



Afghan Independent Human Rights Commission  
**AIHRC**

**AIHRC-UNAMA**  
**Joint Verification of Political Rights**

**Wolesi Jirga and Provincial Council Elections**

**Second Report**

**4 June – 16 August 2005**



**United Nations Assistance Mission in Afghanistan**  
**UNAMA**

## **DRAFT**

### **INTRODUCTION**

1. At the request of the Government of the Islamic Transitional State of Afghanistan and with the endorsement of the Berlin Conference, the United Nations Assistance Mission in Afghanistan (UNAMA) and the Afghan Independent Human Rights Commission (AIHRC) are jointly verifying the exercise of political rights in Afghanistan with a view to ascertaining the situation of political rights; making appropriate recommendations to the authorities; and thereby contributing to the creation of an environment conducive to free and fair elections.
2. This report describes the trends observed and maps out the types of violations and incidents that have constrained the exercise of political rights between 4 June and 16 August<sup>1</sup> and reviews the results of the challenge and vetting process and the registration of voters. An update on the recommendations noted in the previous report is also included.

### **METHODOLOGY**

3. During the reporting period, the observers from the eight UNAMA and eleven AIHRC regional offices continued to monitor the environment and to actively collect information in order to evaluate the conditions for the exercise of political rights. Verification activities included formally registering complaints submitted by the population, verifying cases, undertaking field missions to all the provinces to assess the general environment, monitoring the media and collecting information about trends and general perceptions through interviews conducted with government authorities, political parties, candidates, elders, community leaders, members of civil society, journalists, the Joint Electoral Management Body (JEMB), the Electoral Complaints Commission (ECC) and the Provincial Election Commissions (PEC).
4. In total more than 150 incidents were recorded by the Joint Verification Unit. Of these cases, 44 were verified; 57 are pending further investigation; 19 were found to be baseless; and 32 could not be verified due to insufficient information, lack of witnesses or inability to carry out investigation due to remoteness of area or security restrictions.

### **OVERVIEW**

#### **a) Voter Registration**

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<sup>1</sup> The previous report covered the period from 19 April to 3 June 2005.

5. The completion of the Voter Registration Update Period (25 June to 21 July) marks the end of the second key phase in the electoral operational plan. The process was designed as an addition to the registration campaign conducted for the 2004 Presidential Election. Most of the 1,052 voter registration stations were able to open for at least a portion of the period, although security incidents prevented three stations from opening. As noted under the principle of non-intimidation, several registration sites have been attacked in a number of locations.
6. Overall, the registration process was not disrupted and was carried out throughout the country, resulting in the registration of 1, 694,341 citizens; 44% being women, 56% men and 9% Kuchis. With these new registrants the number of voters increased by nearly 14%, bringing the total registered voters in Afghanistan to 12,469,792.<sup>2</sup>
7. Despite this positive outcome, people in various provinces have noted that the lack of mobile registration sites led to the disenfranchisement of those residing in remote areas, particularly women. While inaccessibility of registration sites was a factor in some areas, especially in remote districts in the southwest and in the northeast, the results of the registration process were generally positive. As noted under the section on the principle of non-discrimination, women in conservative areas, particularly in the southeast and south, benefited most from this process.

**b) The Challenge and Vetting Process**

8. From 4 to 9 June the JEMB displayed the provisional list of candidates who had come forward for the 18 September Wolesi Jirga and Provincial Council elections. During the display period, the opportunity was provided to file challenges with the ECC against any candidate.
9. The challenge period and the candidates' vetting process were met with enthusiasm and with the hope that it would serve as a tool to remove candidates with links to armed groups and with a history of human rights violations and criminal activities. Overall, the challenge process resulted in the registration of 1,144 challenges against 557 candidates and the provisional exclusion of 233 candidates. Of this total, 208 were named for having links to illegal armed groups. These individuals were given 5 days (2-7 July) to respond and to prove that they met the criteria for candidacy, as stipulated by the Electoral Law. Those identified as having links to armed groups were given the opportunity to disarm through the Disbandment of Illegal Groups (DIAG) process before 7 July in order to be cleared by the ECC. Weapon collection points were established in all provinces to facilitate disarmament.

