

ONE STEP FORWARD, TWO STEPS BACK?

Lessons Learnt on Women's Participation in the 2009 Afghanistan Elections

A report from a workshop convened at the Resource Center for Women in Politics, Kabul, Afghanistan, by the Gender Unit of the Afghan Independent Election Commission (IEC) and United Nations Development Fund for Women (UNIFEM).



This report¹ details the experience of key gender stakeholders convened by the Afghanistan Independent Election Commission Gender Unit (IEC GU) and the United Nations Development Fund for Women (UNIFEM) on 19th October 2009 in Kabul, Afghanistan, to capture lessons learned on supporting

“This election looks like a step back for women compared to previous elections. We all tried to motivate and include women. But now it’s going to be really hard to say things like ‘you have to campaign in order to be elected’ in light of the fraud that took place, and that ‘your vote is your own’ because women’s votes were used by men and their voting figures inflated. We need to talk about the whole process of elections and how to ensure additional efforts and creative strategies are taken to reverse these steps back.” Participant at the Lessons Learnt Workshop

women’s political participation in the 2009 Afghanistan elections for President and Provincial Council members. The report highlights recommendations for moving forward in preparation for the 2010 Parliamentary elections, including how to address the prospect of declining female participation and how to prevent the repetition of electoral irregularities that lead to the manipulation of the women’s votes in 2009. The report is divided into the following sections: (A) Introduction – The Lessons Learnt Meeting; (B) Main areas of discussion; (C) Goals and Suggested Activities to increase women’s participation; (D) Conclusions. The first half of the report introduces the context of the Afghanistan 2009 elections and the key areas of concern as identified by participants in the Lessons Learnt workshop.

The second half of the report outlines main recommended activities identified by the group for improving women’s involvement in Afghanistan elections. Suggestions emphasize the need for strengthened consultation with and inclusion of women in elections planning, particularly on methods to increase numbers of female IEC staff, and the necessity to develop gender-sensitive security measures to reduce threats and intimidations experienced by women candidates and voters. The recommendations are directed to the IEC and other governmental agencies responsible for administering free and fair elections, as well as international donors and other supporting organizations. The recommendations are presented here in brief:

- Give greater attention to mainstreaming women’s needs, perspectives, and participation at the earliest stages of election planning and budgeting.
- Urgently address inflated female registration and voting figures.

¹ Cover photograph taken by Kabul Film & Photo House, for the Women Count! project, Elections 2009. Funded by UNIFEM and GTZ Gender Mainstreaming on behalf of German Federal Ministry for Economic Cooperation and Development.

- Implement special efforts to support women’s upcoming participation in Parliamentary elections including through women-specific programming and detailed planning to ensure their security.
- Review logistical plans from a gender perspective that take into account issues which impact women’s access such as opening hours of polling stations and placement of female polling stations.
- Increase attention to civic and voter education as it relates to women’s rights and legal guarantees on women’s electoral and political participation.
- Increase efforts to assure adequate numbers of female staff for polling day and long term in the IEC, involving key Ministries and other stakeholders.
- Urgently review and reform policy regulating the allocation of female quota seats so as to prevent unnecessary challenges to women in gaining open seats.

A. Introduction – the Lessons Learnt Meeting

On 20 August 2009, the Independent Election Commission of Afghanistan held elections for President and Provincial Councilors, the second such elections for these positions since the fall of the Taliban in 2001. The elections marked the first ballot led and administered by the IEC, with donors including the United Nations Development Programme (UNDP) ELECT² project providing financial, technical, logistical, and operational support. As part of its support to the IEC, UNDP ELECT provided technical assistance to the newly established IEC Gender Unit (IEC GU), mandated to enhance women’s political participation and to mainstream gender concerns throughout the IEC and in election processes, including encouraging women’s involvement as workers, voters and candidates. As a separate endeavor, UNIFEM managed the Women as Decision Makers programme to facilitate support for women’s political participation, with a special focus on women candidates, urgent security response, and stakeholder coordination. The UNIFEM programme was funded by the Canadian International Development Agency (CIDA) and will continue through the 2010 elections.

From June through August 2009, a series of coordination meetings on Gender and Elections were held at the UNIFEM-administered Resource Center for Women in Politics (RCWP). These meetings served as periodic sessions for stakeholders to come together to collectively problem solve throughout the election process around challenges related to women’s participation. UNIFEM served as secretariat for

² Enhancing Legal and Electoral Capacity for Tomorrow, ELECT. Other donors included IFES, the International Foundation for Electoral Systems.

the group, which included as regular attendees the IEC GU, the Elections Complaints Commission (ECC), the Ministry of Interior Gender Unit (MOI GU), the national observation agency Free and Fair Election for Afghanistan (FEFA), the Afghanistan Independent Human Rights Commission (AIHRC), Afghan Women’s Network (AWN), Afghanistan Women Empowerment & Capacity Building Center (AWECBC), representatives from the European Union observation mission (EOM), National Democratic Institute (NDI), International Republican Institute (IRI), CIDA, members of the Gender Donor Coordination Group, the UN Assistance Mission to Afghanistan (UNAMA), and UNDP ELECT. These Coordination meetings were held up to the day of the election itself on August 20th, 2009.

