and support on electoral matters.

Major Issues:

3. Funding gap. The budget for the 2009 elections, not including voter registration, totals \$224 million. Assuming that international donor pledges received to-date are honored, a funding gap of some \$18 million will remain.

4. Procurement and recruitment. The procurement and staffing needs are substantial. In view of the tight electoral timeline, the UNAMA electoral team has requested the utmost flexibility on the part of UNDP in applying financial and staff regulations and rules.

5. Inflated voter registry. The absence of an accurate voter register was one of the most significant shortcomings of Afghanistan's last electoral process, and this issue has not been resolved despite UN advice. Over 17 million voter cards have been distributed by the IEC, although the voting population is now estimated as 15 million voters. This discrepancy may lead to perceptions of low turnout and allegations of multiple voting and voter card fraud. Measures must therefore be put in place to prevent multiple voting.

6. Perceived lack of IEC impartiality. There is a perception that the IEC Chairman - and perhaps other decision-makers in the IEC - is under undue influence from President Karzai. A UNAMA representative recently discussed a draft regulation with the Chairman that he had proposed; the draft could have impeded other expected candidates from running for office. UNAMA must remain vigilant with respect to any real or perceived bias.

7. Transition period. The period between 22 May (the date the President's term ends) and the certification of election results (sometime after 19 August) remains an issue. The Supreme Court has issued a "ruling" sanctioning an extension of President Karzai's term, but its legal status is unclear. The matter is being discussed in parliament. Discussions have so far centered

on some form of caretaker Government and on the retention of President Karzai with possible limits on his powers. Ideally, the solution will be found through wide political consultations.

8. Creating a level playing field and protecting the integrity of the elections. There is concern among Afghans and some international partners that President Karzai may use his access to state resources – financial, institutional and other – to leverage his candidacy. More generally, the USA and other partners have repeatedly stressed the need for safeguards to ensure that these elections are credible and transparent. Expectations are high for UN assistance in developing and implementing such safeguards.

9. Last minute changes to the electoral law. A new electoral legal framework is being discussed in parliament. If passed, it is unclear whether this will apply for this round of elections. If it does, it could create huge delays in electoral preparation (for example by requiring the appointment of a new election commission, and by introducing changes to the electoral system). Afghan authorities should be encouraged to consider applying the new legislation only to subsequent elections.

Recommendations:

10. The complexity of this electoral effort, including the number of UN agencies involved, the tight timeline and the strain this exercise is likely to put on the UN system will require particular attention and efforts from all. Timely interventions will be required including on the following fronts:

- The Afghanistan elections are a priority for the UN, and all department and agency heads concerned should clearly indicate this to their staff.
- Measures that could facilitate or accelerate electoral preparations, within existing rules, should be undertaken immediately and given priority, particularly those related to procurement and recruitment. Key donors, including the United States, have indicated that they will show understanding that these measures are necessary to ensure timely delivery of necessary electoral support.
- UNAMA carries political responsibility for supporting these elections, but operational tasks are shared with others. A premium should be placed on coordination and information sharing. The UN should perform as one.
- UNHQ must respond quickly to requests from the field if the 19 August election date is to be met.



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