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<sup>2</sup> This figure may include some cases of multiple registration, as witnessed during last year's registration process.

10. The formal candidate vetting process was brought to an end on 12 July with the publication of the final candidate list by JEMB. The process resulted in the exclusion of 17 candidates; 11 for having links to illegal armed groups, five for providing invalid signatures or for failing to provide a sufficient number of signatures to support their nominations; and one for failing to prove that he had resigned from public office.
11. Overall, the results of the process were met with disappointment. Many expressed the view that a number of armed and powerful figures never appeared on the list due to political calculations. The fact that the vast majority of the provisionally excluded candidates were restored led to greater disillusionment with the process.
12. While the disarmament of the candidates led to the handing in of 4,052 weapons, many have expressed the view that the weapons relinquished represent only a fraction of arms held by the identified candidates and their armed links. Provincial authorities have been tasked with verifying whether candidates are still maintaining links to armed groups. Disqualification of candidates violating the Electoral Law are possible until electoral results are certified by the JEMB.
13. There are also concerns that candidates accused of having committed human rights violations and criminal acts were included in the final list. The ECC has responded to these criticisms by noting that its mandate is limited to adjudicating challenges and complaints based on the Electoral Law, which specifies that candidates can only be excluded if convicted of a criminal offence. It has also noted that 90% of the complaints submitted could not be properly investigated due to the fact that the complainants had not provided sufficient information and supporting evidence.

**c) Election Observers**

14. Thus far, a total of 1,035 entities have been accredited to observe the elections; 30 domestic bodies, 11 international organizations; 857 independent candidates; 57 political parties and 80 media outlets. Of the total number of 19,388 observers, agents and media representatives registered, there are 1,601 domestic observers, 125 international observers, 12,487 independent candidate agents, 4,892 political agents and 283 media representatives. The JEMB is hosting a weekly Observer Forum to provide information on the process and to apprise the observers of JEMB regulations.

**d) General Trends**

15. Despite the shortcomings in the challenge and vetting phase, there is little evidence to support the view that the political offer represented by the candidates is dominated by commanders and human rights violators. As noted earlier, the complaints registered focused on 557 candidates, which represents less than 10% of the 5,800 candidates.
16. While verification findings from the previous and the current reporting period indicate that there are few cases of direct intimidation from candidates identified as having links to armed groups, there are a number of commanders who are attempting to dominate the political landscape and influence the electoral process.
17. The greatest threats to the election process continue to come from anti-government elements. This reporting period shows escalating threats and attacks against candidates, election workers, civic educators, religious leaders, government leaders and national and international security forces. These attacks most often take the form of improvised explosive devices (IEDs) and artillery attacks.
18. There have been a total of 286 candidate withdrawals, including 51 women candidates. Of this total, 17 are due to candidate disqualifications; 265 are a result of voluntarily withdrawals; and 3 are due to candidate deaths.
19. Verification staff recorded a number of violent attacks and acts of intimidation have been carried out against candidates as a means of forcing them to withdraw. These acts have largely been carried out by opposing candidates and their supporters, political rivals as well as anti-government elements.
20. While such incidents may have been a factor in candidate withdrawals, particularly for women, the reasons cited for stepping down are lack of confidence of achieving success in the elections and economic difficulties, particularly lack of funding for campaign purposes. The latter issue has also been reported as a common problem faced by women candidates. The vast majority of candidates who have indicated being pressured or threatened to withdraw have not stepped down. At the same time, in recent weeks a number of threatened candidates have indicated that they will not carry out any campaign activities due to concerns about their safety.
21. Despite the fact that there continue to be reports of local officials showing bias and interfering in the electoral process, there is significant improvement on the part of government officials reprimanding and disciplining those found responsible of such misconduct.

