Assessing the Risk of Violence in Afghanistan’s 2016 Parliamentary Elections

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Executive Summary

The upcoming parliamentary elections in Afghanistan will be the first elections held since the highly controversial 2014 presidential elections, which were marred by allegations of fraud and political manipulation. The upcoming elections are not yet scheduled, but expected to be held in late 2016 or early 2017. Similar to the 2014 elections, the parliamentary polls will face numerous challenges and threats of violence. This report outlines the main risks for violence surrounding these elections and proposes recommendations for preventing or mitigating these identified vulnerabilities.

A pervasive culture of corruption, coupled with limiting social practices and weak institutions will ultimately contribute to an environment that fosters discontent and violence. These factors range from a weak electoral system to the resilience of patronage networks, and create an uneven playing field from which grievances can emerge. Furthermore, windows and triggers that emerge throughout all stages of the electoral process, such as candidate nomination and election dispute processes, can provide acute instances where pre-existing factors become salient threats of violent conflict.

The key actors and stakeholders in this conflict include the following: insurgent groups, security forces, the Independent Election Commission (IEC), and local power brokers. These actors’ actions are heavily influenced by societal grievances: insurgent groups are largely perpetrating an anti-democracy rhetoric, security forces and the IEC must function within a context of pervasive corruption and fraud, and local power brokers must balance the diverse interests of ethnic groups and communities.

Based on this analysis, these are the key findings and corresponding recommendations:

Negative Conflict Dynamics:

1. Leaders of the Taliban who perceive local elections as a threat to their local power and influence will mobilize supporters to threaten and intimidate stakeholders in the electoral process—to include poll workers, candidates, election commission staff—in the pre-election period and polling day that will either force closures of polling stations or hold elections in an insecure environment, diminishing campaign activities and lowering voter turnout; in turn, this could discredit the election.

   a. **Short-term Recommendation**: Rely on ongoing counterterrorism initiatives to mitigate violence; push for the creation of an Afghan-led Election Violence Task Force
   b. **Long-term Recommendation**: Encourage the Afghan government to continue diplomatic efforts to engage with the Taliban.

2. IEC staff who are motivated through bribes or other compensation engage in fraud, malpractice and systemic manipulation of election materials within a culture of impunity to undermine the credibility of the electoral process and risk the emergence of local disputes over fraudulent results.
a. **Recommendation**: Increase training for election administration works and ensure better enforcement of sanctions for non-compliance by poll workers and staff.

3. Unsuccessful or unsatisfied candidates will use weak electoral and legal framework, which contains vague language and is open to multiple interpretations, as a means to spur unsubstantiated allegations of fraudulent activity as a means to mobilize supporters to deny results; by doing so, they will slander the election process over disappointment related to their loss.

   a. **Short-term Recommendation**: Conduct a desk analysis to determine points of conflict and potential weaknesses of legal the frameworks.
   
   b. **Long-term Recommendation**: Strengthen the legal framework through a collaborative revision process, particularly in regards to the electoral code.

*Positive Conflict Dynamics:*

4. The Afghan National Security Forces (ANSF), as the primary local security provider for the elections, has demonstrated a commitment to preserving the integrity of the elections through coordinated efforts and a quick reaction time to counter threats posed by violent actors throughout the elections process.

   a. **Recommendation**: Continue to develop and strengthen ANSF institutions in order to ensure self-sufficiency.

5. Afghan civil society organizations have achieved moderate success in organizing local conflict reconciliation and advocacy campaigns that can mitigate the escalation of violence and contribute to a more peaceful electoral process. These civil society organizations can help mobilize local citizens, and particularly women, to engage in efforts that enhance peaceful participation in democratic processes, which strengthens the credibility of the process and engages local ownership.

   a. **Recommendation**: Promote civil society programming related to elections observation, election violence mapping, and local reconciliation.

**Introduction**

This report was prepared as a final project for the course “Political and Electoral Violence: Analysis for the Policy-Making and Practitioner Communities” within Georgetown University’s Democracy and Governance M.A. Program. To inform the findings, the authors interviewed government and non-government officials and performed an extensive review of secondary sources.
The 2014 presidential elections in Afghanistan resulted in the first peaceful transfer of power in the country, albeit by unusual circumstances. As the votes were counted, massive allegations of fraud emerged as reports indicated ballot box stuffing, threats, intimidation and systemic manipulation of the system risked invalidation of results. As the parliamentary elections approach, these concerns surrounding corruption have only increased. The regular occurrence of both petty and grand corruption jeopardizes the integrity of election results. Despite the fact that the stake in the parliamentary representation process is high, the parliamentary elections generally receive less attention than the presidential elections. This, coupled with the inability of Afghan authorities to respond to reports of corruption in the election process, will undermine the effectiveness and integrity of the process. Local level conflict emerging from these grievances coupled with the threat of insurgent related violence will contribute to an insecure electoral situation.

The parliamentary elections will ultimately play into the broader national narrative, one of both transition and instability. The tipping point of election violence in the parliamentary elections will depend on the ability of the National Unity Government (NUG) to enact mandated reforms as outlined in the two-year plan of 2014, including holding district elections in order to ensure quorum for the Loya Jirga, to be held by mid-2016. With significant delays and an inability to adequately govern in insecure areas, the risk of conflict is high.

