Policy Briefing

Asia Briefing N°96
Kabul/Brussels, 25 November 2009

International Crisis Group
WORKING TO PREVENT CONFLICT WORLDWIDE

Afghanistan: Elections and the Crisis of Governance

I. OVERVIEW

President Hamid Karzai's re-election on 2 November 2009, following widespread fraud in the 20 August presidential and provincial polls, has delivered a critical blow to his government's legitimacy. The deeply flawed polls have eroded public confidence in the electoral process and in the international community's commitment to the country's nascent democratic institutions. Concentration of power in the executive to the exclusion of the legislature and judiciary has also resulted in a fundamental breakdown in governance while strengthening the hand of the insurgency. To restore stability, vigorous constitutional reform under the aegis of a loya jirga must be undertaken; an impartial commission of inquiry into the flawed elections should be formed; the UN Mission in Afghanistan (UNAMA) should be restructured to restore credibility; and prompt steps must be taken to strengthen institutions.

The presidential and provincial polls, the second set of elections since the ouster of the Taliban eight years ago, were held at a time of escalating insurgency and severe economic stagnation. Insecurity hampered candidates' mobility and drove down voter turnout. An under-resourced security sector, combined with Taliban military gains, severely limited the ability of Afghan and international forces to protect candidates and voters. Violence during the campaign and on election day and vote rigging brought into clear focus the challenges that lie ahead in planning for the 2010 parliamentary and district council elections.

Allegations of systemic fraud emerged even before Karzai and his chief challenger, former Foreign Minister Abdullah Abdullah, each declared victory. Reports of intimidation, ballot stuffing, ghost polling stations and interference by staff of the Independent Election Commission (IEC) and candidate agents surfaced countrywide, but especially where insecurity led to an absence of female electoral staff, candidate agents and election observers.

Although the elections were held for the first time ostensibly under sole Afghan stewardship, UNAMA through the United Nations Development Programme's Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) program was heavily involved in planning, preparations and logistics. The international community was thus perceived by Afghans as an active participant in the flawed process. When the U.S., European Union and UNAMA representatives quickly declared the elections a qualified success, these early endorsements may have cost them what little currency they had left with the Afghan public. The head of UNAMA's failure to take decisive corrective action when evidence of fraud surfaced has badly damaged the UN's standing in the country. Most Afghans believe that the political expedience of the rubber stamp was preferred to an honest assessment of systemic flaws in a process the international community had helped put in place and then failed to remedy.

Preliminary results released on 16 September 2009 indicated Karzai as the winner over Abdullah by 54.6 to 27.7 percent. A protracted investigation into claims of electoral fraud eventually led the Electoral Complaints Commission (ECC) on 18 October 2009 to disqualify nearly a quarter of the overall votes cast, necessitating a run-off between the two top candidates. Following intense pressure primarily from the U.S., Karzai agreed to face Abdullah in a second round of polls. However, Abdullah ultimately withdrew from the contest, citing concerns about electoral fraud, given the government's failure to enact any meaningful reform of the electoral institutions.

Karzai's retention of power under these circumstances has bolstered the impression that the international community is disinterested in or incapable of checking the corruption that has metastasised under his watch. To ensure against a further decline in public confidence, the international community must press harder for anti-corruption measures and for the appointment of respected individuals to the cabinet and provincial governorships.

The electoral fraud was a direct consequence of failure to build the capacity of government institutions. Since the 2004 presidential vote, the international community – UNAMA in particular – repeatedly turned a blind eye to the looming crisis of credibility rooted in an unsound

process. The August vote laid bare disagreements between different international actors and within the new American administration, whose lack of clear policy in Kabul undermined their ability to press for necessary changes ahead of the elections. The polls severely damaged UNAMA's ability to function effectively, weakening its internal morale and sharply eroding Afghan confidence in Kai Eide, the Special Representative of Secretary-General Ban Ki-moon (SRSG). The UN's mission to bring stability to the country has been severely jeopardised. His effectiveness as head of mission will always remain in doubt. If UNAMA's credibility is to be restored, Eide must step down.

The international community has too often acted as if the election cycle was merely a box to check off. It needs to recognise that impending decisions about military strategies, troop levels and state-building concepts may matter little if it does not cauterise the damage. The measures that should be urgently put in place and vigorously supported specifically by the U.S. and the UN include:

- restrictions on the size of the cabinet, and thorough vetting of cabinet and provincial governor appointees, barring nominees with demonstrated links to armed groups or criminal activities from joining the government;
- the formation of an impartial commission of inquiry composed of respected Afghan and international experts to conduct a thorough public review of the 20 August 2009 elections; the National Assembly's use of its full sanctioning powers against those suspected of abusing their offices to influence the polls; and vigorous criminal prosecution by the attorney general and courts of those involved in flagrant violations of the law, whether candidates, IEC staff or government officials;
- consultations among relevant Afghan and international actors to achieve consensus on immediate steps to strengthen the machinery for the 2010 elections, including the timely delineation of district boundaries for district council elections; enhanced penalties for misuse of state resources during the campaign; clarification of the shape and scope of the IEC and ECC to build sustainable mechanisms to enforce electoral standards and arbitrate disputes; and reconstitution of the IEC Secretariat and IEC Board with the involvement of parliament and other stakeholders in the appointment process;
- convocation of a loya jirga with the express purpose of undertaking constitutional reform, including consultations on the role of the Supreme Court; separation of powers by enhancing the independence of the judiciary and legislature; and the strengthening of provincial and district level governance through a meaningful devolution of authority and resources; and
- resignation of UNAMA chief and SRSG Eide, since he has lost the confidence of many on his staff and the necessary trust of many parts of the Afghan polity, accompanied by a thorough re-evaluation of UN ELECT's advisory role with the view to ensuring more robust support for Afghanistan's electoral institutions and processes.