## **UPDATE ON RECOMMENDATIONS**

22. The first report included several recommendations for improving the electoral process. They were mainly aimed at strengthening security through various means including the DIAG process, coordination mechanisms between national security mechanisms and training programs for police; addressing the needs and concerns of women voters through the development of a national strategy on women's roles in the electoral process by the Ministry of Women's Affairs (MOWA) and through coordination between MOWA and the Ministry of Interior (MOI) on women's security concerns; clarifying the role of Provincial Council representatives through the adoption of legislation on Provincial Councils by the Government; strengthening civic education efforts through local influential figures; ensuring impartial conduct of government officials through the dissemination of The Order on the Conduct of Government Officials During the Electoral Process; and improving information about election complaints procedures through broader dissemination of information on the ECC and PEC as well as strengthening the capacity of these bodies. Following is an account of the status of implementation of these recommendations.

**a) DIAG**

23. While 87 of the 208 provisionally excluded candidates (41.8%) were from the seven provinces (Parwan, Nangarhar, Laghman, Nuristan, Takhar, Herat and Badakhshan) identified in the previous verification report as requiring special attention by DIAG, only two candidates from these regions were excluded from the final list for failing to cut their links with armed groups. The remainder of the provisionally excluded were cleared by the Joint Secretariat of the Disarmament and Reintegration Commission for having complied with the disarmament requirement. However - as noted earlier - assessments from the regions indicate that a number of these candidates still retain weapons and require further disarmament.

**b) Coordination by Ministries of Defense and Ministry of Interior**

24. The JEMB has established a National Joint Electoral Operations Center to coordinate national and international efforts towards strengthening security for the election processes. Participants include MOI, Ministry of Defense (MOD), National Security Directorate (NSD), International Security Assistance Forces (ISAF) and the Coalition. Provincial and regional operation centers are being established to promote better integration and cooperation at the local level.

**c) Special Training for Afghan National Police**

25. While the Ministry of Interior has indicated that there will be special training for the Afghan National Police (ANP) to ensure the security needs of candidates, no further action has yet taken place. There is concern that little time remains to address the security concerns of candidates during the campaign period.

#### **d) MOWA Strategy to Promote Women's Participation in Elections**

26. As a part of a larger strategy to promote women's roles in the election process, the Ministry of Women's Affairs held a three-day national workshop on women and elections, involving 21 representatives from 21 provincial departments, from 5-7 June. The objective of the event was to increase the capacity of the Departments of Women's Affairs (DOWA) to promote women's participation in the elections. In addition, the Minister sent a letter to all provincial governors requesting them to assist DOWAs in encouraging women to register as candidates and voters. Teams were also sent from the Ministry to 21 provinces to mobilize women and to promote awareness about women's roles as voters and candidates in the electoral process. The 10-day project, which began on July 16<sup>th</sup>, involved 63 people who met with village leaders and utilizing local media, mosques, NGOs, and schools to help in the information campaign.
27. At the same time, verification activities in the regions indicate that many of the DoWA offices still remain unclear as to the steps required for supporting women's political participation and require additional guidance from the center.

#### **e) Security for Women Candidates**

28. In response to a letter from the Ministry of Women's Affairs appealing for further attention to the security concerns of women candidates and voters, the Ministry of Interior sent two separate orders to the chiefs of police throughout the country to take all necessary measures to ensure the security concerns of women candidates and voters. However, there is little evidence that these orders are being implemented.

#### **f) Provincial Council Legislation**

29. On 15 August, the Afghan Government approved legislation defining the functions and authority of Provincial Councils.

#### **g) Influential Figures and Civic Education**

30. JEMB's Public Outreach Program has been mobilizing community leaders, religious and tribal leaders and other influentials through its Community Mobilization Events (CMEs) program. These individuals have been asked to support the dissemination of information about the election process and to promote participation in the election process. In the southeast and south, some mullahs have been actively supporting women's political participation and appealing to men to allow their women family members to engage in electoral processes.