Context

The trajectory of the upcoming parliamentary elections is framed by two factors - the political fallout from the 2014 Presidential elections and the overarching trend of violence. Understanding these factors will provide context for why certain social, political, security, and institutional practices are more likely to trigger electoral violence than others.

Political Fallout

Despite the fact that the 2014 Presidential elections marked the first democratic transition of power in Afghanistan, the elections were marred with allegations of fraud that pushed Afghanistan close to the brink of civil war. This was avoided when the U.S. stepped in and helped broker the power sharing agreement that established the NUG. However, the agreement also mandated a number of provisions that need to be addressed before the Parliamentary elections can take place. To date, these provisions have not yet been fulfilled. As a result, the overall legitimacy of the Afghan government remains in an increasingly questionable state.

Underdevelopment

Beginning with the Bonn Agreement of 2001, there were many recommendations made for a successful democratic transition, many of which have not seen significant progress. In order to successfully conduct elections, an accurate voter register is necessary; Afghanistan, however, does not have a voter register, nor has it had a voter register for the past several elections. In

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1 Jed Ober, interview with the authors. 11 March 2016.
2 Officially the “Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions”.
addition, it does not have a census upon which to base a voter register. The last complete census was conducted in 1979; the Agreement required a census to be conducted by 2008, but due to insecurity, it has been rescheduled several times and has not been completed.\(^4\) The most accurate estimate is based on a population estimation in 2004, which is now both outdated and insufficient for a voter registry. As these legal reforms have not come to pass, there is an increase in opposition protest, and generally less sense of hope in comparison with previous elections.\(^5\)

**Overarching Trend of Violence**

Since the late 1970s, excessive violence has helped characterize and shape Afghanistan’s current state of affairs. Although varying shades of violence are present and stem from different grievances, two trends in electoral violence are evident: 1) electoral violence in Afghanistan is deeply rooted in politics; specifically, who gets to run the country and 2) it can be difficult to differentiate between electoral violence and day-to-day violence unless an institution or individual affiliated with the electoral process is specifically targeted.\(^6\)\(^7\) Traditionally, perpetrators of electoral violence are either insurgents who seek to disrupt the electoral process in an effort to counter Western stabilization efforts or are political actors seeking to “gain political leverage” or preserve power.\(^8\) Since the 2004 elections, these groups have used a variety of tactics in pre-election, election day, and post-election phases to achieve their goals.

During the pre-election phase, insurgents utilize intimidation tactics that specifically threaten personal safety. These threats are usually followed up with high profile attacks on Election Day.\(^9\) That said, it is worth noting that the insurgent-related violence is often preceded by a formal announcement and attacks are often followed by a claim of responsibility. While this helps with attribution leading up to and during the elections, it is more difficult to codify insurgent activity in the post-election phase.

Over time, the threat and use of electoral violence has become a part of the election strategies used by political actors.\(^10\) The tactics used by power brokers, candidates, and other government officials tend to play out during the pre and post-election phases. Prior to the elections, these actors will try and force candidates to withdraw from running or influence voter preference.\(^11\) Similar to insurgent groups, political actors will occasionally use force to get their point across. For example, during the 2014 presidential elections, armed confrontations occurred between local strongmen who supported different candidates.\(^12\) The post-election phase is typically fraught with allegations of fraud and other corruptive practices. As seen during the

\(^5\) Katherine Ellena, interview with the authors. 24 February 2016.
\(^6\) Hal Ferguson, interview with the authors. 8 March 2016.
\(^7\) Lauren Loveland, interview. 8 March 2016.
\(^9\) Ibid
\(^11\) Ibid
2014 elections, it is commonplace for losing candidates to mobilize their supporters to “protest illegitimate results”.\(^{13}\)

**Institutional Practices and Societal Patterns**

This section outlines the contextual factors make Afghanistan more susceptible to election violence. These include facets of Afghan governance as well as culturally-specific modes of operation. The most relevant factors include:

 current electoral system: The electoral system has many points of weakness that make it subject to electoral fraud and manipulation. The current electoral system, the single non-transferable vote (SNTV), provides little incentive for political party development and often results in fragmented legislatures with more power vested in the executive.\(^{14}\) Furthermore, the complexity of ballot papers are difficult for the general population to understand, as ballots may be up to 40 pages long. It has also been argued that the SNTV system, which is not conducive to alliances or coalitions, has resulted in further intimidation and assassination of rivals, which could threaten the security of upcoming elections.\(^{15}\)

weak political party system: Political parties in Afghanistan are generally not programmatic, so voters choose their candidates based on ethnic affiliations or support for local leaders instead of relying on policy platforms.\(^{16}\) This has led to the organization of voters around personalistic leaders who seek to earn votes for their own agenda, and very little activity by voters outside of the electoral process. Furthermore, parties are traditionally associated as being the fronts for military operations and violent movements.\(^{17}\) Although parties have not recently been associated with large levels of violence, their reputation of conflict has discouraged people from joining parties. As the parties rally around “big men”, conflict could emerge from mobilized supporters opposing each other’s candidate affiliations or political viewpoints, particularly along ethnic lines.