On 19 October 2009, the IEC GU convened the group at the RCWP for a half-day workshop to capture lessons learnt relating to opportunities and challenges in supporting women’s political participation in the 2009 elections. This was intended to inform planning and implementation of the 2010 Parliamentary elections and to support the development of the IEC as a gender sensitive institution. Whilst international observation missions had already left Kabul, some provided written contributions, and many representatives from the “standing membership” of the ongoing coordination meetings participated. Participants represented a wide mix of stakeholder perspectives, from donors to civil society activists to governmental bodies responsible for administering elections.

The objective of the workshop was jointly agreed upon at the opening of the meeting:

To gather national and international stakeholders directly involved in supporting women’s political participation to examine the strengths, challenges and gaps of the 2009 elections and to identify concrete measures and actions to increase accountability to Afghan women in future elections.

The workshop considered women’s participation in all aspects of the elections—as voters, candidates, workers and observers—and throughout the electoral process—including civic education, registration, voter education, campaigning, observation, media reporting, counting, and complaints. The group agreed upon a statement of principle to guide its discussions:

Afghan women have the right to full and effective participation in all phases of the elections processes, and those responsible for electoral processes must increase accountability to meeting the needs of Afghan women to exercise their right to political participation.

The group agreed that lessons and recommendations identified at the workshop would be compiled

“Women’s participation must be seen as an indicator for sustainable democratization.” Participant at Lessons Learnt workshop

into a report produced by the IEC Gender Unit with support from UNIFEM, to be produced in Dari, Pashto and English, and to be widely disseminated to the full range of stakeholders, including ministries and national and international organizations, as a means of strengthening

accountability to support women's political participation over the long term and for informing immediate corrective measures for the 2010 Parliamentary elections.

B. Main areas of discussion

The Lessons Learnt workshop covered a broad range of topics, with some common themes running throughout the discussion. For example, participants felt that advance planning by a number of actors was inadequate to account for the specific needs of women in exercising their political rights in a context such as Afghanistan, characterized by insecurity and conservative cultural norms. This concern was raised even while recognizing the IEC efforts to establish separate polling stations and female-specific seminars and public outreach activities. Additionally, participants at the workshop felt that, in not investing attention on the unique challenges faced by women, officials and others in charge of administering the elections had created a "blind spot" whereby fraud could be committed via the manipulation of women's votes. As such, the group's discussions were marked by a sense of urgency as they raised concerns which they felt must be immediately addressed in the run-up to the 2010 elections, from the earliest stages of planning through budgeting to the day of the election itself.

Fraud and other irregularities. The election as a whole was marred by allegations of widespread fraud, with the reported complicity of certain candidates as well as a portion of voter registration and polling station staff.³ Because of the way data was collected by the IEC – including neglecting to designate women's polling stations specifically on polling ballots – there appears to be no way to conclusively validate information indicating in total how many women's votes were misused or even cast or invalidated by the ECC. Nonetheless, patterns of irregularities can be discerned which resulted in the disenfranchisement of women.

One-third of the total votes in the presidential race were eventually eliminated by the ECC.⁴ Simultaneous allegations concerned inflated women's voter registration numbers, with instances most severe in insecure and conservative provinces where women would be least likely to register or to vote in high numbers. In their second joint report on monitoring the elections, AIHRC and UNAMA point out that:

"[In] the deeply conservative provinces of Paktia and Khost, new female voter registration was almost double that of men. In Paktia, 77,537 women were recorded as registering compared to 39,276 men. In some districts, women's registration numbers were four times that of men. In

³ Although allegations of fraud ran the gamut across all presidential candidates, the elimination of votes had the greatest impact on in the incumbent, Hamid Karzai, and necessitated a run-off. Ultimately, the run-off did not take place as the second top-contender pulled out of the race, and President Karzai was inaugurated for a second term.

⁴ http://www.straitstimes.com/Breaking%2BNews/World/Story/STIStory_444097.html

Khost, allegedly 72,938 women registered compared to 38,222 men. In one of the most volatile districts, Terazai, only 51 men registered compared to 2,494 women.”⁵

Similarly, the EOM reported that in Logar 72% of those voters who registered were women.⁶ Each of these communities is well known for conservative attitudes towards women, with women having very limited permission to leave their homes, and to access services or engage in activities. As such it would be expected that women’s registration would be far less, rather than more than men’s. It could also be argued that any female registration that is higher than Kabul’s (which could be predicted to be among the most liberal) could be considered suspect.⁷

Additionally, reports circulated of widespread proxy voting by male relatives using women’s voter registration cards⁸ and the use of women’s voter cards in ballot stuffing. The third joint monitoring report by UNAMA and AIHRC indicates that proxy voting was carried out particularly in Paktia, Paktika and Ghazni provinces.⁹ The Afghanistan Analysts Network provides further evidence to suggest that the women’s vote was misused throughout Afghanistan in the 2009 elections.