## **h) The Order on the Conduct of Government Officials During the Electoral Process**

31. The Order on the Conduct of Government Officials During the Electoral Process was disseminated among officials in the provinces. In a number of cases local authorities have undertaken special efforts to publicize this Order and to implement it. In July the President's Office disseminated the report through a variety of media outlets. During the same month the Faryab Provincial Governor invited all district governors, chiefs of police, chiefs of courts, mayors, attorneys, elders and ulemma representatives of the district for a two-day meeting in Maimana. One of the issues covered in detail was the Presidential Order and the issue of non-partiality. In Paktika, the NSD and ANP officers in each district received training regarding the Order. As noted under the principle of non-partiality, authorities have also shown greater willingness to correct and penalize those government officials found to be practicing partial behavior.

## **i) Information Strategy for ECC and Support to PECs**

32. The number of complaints received – more than 1,500 during the six-day challenge period and another 600 since July 12 – reflect a significant level of awareness about the function of the ECC and PECs. At the same time, more could be done to disseminate information about the role of the ECC and PEC, particularly in remote areas. As noted earlier, most complainants also do not seem to understand the type of information necessary for the submission of complaints and the investigation process continues to be hampered by the lack of supporting evidence in the cases submitted.

33. The JEMBS has also reported that additional resources have been devoted to creating and supporting PECs. Despite initial delays in some provinces (Nimroz, Zabul, Panjshir and Bamyam), PECs have been established and are operational throughout the country. Each PEC has been provided with full-time staff and logistic resources, and there is a PEC Support Section in Kabul. In order to build their capacity, PEC members have received two rounds of intensive practical and theoretical training.

34. While these measures are welcome, verification reports indicate that the performance of the PECs are uneven and there have been some complaints about lack of follow-up on the complaints registered.

## **RIGHTS AND PRINCIPLES**



## **FREEDOM OF EXPRESSION**

35. Complaints about candidates campaigning before the official launch of the campaign period (17 August) have been widespread, largely due to confusion about the type of activities prohibited and permitted. Most of the complaints have centered upon the profiling of candidate posters in public spaces. On 16 June, the JEMB provided further clarification by specifying that paid election campaign advertising on radio, television and newspapers was banned until the official start of the campaign period. The profiling of posters, the printing and distribution of leaflets and other activities are permitted before and during the campaign, provided that they are in accordance with the campaign regulation and the Code of Conduct.
36. Isolated cases of local officials interfering in the content of the media continue to be reported. On 5 June the now former Provincial Governor of Takhar Qazi Kabir dismissed Mohammad Naem Khanjar, the director of Takhar Television press release section and provincial head of the Afghan Independent Journalist Association, from his position following television coverage of critical remarks against the former governor.
37. On 23 July, a private meeting was held between the Head of the Ulemma Shura of Farah, the chief judge, the head of TV station, the head of the primary court and two other Wolesi Jirga candidates to consider the banning of “sensitive statements” made by WJ and PC candidates, following critical statements made by a WJ female candidate against the mujahiddin in the course of a public meeting. On 26 July, around 20 elders from various parts of Farah province met with the provincial governor to protest against the aforementioned female candidate's statements and requested that unlimited freedom of expression not be granted to candidates.
38. A female WJ candidate in Kandahar, accused of making critical remarks against the mujahidin during the Constitution Loya Jirga, has received threatening phone calls during the month of July, warning her to withdraw her candidacy and to keep her opinions to herself. On 3 August, unknown men on a motorcycle opened fire on her as she was sitting in a parked vehicle. She escaped unhurt and remains a candidate.
39. On 3 July, in Miana Bazaar, Ashterlai district, Dai Kundi province, three shopkeepers were harassed and intimidated by armed men linked to a powerful local commander. It is suspected that the shopkeepers were targeted due to remarks they had made in support of weakening the power base of local commanders.
40. On 12 June an arsonist set fire to the house and car of Mohammad Fahim Kohdamani, a Provincial Council candidate for Kabul. He is an editor for a secular paper that is known for being critical of Jihadi commanders. The arsonist,

Qudis, the bodyguard of a local commander and the brother of Wolesi Jirga candidate, has been arrested and sentenced to three years imprisonment. While the motive for the attack remains unclear, the victim suspects that it is due to his paper.