patronage networks: Patronage is not only deeply entrenched in Afghan politics, but a dominant source of corruption as well.\(^{18}\) Over time, it has become institutionalized to the point where the government is more effective at protecting its power than providing good governance.\(^{19}\) According to an Asia Foundation corruption study, “patronage networks have repeatedly protected individuals, leading to an environment of impunity for corrupt officials or brokers. In many cases, honest officials have been barred from access to positions of responsibility and power. This corruption of public office has reduced the political will of others in government to

\(^{13}\) Ibid
\(^{15}\) USAID and Creative Associates.
\(^{16}\) Byrd 13.
\(^{17}\) Larson, Anna. “Political Parties in Afghanistan.” *United States Institute of Peace* (March 2015); 2..
fight corruption.”"\(^{20}\) Given that this practice is so prevalent, it is very likely that patronage networks will impact the results of future district council elections.

**Poor rule of law:** The judiciary and court system in Afghanistan is both ineffective and underutilized. In general, the public do not have confidence in the courts as a result of the culture of impunity."\(^{21}\) Therefore, most disputes are settled in traditional courts and through informal authorities; it has been estimated that up to 80% of cases are settled through traditional decision-making assemblies."\(^{22}\) Failure of appropriate or adequate dispute resolution procedures can often lead to violence, particularly at the local level.

**Centralization of power in local authorities:** Local governance is highly centralized in Afghanistan. Provincial governors are appointed by Kabul and local strong men are usually selected to fill those roles."\(^{23}\) Because provincial governors are more or less an extension of the national government, they tend to support the Kabul’s agenda during election periods."\(^{24}\) On top of that, despite the fact that provincial councils are the only elected bodies at the subnational level, they are not granted many authorities and are often overshadowed."\(^{25}\) As a result, many local grievances are not addressed; not only can this drive the populace towards armed conflict, but it can also encourage them to rely on illegitimate sources for public goods and services."\(^{26}\)

**Low female political participation:** There have been significant strides in the arena of women’s political participation, but remains weak. A women’s quota was created so 20% of the Wolesi Jirga would be women,"\(^{27}\) but women remain underrepresented in ministries and other high-level political posts. Furthermore, “patriarchal norms” in many provinces, particularly the East, impede women’s participation."\(^{28}\) These spread to the electoral arena, as a common form of malpractice in elections is voting on behalf of women."\(^{29}\) The disenfranchisement of women is coupled by threats and intimidation of women by insurgencies, risking the eruption of gender-based violence.

**Windows and Triggers for Violence**

Windows and triggers for violence can signal opportunities for violent conflict to emerge, either independently or in conjunction with one another. A window for violence entails “a change in the strategic situation providing incentives or capacities for key actors to mobilize people or resources for or against conflict,” while a trigger is “a discrete, highly salient event that focuses a window’s potential to rapidly convert a non-violent conflict into a violent one or vice versa.”"\(^{30}\)

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20 Torabi 4-5.
23 Hal Ferguson, interview with the authors. 8 March 2016.
24 NGO worker
25 NGO worker
26 Hal Ferguson, interview with the authors. 8 March 2016.
27 Note that the percentage of women in the Wolesi Jirga was previously 25% but was lowered in July of 2013.
29 Jodi Vittori, interview with the authors, 22 February 2016.
In Afghanistan, windows for violence may include the following:

Throughout the electoral process

Accountability: Political accountability refers to “the responsibility or obligation of government officials to act in the best interests of society” and be held liable for those actions. As it pertains to the upcoming parliamentary elections in Afghanistan, accountability means that the NUG, IEC, Parliament, and other stakeholders must not only ensure that the elections are free and fair, but that provisions of the power sharing agreement are fulfilled. However, this is an area that Afghanistan has struggled with during previous elections. Despite the fact that the institutions that could improve political accountability exist, their capacity to follow through is weak. Because these shortcomings provide opportunities that Afghan authorities can exploit, corrupt practices to persist and continue to undermine the legitimacy of Afghanistan’s electoral process.

Weak political finance system: Party financing remains largely under the dominion of a party leader. Although there is legislation that stipulates that a maximum of 2 million Afghanis that an individual can donate to a political party, there is no ban on anonymous donations to political parties. This blurs the line between political funds belonging to a party leader or to the party itself, and a lack of enforcement on the use of state resources enables party leaders with patronage networks to use their positions of power to gain resources for their party. As USAID notes, “First, where the ANP are engaged for political purposes, politicization compromises electoral security by resulting in selective enforcement and arrest. Second, vote buying reflects a dynamic of coercion between candidates and voters which ranges from low intensity (vote buying as ‘carrot’) to high intensity (intimidation as ‘stick’). And, third, access to illicit funding provides candidates or parties with opaque resources for the purchase of agents, weapons, and logistics for electoral violence.”