“[In Kapisa] ballots were invalidated in four polling centres because of confirmed allegations of ballot stuffing. The evidence included uniform markings on a large number of ballots, missing forms and a significantly higher number of votes in the female polling station, as compared to the corresponding male stations.”

Exact numbers of votes per candidate have been hard to come by. Election data, including which polling stations were for women and which were for men, was not always reported out as gender disaggregated. As a result, vital information has been lost about the role of women in the 2009 elections, both in terms of possible manipulation of their votes to commit fraud as well as lessons to be gleaned on women’s voting practices. The participants at the Lessons Learnt workshop expressed great concern in not repeating the situation in 2010.

Decrease in women’s participation. The perceived manipulation of women’s votes was coupled with a concern raised by the group over an actual decrease in women’s political participation since the 2004-

⁵ AIHRC-UNAMA.2009. “Joint Monitoring of Political Rights, Presidential and Provincial Council Elections in Afghanistan, Second Report 16 June – 1 August 2009.” page 20.

⁶ EU Election Observation Mission.2009. “Preliminary Statement on Afghan Presidential and Provincial Council Elections,” August 22.” page.7.

⁷ In 2005 Kabul had 29.32% female turnout, in 2009 26.8%. In 2009 this compared with Zabul with the lowest female turnout of 11.8% and Daikondi the highest at 54.3%. In 2009 women’s turnout was higher than men’s in Paktia and Daikondi, and above Kabul’s in all provinces except Zabul and Urozgan. In fact fourteen provinces recorded more than 40% female turnout. This included those where it is rare to see a woman in public such as Nooristan, Paktika and Paktia.

⁸ National Democratic Institute, 2009. “Preliminary statement of the NDI Election Observation Delegation to Afghanistan’s 2009 presidential and provincial council elections, August 22.”, page .10.

⁹ AIHRC-UNAMA.2009. “Joint Monitoring of Political Rights, Presidential and Provincial Council Elections in Afghanistan, Third Report 1 August-5 October 2009. page. 9.

2005 elections. The 2009 election saw a 20 percent¹⁰ increase in the number of women standing as Provincial Council candidates, with 333 female candidates running in 2009 as compared to 285 female candidates in 2005¹¹. Yet, the IEC reported that 38 percent of Afghan women voted in 2009 as compared to 44 percent in the previous election. The voter turnout was seen to be especially low in insecure areas, as pointed out in the preliminary report of NDI's observation mission: *"Observers reported that aside from Bamyan and provinces in the north, the turnout of women for this election was notably low. In certain polling stations in the south and southeast, almost no women voted."*¹² Observations such as there are in contrast to the official final voter turnout figures, which recorded more than 40 percent women voting in more than fourteen provinces.

Earlier in the election cycle, these same insecure areas had proved especially challenging in recruiting women to work for the IEC as poll checkers and in other support positions, resulting in a coordinated push by the IEC GU, civil society groups and international supporters to recruit more women. While the IEC was able to recruit women for 36 percent¹³ of its required workforce on Election Day (including poll workers and body checkers), men eventually filled more than one-quarter of the positions at female polling stations.¹⁴ The problem of women's recruitment was particularly acute in Paktika, Paktia, Wardak, Ghazni, Khost, and Kunar provinces—all centers for current insurgent activity. Overall, it was acknowledged that the drive to get more female staff came too late to be effective. Along with cultural restrictions on women taking on public roles, nepotism and political bias in the recruitment were also suspected to have reduced the number of women accepted as polling staff. Indeed, the IEC GU received complaints from women who had provided to local IEC offices lists of eligible women, and yet all of the women on the list were rejected for posts.

Workshop participants felt that women voters were likely to be disallowed or discouraged by their families from going to polling stations that had few or no female staff, due to the sex-segregated nature of Afghan society. Such a concern had been raised repeatedly throughout the election planning process, including during the consultative process for the strategic planning of the IEC GU. The lack of female staff in addition to prevailing security concerns closed some polling stations altogether, further limiting women's access to the ballot. According to FEFA, 650 polling centers for women did not open

¹⁰ AIHRC-UNAMA.2009. "Joint Monitoring of Political Rights, Presidential and Provincial Council Elections in Afghanistan, Second Report 16 June – 1 August 2009." page. 10.

¹¹ The proportion of women candidates decreased in 14 of the 34 provinces, including Kabul, Kapisa, Parwan, Balkh, Baghlan, Kunduz, Takhar and Ghor. Both the proportion and the number of women standing for election decreased in Bamyan, Laghman, Kandahar, Ghazni, Badakshan and Herat. A number of these drops are in places where in the last year there have been attacks on schools, and against women in public life, including assassinations.