41. On a separate note, lack of media outlets in a number of provinces, remote districts and villages has limited civic education activities and will undoubtedly pose limitations during the campaign process. For example provinces such as Bamyan, Laghman, Nuristan, Zabul, Uruzgan and Dai Kundi do not have their own local television or radio stations.

## **FREEDOM OF MOVEMENT**

42. Improvised explosive devices, remote controlled mines and ambushes to government and private vehicles by anti-government elements continue to serve as the main impediment to the freedom of movement in large parts of the south, particularly in Uruzgan and Zabul; the southeast; and some provinces of the east such as Kunar; and the west. On 26 July members of AREA, a local NGO and implementing partner for JEMB public outreach activities, were traveling to Farah province via Farah road when unidentified attackers opened fire at the vehicles. No casualties were reported.
43. Commander Murghabi and his armed men have placed checkpoints at the entrance of Murghab Valley of Chaghcharan district, Ghor and are preventing ANP from entering the area. A Wolesi Jirga candidate complained that she and other candidates would be unable to carry out campaigning activities due to the fact that ANP would not be able to provide them security. There are also report that Murghabi is favoring a particular candidate.
44. On 20 June, in Seyagird district of Parwan province, three supporters of Mohammad Sadeq, a Wolesi Jirga candidate were detained by Satar, former district governor and a disqualified candidate of Seyagird district, and Mustafa, the current district chief of police. It is suspected that the arrest was politically motivated. In May Satar and Mustafa attempted to prevent Mohammad Sadeq from submitting his candidacy nomination.

## **PRINCIPLE OF NON-INTIMIDATION**

45. This reporting period has witnessed a number of violent attacks against candidates and their relatives. In most of these cases, the motive behind the attacks are unclear and they are not necessarily linked to the election process.

46. The most serious incident involved the killing of one candidate.<sup>3</sup> On June 22, unknown armed men killed Mohammad Wali, a Provincial Council candidate from Chora district, Uruzgan province. While the case is still under investigation, the deputy provincial governor has reported that the murders were due to a personal dispute.
47. On 25 July the brother of Azatullah Khan, a Wolesi Jirga candidate, was killed and his mother injured in an explosive device blast in Waza district, Paktika province. Azatullah, who was following in a second car, was uninjured. The Taliban militants are suspected to have carried out the attack in an effort to disrupt the electoral process.
48. On 26 July, Mohammad Moktar, a Provincial Council candidate in Dara-i Suf, Samangan, was shot by a relative but has survived. There are two suspects, with one currently in custody. The victim believes that he was targeted because of his candidacy.
49. There have also been a number of acts of intimidation aimed at forcing candidates to withdraw. In Nuristan province, an influential male Wolesi Jirga candidate has allegedly offered a large amount of money to a female candidate from the same constituency to withdraw her candidacy. When she refused, he allegedly threatened to kidnap or murder her and her children. He also threatened that if she stepped into the district, he would order her assassination. To avoid reprisal, the female candidate has requested that her name be kept confidential. The case has been reported to the ECC.
50. Anti-government elements have also stepped up attacks against pro-government religious leaders in an effort to destabilize the Government and the electoral processes. On 3 July Mulawi Mohammad Nabi Misbah, an affiliate of the Kandahar cleric council and a member of the Provincial Election Commission, was killed in Kandahar City by unknown armed men. On 13 July, Mawlawi Saleh Mohammad, head of a religious shura of Helmand province and well-known supporter of the electoral process was killed in Lashkargah city. On 3 August, Mullah Zarif, who had signed a fatwa against Mullah Omar, was shot dead by anti-government forces in Marja district, Helmand province.
51. Registration sites have been a key target by elements attempting to disrupt the registration exercise. On 6 July, unidentified persons attacked a Kuchi registration site in Terre Zayi district, Khost province. No injuries were sustained although some materials were damaged during these incidents. The same day a registration site in Khas district, Uruzgan province was attacked which led to a firefight between the ANP and the attackers. The attackers fled once Afghan National Army (ANA) forces arrived to back up ANP. No injuries were sustained. On 11 July, in Gezab district, Dai Kundi province, a mob attacked another registration