Election scheduling and delays: Afghanistan’s election timeline and continued delays can generate opportunities for violence. The parliamentary elections were initially delayed when disputes over electoral reform continued into June 2015, the same month that parliament’s term was due to expire. As a result parliament is currently operating under a presidential decree that extends its term until elections can be held. Given that the electoral reform process remains stymied, it is likely that the parliamentary elections will be delayed for a second time. This is significant because the longer these elections are put off implies that 1) the Afghan government is not only operating on illegitimate authorities, but also on unconstitutional ones and 2) that attempts at electoral reform are purposefully being thwarted. This could fuel grievances that key actors could tap into as a means to incentivize various stakeholders towards violence.

Another aspect of election scheduling that needs to be addressed is the implementation of district elections. District elections have never been held before in Afghanistan and in order for them to

32 Larson 2015; 6.
33 USAID and Creative Associates.
35 Jodi Vittori, interview with the authors, 22 February 2016.
occur, district boundaries need to be demarcated; however, no national process for that exists.\footnote{Lauren Loveland, interview with the authors. 8 March 2016.} Additionally, the number of reported districts in Afghanistan has changed over time as a result of various conflicts, administrative reorganization, and the practice of creating new districts, presumably to give out as political favors.\footnote{Jodi Vittori, interview with the authors, 22 February 2016.} As a result, attempts to demarcate boundaries could exacerbate existing territorial disputes and trigger armed conflict between key actors in contested areas.

**Pre-election**

*Intimidation or threat of electoral actors:* The Taliban and other insurgency groups such as the Haqqani Network and ISIS-Khorasan (ISIS-K) pose a significant risk to derail the elections process and spark conflict because of their opposition to the democratic process. This may be done through threats and intimidation of candidates, parties, and voters, particularly those coming from marginalized groups, to include women, youth, and ethnic minorities. Actors who are non-compliant with insurgent demands may be targeted in attacks. Although women have recently played a more prominent role in political discourse,\footnote{“Preliminary Statement of the National Democratic Institute’s Election Mission for Afghanistan’s 2014 Presidential and Provincial Council Elections.” National Democratic Institute. 7 April 2014.} a pervasive culture of non-inclusion of women further jeopardizes the risk of violence against female candidates and voters by both extremists and political opponents.\footnote{Zabih Barakzai, interview with the authors. 11 March 2016.}

*Candidate nomination:* Immediately after candidate nominations are announced, the Taliban also pose a threat to the safety of candidates. Violence against candidates are usually preceded by threats to discontinue the campaign. Zabihullah Barakzai notes, “Some potential figures who have public support are warned by the irresponsible powerful figures to not run in the election,”\footnote{Zabih Barakzai, interview with the authors. 11 March 2016.} demonstrating the impact of public support on candidate intimidation. Prior to the 2014 elections, the Taliban abducted and killed nine members of a campaign staff, including a presidential candidate and continued a trend of attacking candidate convoys throughout the electoral season.\footnote{“Official: Taliban killed abducted candidate.” Al-Jazeera America. 2 April 2014.} This pattern will likely continue with pro-democracy candidates in the parliamentary elections, particularly those in insecure provinces.

**Election Day**

*Polling and vote tabulation process:* Although the security has been comparatively well-managed on election day, the threat of insurgent-initiated violence still exists. Additionally, the presence of fraudulent activity provides a window for conflict over the irregularities; politicians could exploit fraud-related grievances in the post-election period to mobilize their supporters for violence. Traditionally, re-inking and ballot box stuffing were the most prevalent forms of fraud, but a recent trend has emerged of more sophisticated methods, including: proxy voting, marking, ghost voters and intentional irregularities in the voting lists.\footnote{Lauren Loveland, interview with the authors. 8 March 2016.} These can escalate from isolated
incidents to systemic fraud that threatens the integrity and security of the process from citizen disenchantment.

Post-election

_Election dispute process:_ The weaknesses of the electoral dispute resolution (EDR) process contributed to a loss of confidence in the Independent Election Commission (IEC) by the wider Afghan public. A further trigger within this window, as seen in the 2014 elections, is candidate or party refusal of results. A lack of adequate legal framework relating to the electoral complaints process has left ambiguities in the process and a means for disputing results.

In addition, triggers for violence may include:

_Ethnic conflict:_ Ethnic conflict may emerge as a result of various longstanding grievances. The possibility of ethnic conflict is explained in greater detail in the section “Ethnic grievances” below.

_Electoral reforms:_ There have been many calls for electoral reforms, particularly changes to the SNTV system and political party representation, but if these reforms are made too close to the election period without adequate civic and voter education campaigns to inform the public, the public may not understand the process. Low voter turnout and confusion at the polling stations can lead to a diminished credibility of the process and may provide the opportunity for opposing groups to capitalize on this confusion by leveraging pre-existing grievances against the IEC as a partisan institution to incite violence at the polls.

Key Actors and their Interests

This section outlines the key actors that can help perpetuate or mitigate electoral violence in Afghanistan. A key actor is defined as an “[influential person, organization, or group] with the means and motivation to mobilize people and resources [around core grievances or resiliencies] toward or away from conflict.”