¹² NDI.2009. "Preliminary statement of the NDI Election Observation Delegation to Afghanistan's 2009 presidential and provincial council elections, August 22." page. 13.

¹³ This figure represented the percentage of women on the payroll, but reports to the IEC suggested that in some cases not all of these women were active or turned up for work.

¹⁴ EU Election Observation Mission.2009."Preliminary Statement on Afghan Presidential and Provincial Council Elections," August 22." Page.6.

on the day of the election¹⁵, and in Urozgan, an especially insecure province, only 6 of the 36 allocated polling centers for women actually opened.¹⁶ It appeared that election officials had no prior or contingent planning for addressing these issues, and at least one observation report concluded in effect that Afghan women were “disenfranchised” on election day.¹⁷

Targeted violence and gendered insecurity. Security is always a gendered experience, and this is especially true in a setting such as Afghanistan, where culture and tradition severely restrict women’s mobility in the public sphere. Even in secure time, cultural expectations dictate that Afghan women remain in the home and out of public spaces; in conflict settings, insecurity is often used as a further argument for reinforcing control over women. As such, Afghan women, including in the post-Taliban era, face multiple and varied obstacles in taking on leadership and decision-making roles, especially but not exclusively in rural and remote areas. As a constituency for civic and voter education, women therefore require creative and innovative approaches. Public awareness campaigns that fail to address the requirement for a cultural shift to promote women’s participation in public and political life are clearly not adequate. Indeed, the 2009 election demonstrated that this lack of access to the public sphere also means that women lack access to important political information circulated in community arenas, such as mosques, which are largely open only to men. Likewise, women candidates in the 2009 election faced threats of targeted violence solely because they were women¹⁸, and in at least one province women candidates did not campaign at all due to safety concerns¹⁹. In at least one instance, a woman candidate campaigned dressed as a man for security reasons.²⁰ Whilst male candidates also face security threats, threats appear to have a greater impact on women’s political participation as they are more likely to respond by withdrawing from engagement in public activities. One of the concrete outputs of the Gender and Elections coordination group was, through the IEC GU, to pressure the MOI to provide security guards to women provincial candidates who requested them. The benefit entitled each female candidate to identify one person to act as a security guard, to be trained and paid for by

¹⁵ 8Subh Daily, Vol. 127, 23 August, 2009. Additionally mentioned in, Special Inspector General for Afghanistan Reconstruction, 2009. “Barriers to Greater Participation by Women in Afghan Elections”, October 28 2009.page.2

¹⁶ 8 Subh Daily, Vol. 127, 23 August 2009.

¹⁷ EU Election Observation Mission.2009.”Presidential and Provincial Council Elections, Final Report, December 16.” page.38.

¹⁸ UNIFEM Afghanistan established a gender and elections hotline open from July to December 2009, The hotline worked as a referral centre to link women candidates, voters and staff with established resources and mechanisms available from the IEC, FEFA, AIHRC, UNAMA and MOI. Additionally the hotline served as a 24 hour security rapid response line. 17 calls were received from women candidates between July and August reporting security concerns and incidents, including 5 additional calls enquiring as to body guard provisions. This included a campaign office tarred in Kabul and a woman candidate threatened and attacked in Takhar. The candidate safely survived the attack. (Information collected from the UNIFEM administered elections hotline). The GU at IEC also received dozens of phone calls from female candidates detailing intimidation and threats.

¹⁹ EU Election Observation Mission. 2009. “Presidential and Provincial Council Elections, Final Report, December 16.” page.38.

²⁰ UNIFEM conducted interview, July 2009.

MOI. Unfortunately, the security provision was confusing, inadequate, late in implementation, difficult to access and altogether poorly implemented.²¹

At the same time, addressing women's specific realities and so enabling their participation was marginalized in the security concerns of the Afghanistan National Army and Police (ANA and ANP) as well international special assistant forces (ISAF) in charge of securing polling stations on Election Day, with no women participating in the taskforce on security established for the purpose. In addition to deciding how and what security should be provided, and where, the taskforce made the final decisions as to how many and which polling stations opened on polling day, with changes made up to the very day of the election. The workshop participants felt it could be expected that women were disproportionately affected by last minute changes in polling station locations as women are less likely to have access to information or to have the ability to move freely and independently, especially long distances. The distance of polling stations from residences and the mobility constraints that this imposes on women in most areas was suspected of preventing greater actual women's turnout at the polling stations.