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<sup>3</sup> This is the second candidate killing. The assassination of WJ candidate Akhtar Mahmmd Tolwak was mentioned in the last report. Authorities indicated that his brother had been the target of the attack.

site and destroyed two police jeeps, apparently due to anger over boundary issues between Uruzgan and Daikundi. The registration site has been closed down since then. On 14 July an explosive device was detonated at a registration site inside a mosque compound in Khost City, Khost province. A second device was detonated as the police were investigating; two policemen suffered minor injuries. On 25 June, in Paktika province, the Dila registration site as well as the Kushmond registration site were attacked. On 27 June in Terre Zayi district, Khost province, an explosive device was found close to another registration site and defused. On 29 June unidentified individuals attacked a registration site in Khogiani district, Nangarhar province, with stones and injured one registration staff. The local authority placed more police at the registration site. On 10 August, an explosive device placed in the engine of a Jeep parked in the JEMBS compound in Logar detonated, destroying the vehicle and damaging two adjacent vehicles. There were no casualties.

52. There are also cases in which local commanders have attempted to interfere in the registration process. On 11 July day two districts field coordinator of the JEMB were conducting polling sites assessment in Dawlat Yar District, Ghor province, when they were threatened by a local commander that they would be killed if they failed to establish voter registration sites in certain villages. On 17 July, the nephew of a local commander showed up at two registration sites in Jalalabad and threatened to kill all the voter registration staff if they did not hand over large quantities of voter registration materials. The local police were informed and additional police were deployed to safeguard the sites.
53. On the evening of 17 July, three armed assailants attacked the home of WJ candidate, Mawlawi Mohamman Shaeq in Kakari Village, Passaband District, Ghor Province. Authorities have reported that this was carried out by militias supporting Dr. Ibrahim, a WJ candidate for Ghor, as a means of intimidating Shaeq from carrying out campaigning activities. A number of sources have also reported that Dr. Ibrahim has been interfering in the campaign activities of other candidates.
54. On 4 July, nine candidates provisionally excluded from the candidate list threatened and verbally abused JEMB staff at their compound in Laghman province and warned that they would disrupt the electoral process if they were not reinstated in the final list. The case has been submitted to the ECC for further follow-up and investigation.
55. There have also been a number of threats and attacks against women election workers. On 17 July, an armed man shot and wounded a female JEMB registration officer in Khamdesh district, Nuristan province. On 29 June the district registration site of Shahidi Hassas, Uruzgan province was closed down for a day after a female staff member received threats.

56. On 22 July, 80 men dressed in ANA uniforms in the village of Kotya, Khamdesh district, Nuristan, kidnapped two JEMB staff members and one private individual. The hostages were released the next day.
57. On June 19, night letters were distributed in Sarkano district, Kunar province, warning election candidates, Afghans working for international organizations, and international staff that they would be targeted if they participated in elections imposed by foreigners.
58. Two civic educators have been killed during this reporting period. On 20 July, a JEMB civic educator, Hamid Mohammad Sarwar, was shot dead in Yahya Kheil district, Paktika Province by four unknown attackers. Authorities have reported this his killing was unrelated to his election work. On 1 August another JEMB civic educator, who had been receiving threats and warnings not to work with the elections killed by two unknown motorbike riders in Kajaki district, Helmand.