_Insurgent groups:_ It is important to recognize that there are a number of insurgent groups active in Afghanistan that are more or less unified under the doctrine of “the enemy of my enemy is my friend”. Despite the fact that these groups – which include the Taliban, the Haqqani Network, Tehrik-E Taliban Pakistan, the Islamic State, Hezb-e Islami Gulbuddin, and the Islamic Movement of Uzbekistan – do not always see eye to eye in terms of ideology, long-term goals and affiliation, they all seek to remove U.S. and Coalition forces from Afghanistan and disrupt Western stabilization efforts.

Of these groups, the Taliban is the most significant due to the group’s status as a military-political organization and because their aspirations are Afghan-centric, which set them apart from the other movements. The Taliban’s overarching goals are political in nature - to re-establish Sharia law, maintain power, and be recognized as a legitimate political actor - and have

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45 “Terrorist groups.” _National Counterterrorism Center: Counterterrorism Guide._
remained relatively consistent since 2002. Because the Taliban view democratic elections as a threat to their influence, it is arguable that the Taliban does have a stake in Afghanistan’s electoral process given their highly publicized threats against elections in the past and participation in ongoing peace talks. Despite the fact that the Taliban was close to supporting a candidate for the first time during the 2014 presidential elections, it is likely that the they will continue to influence the upcoming parliamentary elections through the use of intimidation tactics.

Security forces: Afghanistan’s security apparatus, the ANSF, and particularly the Afghan National Police (ANP) will play an integral role in safeguarding the elections and assessing risks and potential areas for conflict. In previous elections, security was approached in a “three-ring” format: the ANP served as the first layer of protection at the polling station level, the Afghan National Army (ANA) was the second layer, and international forces (such as the International Security Assistance Force [ISAF]) served as the third layer of protection. The ANA serves as more “perimeter” security, while international presence remains largely at the margins. The prevailing norm was that international forces were kept as far away from the polling stations as possible so as to not jeopardize the legitimacy of the elections.

The ANSF have the potential to affect the election in both positive and negative ways. As a counterpoint to the Taliban, the value of their involvement is not something to be overlooked given that the ANSF has steadily assumed greater responsibility and expanded its role leading security operations across the country. However, as Zekria Barakzai noted in the aftermath of the presidential and provincial council elections, “From the Taliban perspective, there is no need now to mount extensive military operations: All it needs to do is to maintain enough persistent insecurity to prevent the government from delivering public goods and to discredit in the eyes of the local population the capacity of the Afghan National Security Forces (ANSF) to provide adequate security.” The ANSF’s capacity has improved in the past several years, but its longstanding reputation of insufficient security provision has carried into the electoral process.

Overall, the ANSF’s primary goal is to mitigate the risk of violence in the election, but the susceptibility of risk depends on the quality of the commanders in the area. More specifically, ANSF members may be perpetrators of fraudulent activity, either by unintentional malpractice or as a result of bribes or patronage practices. Furthermore, given the concerns over the ability of the ANSF to carry out large-scale security operations, their coordination difficulties could provide a window for insurgent and militia violence to take root.

Independent Election Commission (IEC): The IEC is mandated by Afghanistan’s electoral law, and serves as the country’s election management body. The IEC has both a central component to manage operations as well as 34 provincial offices throughout the country. As an electoral
stakeholder, the IEC is tasked with ensuring the inclusivity, freedom, and fairness of the electoral process, from the voter registration period up through the tabulation and transmission of results.

The appointment process and the diminished credibility of some staff members have contributed to a reduction in perceived credibility of the institution as a whole. Furthermore, as of March 26, the head of the IEC resigned, leaving a critical leadership gap that must be addressed in order to both contribute to public confidence in the IEC as well as maintain operational functioning. The election will be the critical actor in order to conduct a transparent election process; effective management will aid in this respect, while inadequate management will severely hinder the process and may lead political candidates to question the process.

Power brokers: Informal power structures exist in Afghanistan that are made up of power brokers operating within traditional authorities. These individuals use their positions of influence to serve themselves and their supporters with little regard for “honest governance reforms.” Consequently, their actions can either contribute to stability in Afghanistan or threaten it. During the election period, the “presence or absence of certain influential Afghan political players” within electoral alliances backing particular candidates can sway election outcomes. In this capacity, power brokers can also act as intermediaries for violence, influencing pre and post-election environments on behalf of the candidates they endorse. Due to the current uncertainties related to election timing and security, the key powerbrokers cannot yet be predicted with any level of certainty, but will soon become apparent in their use of influence with candidates and elections staff.

Grievances and Related Social Groups

This section identifies the grievances that key actors can leverage in order to mobilize particular social groups toward or away from violence.