Cultural constraints. With women's literacy rates at 21.9 percent²², the imperative for appropriate women's civic and voter education is particularly acute. In some provinces, ballots ran pages long, with candidates identified by name, portrait, and symbol. Workshop participants expressed concern that women experienced difficulty in negotiating the ballot, and some shared experiences and stories suggesting that women often depended on assistance from IEC polling staff or requested family members to be permitted to enter the polling booth. Both instances provide opportunity for pressure or influence to be exerted upon a women's vote and violate the principle of secret ballot. Such stories were replicated in the media and in complaints filed with the ECC. In some cases the impartiality of IEC polling staff was questioned, which resulted in the removal of some IEC staff by ECC official order²³. In other instances, IEC staff allowed male family members to proxy register and proxy vote for women kin, with one case cited of a man in Gardez city, Paktia province, casting ballots for 35 of his female family members²⁴.

Lack of appreciation of the differing realities of Afghan women's lives resulting in gender insensitive planning was cited by workshop participants as a central weakness in ensuring women's participation on Election Day. Participants mentioned that the scheduling of the day of election itself, coupled with

²¹ The arrangement required a women candidate to nominate a person to serve as security guard (usually a male family member) because of the lack of trained security personnel in the police force. After a criminal background check, the person was registered, provided a uniform and firearm, a salary and food allowance, and training if needed.

²² UNESCO.2003, "UNESCO and government of Afghanistan launch nationwide literacy project." www.unesco.org, accessed 6 Jan 2009.

²³ EU Election Observation Mission.2009."Presidential and Provincial Council Elections, Final Report, December 16." page.20.

²⁴ AIHRC-UNAMA.2009. "Joint Monitoring of Political Rights, Presidential and Provincial Council Elections in Afghanistan, Third Report 1 August-5 October 2009" page. 9.

the polling hours, may well have limited women's access to the polls. Election Day was just before the start of Ramazan, when women's household and family responsibilities are huge²⁵. Ballot counting began immediately following the close of the polls at 4:00 p.m., but cultural realities meant that female IEC staff, candidates' agents and observers had to leave centers to be home before darkness fell and therefore could not fully carry out their responsibilities. As mentioned earlier, women voters might be expected to be prohibited from voting at a station staffed by men, while some polling centers did not create separate entrances for women and men, which can be a deterrent to women entering. The IEC GU received reports that the location of some female polling stations required women to walk past the men's polling stations to old outdoor back buildings in order to cast a vote. The IEC, using the precedent set by other public buildings such as hospitals, did not feel that single entrances to polling centers were necessarily a barrier to women's access. Nevertheless, many Lessons Learnt workshop participants felt that separate entrances were necessary in light of the cultural sensitivity around women's exercise of political rights. Additionally, many participants considered inconveniently situated women's polling stations as reinforcing discriminatory attitudes that value Afghan women as second class citizens.

Workshop participants expressed alarm that given the irregularities of the 2009 elections and the growing insecurity in the country, women's involvement in the 2010 Parliamentary elections as candidates, voters, IEC staff, security staff and observers will further decrease. This would erode women's profile as political actors and further excludes them from the public sphere—a snowballing effect with real impact on all aspects of Afghan women's lives. One workshop participant questioned if, given the security situation, the 2009 election should have been held at all and what realistic expectations can be set for women's "meaningful participation" in such a context.

Overall, the group concluded, that much more political will is needed by all stakeholders to integrate responses to the unique challenges women face in engaging in elections. Elections planning, budgeting, and coordination all need to be improved by making women central rather than an add-ons to the electoral and therefore democratization processes. Areas that tend to be seen as gender neutral, such as security, logistics and operations, all require review and adaptation to meet the needs of women and all require additional resources—including time and funds—to address the specific challenges women face²⁶. Without the extra emphasis on enabling women's full participation in political competition, there is little reason to think women's role in democratization can be sustained or that, in turn, democratization processes are truly democratic or sustainable.

²⁵ The Afghan elections were held two days before the start of the first day of Ramazan. The Election Day happened on the 20th of August and the first day of Ramazan was the 22nd August.

²⁶ This requires renewed dedication and commitment particularly from senior managers and planners in election related institutions. There are four staff at present in gender roles in the IEC (three in the GU and one in Public Outreach) and this low number limits their impact.

The quota/reserve seats for women system is in need of revision. Prior to the 2009 elections UNIFEM Afghanistan commissioned an analysis of the quota system, both to monitor the allocation of quota seats throughout the election results process, and to gain a better understanding of how the quota works in practice.²⁷ The study finds that general seats are not allocated to women who are the highest vote getters in their provinces; instead, these women are automatically placed into ‘quota’ reserve seats. Generally speaking, reserved quota seats are understood to constitute a ceiling for women’s representation, rather than as a minimum requirement or floor. In conversation with Afghans, in fact, open seats are often referred to as “male seats.” These views undermine the legitimacy of Afghan women’s political representation. The study summaries that:

“CEDAW, NAPWA, the Constitution, and the Electoral Law provide legislative frameworks for improving Afghan women’s representation in politics. So it follows that stipulations should be made in the Electoral Law to ensure that women with the highest votes in a province are allocated to general seats as is their entitlement, while still filling the reserved seats based on a best loser system. There should also be a strengthening of sub-national governance in Afghanistan through the requirement of a percentage of women based on a legal quota as is the case in other South Asian countries such as Pakistan, India and Bangladesh. This would require inclusion to the effect in the Constitution and the Electoral Law.”²⁸