## **PRINCIPLE OF NON-PARTIALITY**

59. While reports of bias by local officials continue to be received from throughout the country, there has been significant improvement in regard to government authorities taking actions against those found to be abusing their position and violating the principle of non-partiality.
60. The district governor of Anar Dara district, Farah province, Mohammad Akhbar, was carrying out a number of campaign activities for Haji Rahim Shah, a Wolesi Jirga candidate. Reports indicate that he gathered elders in the district, gave speeches in support of the candidate and informed them that he had been appointed by the government to support this candidate. He has been removed from his position due to these activities.
61. On 18 June, Amanullah, the district chief of police for Kuskh-e-Kuna district, Herat province, attended a gathering called by his uncle, Ibrahim Kushki, a WJ candidate. Candidates and community elders as well as other officials in the province noted that the presence of the chief of police at such gatherings was inappropriate. The chief of police has reportedly been advocating for the withdrawal of candidates other than his uncle.
62. Mohammad Naim, District Governor of Posht-e-Koh, Farah province used a meeting with tribal leaders to advocate support for his favored Wolesi Jirga candidate. This was reported to the provincial governor who warned Mohammad Naim not to interfere in the election process. He has since ceased such activities.
63. On 14 June, the district government office of Belcheragh district, Faryab province, called all Wolesi Jirga candidates and representatives to a meeting also attended by the district governor, district chief of police and elders. The district

- chief of police urged all the participants to support his favored candidate and suggested that the other candidates withdraw. While all the candidates and representatives agreed to comply, none of the candidates withdrew. The **district chief of police** has since been dismissed, due to number of unrelated reasons. The Governor also called all the districts government officials together and instructed them to remain impartial and neutral.
64. A well-known former commander Esmatullah, and current WJ candidate of Laghman province, were seen traveling with three armed guards assigned by the Deputy NSD of Laghman and approximately eight private armed guards. The Deputy NSD does not have the authority to assign guards and the law prohibits the hiring of private armed guards by candidates.
  65. A number of government officials contesting the WJ and PC elections failed to resign from their posts by the given deadline. The district chief of police of Bakwa, Farah province, officially resigned only after intervention by the provincial chief of police. Ahmad Shah Shahrukhi, former district prosecutor and a Wolesi Jirga candidate, was also reportedly going to his former workplace in Gulran district, Herat province, despite having resigned from his position. He claimed that he had gone to the office for private purposes. Anayatollah Nadin, the district governor of Gulran district, failed to resign despite having nominated himself for the Provincial Council election. Both individuals were warned and struck off the provisional list of candidates. While Nadin withdrew his candidacy and requested reinstatement, Shah Shahrukhi had been advised that he must abstain from attending his former office if he wishes to remain a candidate.
  66. Mohammad Ibrahim Kushki, a Wolesi Jirga candidate from Kuskh-e-Kuna district, Herat province, used his position as the head of the Islamic Labour Union and government assets to promote his campaign and to pressure the local community to vote for him. The Provincial Administration of Herat dismissed him from his position for misusing government assets.
  67. Fatima Kazimiyan, a Wolesi Jirga candidate and head of the Department of Women's Affairs (DOWA) in Bamyan, Central Highlands, has continued to carry out her work as a governmental official despite having resigned. Another female candidate, Najia Aimaq, Head of Pedagogic Institute in Pul-e-Khumri, Baghlan province, is using the vehicle of the institute for her own campaign. These violations have been reported to the ECC.

## **PRINCIPLE OF NON-DISCRIMINATION**

68. According to JEMB figures, 44% of the almost 1.7 million citizens registered this year are women. Despite concerns that registration figures for women would be affected by mobility constraints, the percentage of registered women voters is higher than that observed during the Presidential election (41.5%). It is

particularly noteworthy that there is an increase in registered women in conservative areas such as the South and Southeast. For example Paktika province holds the highest number of women registered in the country at 59%; Khost is at 57% and Uruzgan at 51%. The greatest improvement was in Ajrestan district of Ghazni where there was not a single registered woman during the Presidential election. This year 15,442 women received registration cards.