Unreliability and fraudulence of the public sector: The Afghan people have little confidence in the public sector due to a long history of patronage and corruption, as well as irregular service delivery. In the 2015 Corruption Perceptions Index published by Transparency International, Afghanistan ranked 166 of 168 countries. Furthermore, a 2012 survey published by the Asia Foundation noted that the Afghan citizens surveyed who “think corruption is a major problem in various facets of life and levels of government” rated at over half of the population at 56%. These surveys and statistics show that corruption in the public sector is a major problem that is

54 USAID and Creative Associates.
55 Shalizi, Hamid. “Afghan electoral commission head quits, clouding political landscape” Reuters. 26 March 2016
57 Lamb, Robert. “Political Governance and Strategy in Afghanistan”. CSIS. April 2012. pg 39
58 Ibid.
61 Corruption Perceptions Index 2015
62 Torabi 4
present in the collective consciousness; in turn, this has expanded into the electoral sector, developing into a major grievance. A USAID official notes that historically, this can be perpetuated by perceptions of malfeasance and lack of neutrality with respect to the IEC and polling staff, which is something the international community has tried to address through the selection and training of electoral staff. Afghan citizens can be distrustful of the public sector due to claims of government corruption.\textsuperscript{63}

\textit{Extremist anti-democracy rhetoric:} Despite the fact that the Taliban’s rhetoric has continued to evolve throughout the various phases of violent conflict in Afghanistan, it not only provides insight into the basis of the group’s political objectives, but is also representative of the opinions and beliefs of those that are motivated, reassured, and ultimately recruited by the group.\textsuperscript{64} Since 2001, Taliban rhetoric has focused on fighting the foreign invaders. According to a USIP report, “Taliban rhetoric acquired a set of grievances, including complaints of cruel and oppressive behavior of U.S. forces against civilians and opposition forces in Afghanistan, as well as...against Muslims in other theatres of what the U.S. government had declared a global war on terror.”\textsuperscript{65} Since the withdrawal of NATO combat forces in 2014, the grievances in Taliban rhetoric still stem from U.S. aggression and imposition, but there is more of an emphasis on Afghan sovereignty and the assertion of Taliban authority.\textsuperscript{66}

\textit{Ethnic grievances:} Conflict has been prevalent among ethnic groups, with a history of violence between the Pashtuns and the minority Hazara, Uzbeks and Tajik groups which appears to be on the rise.\textsuperscript{67} Mobilization may be more prevalent among the Pashtuns; Zabih Barakzai explains, “Young, less educated and poor people are more susceptible to mobilization and can be easily used by the politicians to achieve political goals by resorting to electoral violence. This is common among all ethnic groups however it is bigger among Pashtun ethnic groups as they are deprived of education because of the insecurity in Pashtun dominated areas. Most Pashtun areas didn’t witness reconstruction and other developmental project because of the security reasons, as result the people of those areas are less educated, poor and feel less or poorly represented.”\textsuperscript{68} The perceived lack of representation could spur conflict if parliamentary representations do not correspond to ethnic demographics in the country, leading to grievances and potential conflict.

\textbf{Social and Institutional Strengths}

This section outlines social and institutional strengths - or “resiliencies” - that could be leveraged to help prevent or mitigate violence surrounding the upcoming elections. A resiliency is defined as a “socio-economic patterns and institutional practices that serve or may serve to diminish conflict among groups or to lessen the likelihood that conflicts will become violent.”\textsuperscript{69}

\begin{thebibliography}{99}

\bibitem{USAID} USAID Official
\bibitem{Ibid} Ibid. pg. 8
\bibitem{Ibid2} Ibid. pg. 8-9
\bibitem{Zabih} Zabih Barakzai, interview with the authors. 11 March 2016.
\end{thebibliography}
Security forces: Since 2002, the ANSF have experienced considerable growth and progress. Over a decade’s worth of training provided by the international community allowed the ANSF to assume the lead for coordinating and managing electoral security for the first time during the 2014 presidential elections. Despite the fact some polling centers were closed leading up to and on election day as well as ongoing capacity issues, the general consensus among practitioners and the media is that the ANSF did a good job securing the elections. 70

Civil society organizations: Elections-focused civil society organizations in Afghanistan can have a mitigating effect on the escalation of violence through the development of community-based reconciliation movements as well as observation and monitoring missions. Drawing upon successful past reconciliation efforts as a means of securing legitimacy with local populations, the civil society landscape in Afghanistan often has a better understanding of the local conflict context. Furthermore, domestic involvement in the observation arena will assist in securing local buy-in to the electoral process. The Afghanistan Civil Society Elections Network (ACSEN), a coalition of over 140 civil society organizations, has emerged as a leader in peacebuilding activities and promoting women’s participation in the political sphere.71 72 Furthermore, observation organizations such as the Free and Fair Elections Forum of Afghanistan (FEFA) and the Transparent Elections Foundation of Afghanistan (TEFA) have contributed substantially to domestic observation efforts, particularly in areas that are less accessible by international observers.73 They have provided recommendations for improvements of the IEC to help strengthen the credibility of the electoral process.

Election administration improvements: Despite the many weaknesses of the election administration process, several improvements have been made. The transfer of sensitive election materials has greatly improved over the past few years, making the post-election process less vulnerable to fraud. Also in the context of post-election improvements, more power was given to the Independent Election Complaints Commission (IECC), which managed disputes and complaints, and temporary provincial offices were established in 2013 for the IECC,74 improving the overall disputes process. Furthermore, the IEC has placed more emphasis on fraud mitigation measures, including blacklisting commission members and staff who are found conducting fraudulent activity.75 These improvements could help reduce the likelihood of violence because one of the key drivers of violence is the public perception of corruption and illegitimate results as a result of systemic manipulation by the IEC, and an overall more professional body is less likely to allow fraud to occur and undermine results.