In February 2010, President Karzai passed a Presidential Decree on the Electoral Code, which appears to further undermine the quota system as a tool to increase political participation in Afghanistan.²⁹ The decree permits unfilled quota seats to be filled by ‘the most voted candidate in the candidates list,’ regardless of gender. As FEFA states in relation to the new Electoral Code,

“In the new law, the IEC has the authority that in the absence of female candidates to occupy the vacant seat/s of female candidates the vacant seat/s shall be awarded to male candidates, which itself can cause some concerns that may impose indirect restrictions on the presence of female candidates in the electoral process, given the present security and cultural situation. It may even cause the powerful male candidates in electoral constituencies to threaten female candidates and forcibly dissuade them from taking part in the election process.”³⁰

²⁷ Once completed the full report will be issued to all participants of the IEC/UNIFEM coordinated gender and elections working group.

²⁸ *Afghan Women’s Representation in Politics*, UNIFEM Afghanistan draft report analyzing the quota system currently in play in Afghanistan, 2010.

²⁹ The IEC has yet to receive the approved Dari version of the Decree, so all comments are based on the English translation whose accuracy has been called already into question. Feb 25th 2010

³⁰ FEFA Press Statement, Electoral Law, Feb 22nd 2010. <http://fefaf.org.af/report/English-%20Electoral%20Law%20Analysis%20-22%20Feb.pdf>

As stated in the Constitution, reserved seats for women should remain vacant if they cannot be filled by women. This is a way to provide incentive to support women's political participation and to prevent intimidation of women who do run. In addition, the Presidential decree increases education and financial requirements for candidates, leaving women at a distinct *disadvantage* as, excepting those with powerful political and family links, they are less likely to be educated or to have access to significant financial resources.

C. Goals and suggested activities to increase Afghan women's political participation

1. Goal: Increased effective outreach to women about political and electoral processes

Challenges cited: Women did not vote; despite special programs undertaken by the IEC's public outreach department women lacked information and/or understanding about electoral and political processes; large numbers of women are illiterate and therefore had difficulties understanding how to use the ballot or the basics of elections; women were susceptible to pressure from families, polling station workers and others to not vote or to vote a certain way; women's votes were used fraudulently and/or were cast as proxy votes.

Responsible Entities: IEC Public Outreach Department and IEC Training Department in partnership with the Ministry of Women's Affairs, other relevant ministries (for example, the Ministry of Education), community-based civic and voter educators, media and civil society organizations (CSOs)

Suggested activities:

- Incorporate comprehensive integration of gender sensitive messages into all voter and civic education on the principle of individual and independent voting, so as to enforce the importance of women's participation and to help prevent manipulation of women's vote by others. Particular attention should be paid to explaining why fraudulent voting and obstructing women's voting is counter to democratic principles and, indeed, illegal. Penalties should be enacted against those who attempt to obstruct or manipulate votes, including votes of women.
- Provide additional emphasis for IEC polling center staff on "one person, one vote" standard, with penalties, including termination, for not enforcing the standard at ballot stations.
- Support IEC to expand targeted public outreach on "one person, one vote" standards and women's right to political participation via mass media³¹ and through community gatekeepers such as

³¹ Particularly through radio, as most women do not have access to television and most cannot read.

religious figures. This can and should be targeted to provinces where resistance to women's political participation is highest. As men determine women's access to public space, men should be the primary target audience for these public outreach campaigns.

- Enhance monitoring and evaluation of the impact of current civic and voter outreach activities, to ensure messages of women's participation are effective. Civic and voter education activities for women must take place in venues and through mediums that are accessible to women, such as the District Office of Women's Affairs (DOWA), and should pay greater attention to how to understand and use the ballot, as well as in encouraging women to be multipliers and share their understanding with other women.
- Establish more sustainable civic education outreach initiatives, such as a mandatory standard curriculum instituted by the Ministry of Education for all secondary students and adult literacy classes. Civic and voter education activities should be on-going and cyclical rather than terminate at the close of Election Day.
- Partnerships with formal and informal networks should be tapped to access women, especially those confined to their homes and/or in remote areas of the country, to encourage their participation in electoral processes and in public life

2. Goal: Improved gender-responsive security planning, monitoring and reporting

Challenges cited: Targeted threats and acts of violence against women candidates and female IEC staff; intimidation prevented women candidates from campaigning and, female voters from voting; lack of centralized data and coordinated information sharing to realistically assess and plan for women's protection; lack of comprehensive security planning for women candidates; marginalization/neglect of women's specific security needs as part of the comprehensive security plan for the elections; use of 'security' arguments as a deterrent to women's political engagement; lack of reliable and transparent information on recruitment procedures and numbers of female poll checkers and female body checkers.