69. At the same time, the withdrawal of women candidates represents nearly 18% of the 286 candidate withdrawals. This decreases the number of women candidates by 8% (633 to 582).
70. Most of the female candidates who have withdrawn have cited economic problems as the main reason behind their decision to step down. However, other factors may also be responsible. While women's political participation has been gaining a degree of acceptance, there are still elements that remain resistant to this trend. As noted earlier, women associated with the electoral process have been the target of violent attacks and threats by anti-government forces in the east, southeast and south. There have also been reports of community leaders opposing women's political participation. On 1 July in a mosque in Tergaran Village, Wardoj district of Badakhshan province Mullah Kabir publicly spoke against the right of women candidates to register as voters and candidates. Since June, Mawlawi Shah Zada of Sawki district, a Wolesi Jirga candidate for Kunar has been lecturing against women's participation in the elections and warning the local population that voting for female candidates is un-Islamic. On 26 June a village elder in Naqeela Village, Taloqan district, Takhar province tore down JEMB's election posters and prevented the JEMB public outreach team from meeting with the women in the village.

## **CONCLUSIONS AND RECOMMENDATIONS**

71. Verification carried out during the past two months records several positive developments, including the following:
  - While the voter registration process had some limitations and faced security challenges, its overall impact was positive, particularly for women in conservative regions.
  - The range of candidates represented in the 5,800 candidates does not support the view that the elections will be dominated by commanders and armed elements.
  - There is a marked improvement in government officials disseminating and implementing The Order on the Conduct of Government Officials During the Electoral Process and undertaking necessary measures to reprimand and penalize those officials found practicing partiality.

72. At the same time, verification also indicates shortcomings in the environment and worrying trends. The escalation of violent attacks against candidates, election staff, civic educators and community leaders is particularly alarming and poses the greatest threat to the election process, with the east, southeast and south being the areas of greatest concern. Despite the fact that extremists have failed to derail the election process or to pressure candidates to withdraw, the possibility exists that the threat of violent attacks will have an impact on the campaign process and on election day, potentially disenfranchising large parts of the Pashtun population. Concerted action will need to be taken by national and international security forces to respond to the security threats. While the establishment of the National Joint Election Operation Center is encouraging, much more will have to be done to ensure that the police, national army and international security forces work closely to address the security challenges ahead.
73. The Ministry of Interior should urgently disseminate instructions and organize training for the Afghan National Police regarding the security needs of candidates.
74. Efforts should also be undertaken by Afghan officials at the central and local level to create “security zones” in vulnerable areas in order to ensure that candidates can carry out campaign activities without fear of violent attacks.
75. The Ministry of Interior’s orders instructing the chiefs of police to undertake measures to protect female candidates and voters is welcome. However, more specific measures must be adopted by government authorities at the central and local level. Provincial authorities, the chiefs of police, the provincial NSD and the provincial DOWA are encouraged to establish coordination mechanisms to identify the unique challenges that women face at the local level and to implement the necessary corrective action.
76. While the challenge and vetting exercise began with a promising start and resulted in a significant number of arms being handed in, the fact that a handful of the provisionally excluded were removed from the list and that those linked with armed groups have not yet been fully disarmed have left the population disappointed with the process and concerned that armed and criminal elements will continue to influence the elections. The Electoral Complaints Commission is encouraged to use its resources towards vigilantly monitoring the electoral environment and removing those individuals violating the Electoral Law. Those continuing to maintain links to armed groups should either be disqualified or fully disarmed.
77. The Government is encouraged to disseminate the legislation on Provincial Councils broadly within the earliest time possible to ensure that the population is apprised of the responsibilities of the office in order to make an informed choice on election day. Special efforts should also be made to distribute this legislation to Provincial Council candidates.



78. In order to overcome the limitations posed by mobility constraints, by the lack of communication outlets and other factors that restraint civic education and the ability to extend information about the electoral process, it is of vital importance that candidates, political parties, election monitoring organizations, polling agents, the media, community leaders and civil society representatives broadly disseminate information about electoral matters, particularly about the role of the ECC and the PECs and the type of supporting evidence necessary when submitting a complaint; the universality of the right to vote; and the secrecy of the ballot and the voting process.