70 Jodi Vittori; Lauren Loveland; Vasu Mohan, interviews with the authors
73 Lauren Loveland, interview with the authors. 8 March 2016.
74 Ibid.
Findings and Recommendations

Based on the above assessment, we have developed the following key findings and corresponding recommendations. In line with CSO’s Electoral Violence Assessment Framework, findings are presented as conflict dynamics. Each recommendation aims to address one or several deficiencies or weakness in the electoral, social, political or institutional context that may help mitigate or prevent incidents of election violence in the upcoming parliamentary elections.

Negative Conflict Dynamics:

Finding 1: Taliban leaders will mobilize supporters to disrupt the electoral process. Leaders of the Taliban who perceive local elections as a threat to their local power and influence will mobilize supporters to threaten and intimidate stakeholders in the electoral process—to include poll workers, candidates, election commission staff—in the pre-election period and polling day that will either force closures of polling stations or hold elections in an insecure environment, diminishing campaign activities and lowering voter turnout; in turn, this could discredit the election.

Recommendation for finding 1: Encourage the Afghan government to continue diplomatic efforts to engage with the Taliban. With the steady withdrawal of U.S. and coalition forces coupled with the resiliency of the Taliban movement, it is clear that a decisive battlefield outcome in Afghanistan is highly unlikely. Considering the Taliban still maintains control in many parts of the country, a diplomatic solution between the Afghan government and the Taliban is the most realistic option to mitigate electoral violence in the long term. According to a USIP report, the Taliban’s behavior during the 2014 presidential election exacerbated internal divisions between hard-liners and pragmatists and found that “opposition to the elections in principle was not as widespread among the Taliban as it had been in 2009.” Although a political agreement with the Taliban will require significant amount of work, the Afghan government should be encouraged to capitalize on “Taliban pragmatism” to reinvigorate the reconciliation and political integration process.

However, a diplomatic solution may not come to fruition before the parliamentary elections can be held. As a result, a continued reliance on ongoing counterterrorism initiatives and the creation of an Afghan-led Election Violence Task Force is the most realistic short term solution to mitigating election violence.

Finding 2: Election administration malpractice undermines the credibility of the election process. IEC staff who are motivated through bribes or other compensation will likely engage in fraud, malpractice and systemic manipulation of election materials within a culture of impunity. This may then undermine the credibility of the electoral process, contributing to perceptions of fraud and invalid results that local leaders may exploit to mobilize their supporters to violence.

Recommendation for finding 2: The IEC and international actors should encourage and increase training for election administration and poll-workers as a means of curbing corrupt and fraudulent practices. This in turn will reduce grievances associated with electoral fraud. In the past, the IEC had implemented a program of rotating election officials,

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which discourages election officials from working in their own districts, where they may be subject to more pressures to commit fraud in order to advantage local actors.\textsuperscript{77} Particularly in the context of parliamentary elections, where the focus will be even more local, the IEC should continue this practice.

Furthermore, the use of non-compliance sanctions has proven effective and should be implemented in this round of the elections.\textsuperscript{78} The IEC has the power to fire and blacklist their employees, and the Electoral Complaints Commission (ECC) can fine and bar employees from working on future elections, but enforcement is difficult.\textsuperscript{79} Therefore, more attention should be given to providing the IEC and ECC with the power and jurisdiction to ensure compliance by election officials and removing them from service in the case of non-compliance. Coupled with training programs, this can help strengthen the credibility of the IEC.

**Finding 3: Weak electoral and legal frameworks invite unsubstantiated allegations of fraudulent activity.** Unsuccessful or unsatisfied candidates will use poor electoral and legal framework as a means to spur unsubstantiated allegations of fraudulent activity as a means to mobilize supporters to deny results; by doing so, they will slander the election process over disappointment related to their loss.

**Recommendation for finding 3: Revise and enforce electoral and legal framework to lessen the ambiguity and mitigate corrupt practices.** In regards to the electoral system, the SNTV system is overly complex and difficult for voters, so the international community should advocate for a more appropriate electoral system. Two potential options are the mixed-proportional representation system and single voter districts, each of which has potential advantages and disadvantages.\textsuperscript{80}

Furthermore, the electoral code has several weaknesses. Some of these include Articles 31, 34 and 37, which solve ties through a subjective determination of relevant educational and work experience and residence in the constituency. Furthermore, the elections provisions relating to the National Assembly are very vague, and do not detail voting procedures nor election dispute processes.\textsuperscript{81}

The political party system can also be strengthened through a revision of political finance regulation. A concrete step is a ban on anonymous political party donations, which can be hard to track and are easy to integrate corrupt practices.

Given that the revision of these key legal documents will require a lengthy timeline, an achievable short-term recommendation in the lead-up to the local elections is to conduct a desk analysis to determine points of conflict and potential weaknesses of the legal frameworks. A legal expert who is knowledgeable on Afghanistan and the governing legal texts should conduct a side-by-side comparison of these texts and assess the conflicts and provide recommendations on how they can be improved in the future revisions process.