Responsible Entities: IEC, MOI, Afghanistan National Police (ANP), Afghanistan National Army (ANA), International Security Assistance Force (ISAF), the ECC, and the AIHRC.

Suggested activities:

- Coordinated through MOI, ANA and ISAF, the creation of a systematized and widely broadcast security plan for women candidates as an integral part of the overall security planning around the 2010 elections. The security taskforce established must include representation of expert engaged women, and an IEC GU focal point, to educate and advocate for women's specific security needs as voters, workers, and candidates.

- Establish a centralized emergency telephone number for candidates and IEC staff to report threats and acts of violence and develop and maintain a central database of reports and follow up actions by the MOI, ANP, ANA and ISAF. Consideration and planning should be given to the phone number and database in the long term coming under the responsibility of the MOI, with information shared with the IEC, the ECC and the AIHRC as needed to file human rights and electoral abuse complaints and to discern patterns over time of systematic discrimination against female political actors. Intensive gender responsive capacity building of the MOI will be needed to effectuate the transfer of the database and its use.
- Accelerate positive discrimination regarding recruitment of women to security forces including most immediately as body checkers for polling stations and in the mid-term as members of the ANP and ANA. More effective use of the existing women police officers in the 11 provinces where they are employed to oversee security provisions for women and to serve as community focal points for complaints of targeted threats and violence. Transparent recruitment procedures, clearly documenting the number of women, must be immediately established.
- Anticipate the likely short-fall in numbers of trained female body checkers for the 2010 elections with creative solutions, such as using female staff from Ministries (MOWA, MOE).³² Anticipate and pre-empt the likely short-fall in numbers of female electoral staff for the 2010 elections.
- Continue the joint partnership of UNAMA and AIHRC through the 2010 elections to monitor women's ability to exercise their political rights, taking necessary action in immediate urgent response and providing policy recommendations are followed up for longer-term improvements in women's participation in public life.

3. Goal: Planning and budgeting of electoral processes fully accounts for additional challenges in ensuring women's political participation

Challenges cited:

Data. *Lack of publicly available centralized information on women and female Kuchi nomads, including information on security decisions and deliberations as they might impact women's access to electoral processes; lack of reaction by election officials to address reports of inflated female registration and voter figures;*

³² In reviewing this report before publication, the IEC questioned the need of this priority, as according to their knowledge, there were no incidences of significant security problems at female polling stations. Instead they feel more priority needs to be put on the employment of female staff for the polling stations.

Access. *Lack of planning for recruitment of women IEC workers; nepotism and political bias in the recruitment reducing numbers of women accepted as polling station staff; the inadequate communication to women regarding closing and moving of polling stations; scheduling of Election Day (just before the first day of Ramazan) and opening hours of polling stations not conducive to women's involvement; site and design of polling stations greatly affected women's ability to participate; female candidates' agents, observers and IEC polling stations counters had to leave centers before darkness, and therefore could not fully carry out their roles as watchdogs; lack of access to public or semi-public space in campaigning.*

Responsible Entities: IEC, MOF, MOJ, MOWA, and Central Statistics Office Afghanistan.

Suggested activities:

- The IEC at national and provincial levels should set up, and make widely known, focal points for the distribution of data and information for and about women (including statistics relating to numbers of staff, voters, votes etc). This would be integrated into the larger Gender Focal Point system coordinated by the IEC gender unit.
- Earmark specific allocation of funds to address the challenges of women, including the provision as necessary of mobile registration, transportation to and from polls, repeated civic and voter education activities, security, among others. Along with increased funds, additional time should be incorporated in the planning for electoral processes to accommodate the added difficulties in women's full inclusion in all phases and as multiple actors in elections.
- Ensure all data collection from governmental bodies responsible for the administration of elections (IEC, ECC, etc.) is gender disaggregated, including the identification of polling stations.
- Ensure the IEC GU is fully funded and staffed to effectively fulfill its mandate and included in all planning and deliberations on electoral processes to represent the specific challenges and needs of women to fully participate as political actors.

Increase preventative actions to avoid the misuse of women's voting cards including (i) instituting better safeguards to prevent women's registration by underage voters (ii) providing extra training for staff regarding checking underage voters, proxy voting and the needs of female voters generally (iii) carry out penalties, including dismissal, for illegal actions of IEC staff.

Conduct an in-depth review of the policy related to photographs on voter registration cards to engage in a change of policy to oblige all cards to include photographs, regardless of sex. For 2010 voter registration cards must contain photographs of women in order to prevent fraud. Use of cards without photos should not be allowed, use of photos which do not show the face should not be

allowed.³³ Greater planning to ensure sufficient numbers of female photographers for voter registration

Related Goal: Ensure polling stations have full quota of female staff

Suggested activities:

- Assign a team to oversee the recruitment of female staff to the IEC centrally and provincially, including permanent and temporary staff for polling day, and to explore the possibility of sanctions to those provincial election centers (PECs) who do not meet quotas.
- Undertake a review of polling stations that had very low numbers of female staff in 2009, and devise a plan to target those PECs with information and messages to support the recruitment of sufficient numbers of female staff for the 2010 upcoming elections. Special efforts should be made in the following provinces: Paktika, Paktia, Wardak, Ghazni, Khost and Kunar.