\textsuperscript{77} USAID 2015; 22.
\textsuperscript{78} Jed Ober, interview with the authors. 10 March 2016.
\textsuperscript{79} USAID 2015; 22.
\textsuperscript{80} See Archiwal (2015) for more information
\textsuperscript{81} “Afghanistan’s Election Law (unofficial translation).” 6 August 2014.
Positive Conflict Dynamics:

**Finding 4: The ANSF remains a key player in conflict mitigation.** The Afghan National Security Forces (ANSF), as the primary local security provider for the elections, has demonstrated a commitment to preserving the integrity of the elections through coordinated efforts and a quick reaction time to counter threats posed by violent actors throughout the elections process.

**Recommendation for finding 4: Continue to develop and strengthen ANSF institutions in order to ensure self-sufficiency.** The 2014 presidential elections is seen as a milestone for the ANSF. It was the first time that the Afghan security forces were responsible for providing election security before, during, and after the elections with minimal U.S. support. The way forward now is to maintain that momentum and continue to build the ANSF’s capacity and strengthen ANSF institutions to ensure self-sufficiency. As Lt. Gen. Joseph Anderson observed in September 2014, “we must place the right advisors with ANA Corps and Police Zones and ensure that they are capable of mentoring and educating their counterparts on institutional matters at the operational and strategic levels...it is the critical final step in a 13-year process to help the Afghans build confident, professional, flexible and sustainable security organizations.”

**Finding 5: Civil society can strengthen integrity and promote peaceful participation.** Afghan civil society organizations have achieved moderate success in organizing local conflict reconciliation and advocacy campaigns that can mitigate the escalation of violence and contribute to a more peaceful electoral process. These civil society organizations can help mobilize local citizens, and particularly women, to engage in and support democratic political participation, as well as speak out against violence in elections, which will contribute to a more peaceful elections process.

**Recommendation for finding 5: The international community and the Afghan government should continue support for civil society organizations in order to empower marginalized organizations as active and respected agents for change.** In particular, significant attention should be given to reconciliation efforts and election observation activities. Support to civil society organizations engaging in election observation efforts can contribute to the credibility to the elections process and promote local ownership of the elections process in general. As NDI notes, “With networks of hundreds or thousands of trained, professional observers, non-partisan citizen election monitoring organizations are well-suited to play key roles in violence monitoring and mitigation. Citizen election observers can ensure that violence monitoring is incorporated throughout all aspects of election observation, including during official election processes, and not treated as a separate and unrelated occurrence.”

Given the history of pre-election threats from the insurgency groups and post-election dispute issues, reconciliation-based programming can also help contribute to mitigation of local conflict before it escalates. An approach that has been used in other contexts is the Early Warning/Early Response (EWER) approach, by which high-risk conflict areas are targeted with reconciliation.

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83 “Monitoring and Mitigating Electoral Violence.” *National Democratic Institute*. 
and peacebuilding processes to address pre-existing local grievances, and in turn, preventing conflict before it occurs. A similar approach could be adopted in Afghanistan.

There is a general lack of information regarding political violence and election violence in Afghanistan; in consideration of this, civil society organizations have the geographic reach and local resources to implement a mapping and tracking platform to track incidents of violence throughout the electoral process. Through local violence monitors, incidents can be verified and mapped in order to provide targeted information on where local reconciliation efforts are most urgent in order to mitigate future incidents of violence.

Lastly, due to the lack of the general lack of female political participation and opportunities for advancement as candidates or political leaders, both international actors and the Afghan government should encourage gender parity and women’s advancement in the elections process, as candidates, poll workers, commission staff, and other positions. In order to ensure women’s participation in these roles, trainings and development opportunities should be developed to facilitate the integration of women.

**Conclusion**

Elections in Afghanistan have been highly controversial and characterized by fraud, conflict, and violence. This study assessed the risk of violence for Afghanistan’s 2016 parliamentary elections and found that a number of recurring social, political, and security vulnerabilities would likely trigger incidents of electoral violence during the election period. However, given that the parliamentary elections are contingent on a number of provisions resulting from the political fallout following the 2014 presidential elections, this study also identified a number circumstances that could provide new opportunities for violence to emanate and persist.

The recommendations outlined in this assessment specifically support the continued development and capacity building of Afghan political, security, electoral, and civil society institutions. Because it is likely that violence will continue to be a prominent feature during the parliamentary elections, the goal of these recommendations is largely preventative. Their implementation may help mitigate or prevent future incidents of election violence.
Annex I: Interview Subjects

Zabihullah Barakzai, CEO, Afghanistan Democracy Watch

Joseph Brinker, Senior Democracy and Governance Advisor, Office of Afghanistan and Pakistan Affairs, United States Agency for International Development (USAID)

Katherine Ellena, Senior Program Manager, International Foundation for Electoral Systems (IFES)

Hallam Ferguson, Regional Deputy Director - Middle East and North Africa, International Republican Institute (IRI)

Lauren Loveland, Program Manager, National Democratic Institute (NDI)

Vasu Mohan, Regional Director - Asia, International Foundation for Electoral Systems (IFES)

Jed Ober, Senior Director of Programs, Democracy International

Scott Smith, Director of Afghanistan and Central Asia Programs, United States Institute for Peace (USIP)

Jodi Vittori, Senior Policy Advisor, Global Witness

Annex II: Works Cited


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