Include a clause in agreements with key ministries to allow for female staff to work in polling centers on voting day.

Related Goal: Ensure female access to polling stations

Suggested activities:

- Adjust opening times of polling stations to allow women the maximum opportunity to access them and to reduce the amount of time female staff and agents have to leave in advance of counting. For example, if it becomes dark at 5 pm women will likely have to leave for home at 4.30 pm at the latest. It is suggested stations open at 6 am and close at 2 pm.
- Support the IEC to engage with MOJ and MOWA to ensure that religious figures understand, underscore, and prevent any backtracking on women's right to political and electoral participation.

4. Goals: Campaigning/Financing/Media

Challenges cited:

Candidates: *Political parties pressure independent female candidates to join their party and thereby at times make candidates an extension of party's and party interests, even where these are contradictory to gendered interests – threats include kidnapping threats; no independent female provincial candidate*

³³ This indeed has been a debate at IEC, with one idea touted that national ID cards (which do contain photographs) should act as voter registration cards.

succeeded to be elected; the quota system is widely considered to be biased against women, effecting a ceiling on women's political participation rather than a floor.

Finances: *Many complaints that female candidates were not able to fundraise or were not able to access funds even when they were available, e.g. women in rural areas were not easily able to travel outside of their immediate locations; as women are not traditionally breadwinners, many did not have the ability to save and self fund and therefore are reliant on others; female candidates were less able to buy the patronage of high profile political figures.*

Media: *Women candidates had limited media access and free media coverage; women were not able to access funds to buy media support and national campaigns; media often included photos and positive stories of male candidates but not of women; media produced inflammatory stories about female candidates.*

Responsible Entities: IEC, MOI, Ministry of Culture, Parliament, Elections Media Commission.

Suggested Activities:

- Find mechanisms for supporting candidates to remain independent, including allowing candidates some access to outside funding. The policy should be reviewed to ensure that current law does not discriminate against women, who are much less likely to have access to their own funds or income.
- Monitor media more carefully to ensure an unbiased media, with journalists further trained to cover both women's and men's political activities. The media observation unit of the IEC should insure impartial media coverage of political candidates and penalize instances of inflammatory journalism.

5. Goal: Policy review of the quota counting system³⁴

Challenges cited: female candidates did not understand the quota system and perceived it had been abused; lack of official, easily understandable information and regulations regarding the quota system from IEC; lack of public posting of total seats per provinces and numbers of quota seats per provinces; circulation of unofficial information sheet that designated 'women's' and 'men's' seats; general public perception that the quota is a ceiling rather than a floor for women's elected seats; quota policy for provincial councils that in effect disallows women from gaining more than reserved seats even with top vote counts.

³⁴ Article 83 of the Constitution guarantees a quota for women in the bicameral National Assembly. In the *Wolesi Jirga* (lower house), 68 out of 249 seats are reserved for women, which guarantees women 27 percent representation; that is, on average two female candidates are elected from each province.

Responsible Entities: IEC Legal Unit, the Parliament.

Suggested Activities:

- Review process and amend content of the recent Presidential Decree to be in line with the Constitutional intent of reserved seats for women.
- Support and facilitate debate and discussion in Parliament over reform of the quota, to introduce a counting system whereby the quota creates a 25 per cent floor of reserved women's seats while still allowing women to gain open seats through votes.
- Provide public awareness campaigns on the importance of the quota system, with special attention on male political actors to prevent stigmatizing attitudes toward women who hold reserved seats.
- Institute special measures such as "inviting" women to run for office as a means of contributing to the development of governance and democratization in Afghanistan and others to encourage more women in the pipeline of political activity.
- Extend affirmative action measures to all levels of government, including District, Municipal and Village elected bodies.

D. Conclusion

Elections planning and implementation, particularly in fragile states such as Afghanistan, are complex endeavors. However, Afghan women's groups and their representatives, have a strong determination to contribute to planning and implementation in order to help support the efforts of the Afghan Independent Election Commission and other support entities in guaranteeing women's political rights. The recommendations in this report will require the participation of many actors and institutions to ensure they are implemented. Therefore participants stressed that they, as women's groups and representatives of women, should be consulted (and where possible involved) at all stages of the process. In addition it is expected that the Gender Unit of the IEC will be further developed as a mechanism for such consultations, and that mechanisms such as IEC Gender Focal Points will be fully built up at provincial and regional levels to take into account women's needs and situations in future Afghan elections.