II. THE CAMPAIGN

A. THE CANDIDATES

The post-nomination campaign opened on 16 June 2009 in the shadow of a sharply deteriorating security environment, declining public confidence in President Karzai's government and growing scepticism about the electoral process.[1] With the Taliban dominating most of the south east and expanding their presence to the north and west, Interior Minister Hanif Atmar estimated, two months ahead of the elections, that eleven of some 390 districts were under complete Taliban control and another 120 faced serious threats.[2]

By the end of the challenge period, 41 presidential and 3,178 provincial council contenders remained in contests that emphasised personal style over political substance and exacerbated ethnic divisions.[3] Among the presidential candidates, two were women, as were 10 per cent of the provincial council candidates. With violence, intimidation and aggressive political bargaining

[1] For an analysis of the security and political situation preceding the 20 August polls, see Crisis Group Asia Report N°171, *Afghanistan's Election Challenges*, 4 June 2009, and Asia Briefing N°89, *Afghanistan: New U.S. Administration, New Directions*, 13 March 2009.

[2] Nikola Krastev, "Afghan election environment improving, but obstacles remain, panel says", Radio Free Europe/Radio Liberty (RFE/RL), 4 July 2009.

[3] During the challenge period, 90 provincial council candidates, including thirteen women, and one presidential candidate withdrew. Another 56 candidates – two presidential, one vice presidential and 53 provincial council – were disqualified for links to illegal armed groups. The Electoral Complaints Commission (ECC) additionally disqualified two candidates – one from Kunar, another from Nimroz – for failing to resign government positions. One initially disqualified provincial candidate was restored after investigation. See "Final List of Presidential and Provincial Council Elections Candidates", IEC press release, 12 June 2009; "ECC Disqualifies Two Provincial Council Candidates", ECC press release, 21 July 2009.

among the leading contenders forcing several presidential candidates to quit, 29 remained on election day.[4]

Karzai, Abdullah and two other presidential challengers, Ashraf Ghani Ahmadzai and Ramazan Bashardost, were able to draw large crowds at rallies across the country. However, traditional campaign gatherings were for the most part out of the question for all but the best-funded provincial and presidential candidates. Pervasive insecurity also sharply curtailed activities, forcing many candidates to wage their campaigns from their homes.

1. Presidential

The top presidential candidates relied primarily on behind-the-scenes deals with major political blocs and regional powerbrokers to collect votes. President Karzai's controversial selection of Northern Alliance mujahidin factional leader and former Defence Minister Mohammad Qasim Fahim for vice president on his ticket signalled that he did not intend to break ranks with the warlord culture that has been a hallmark of the last eight years.[5] Support for Karzai from other factional leaders such as fundamentalist parliamentarian Abdul Rabb al-Rasul Sayyaf, Mohammad Mohaqqeq, the Hazara chief of the Hizb-e Wahdat Islami Mardumi Afghanistan, and Uzbek commander and leader of the Junbish-i Milli-yi Islami Afghanistan, Abdul Rashid Dostum, marked the return of the factionalism of the civil war era.

Karzai was not the only candidate to tap into patronage networks. When former foreign minister and one-time senior Northern Alliance leader Abdullah was selected by the National Front in April to stand for the presidency, commander networks in the north were immediately utilised to organise vote blocs. In Balkh province, provincial governor and one-time Karzai ally Atta Mohammad Noor announced support for Abdullah in July, which was widely acknowledged as the decisive factor in Abdullah's campaign in the region.[6]

Bashardost, a critic of the Karzai administration and international reconstruction efforts, and Ghani, a former World Bank official and once finance minister under Karzai, adopted an anti-corruption stance as the central plank in their campaigns. Ghani sought, with limited success, to attract the youth vote, using the internet to target the growing urban population. Bashardost, seizing on extensive public alienation from the Karzai government, waged his campaign from his "Tent of the Nation" in Kabul, while often travelling for rallies from province to province by public bus and without bodyguards. His populist criticism of waste and corruption[7] appeared to resonate with a significant swathe of voters. While his failure to build an effective political team cost him votes, his grassroots approach nonetheless brought him third place, behind Karzai and Abdullah, in many provinces where Ghani had initially been considered the more likely recipient of anti-government protest votes.

An otherwise weak field of little-known and largely inexperienced candidates stoked public perceptions that individual votes would count for little, and that it might not be worth the physical risk to turn out at the polls. Backroom deals, combined with sometimes mixed and ill-timed signals from the U.S., made many Afghans believe that the fix was in from the outset. Though Karzai's cooler relations with the Obama administration and highly-publicised exchanges between U.S. officials and presidential challengers fostered an impression early in the campaign that he no longer had the strong White House backing he enjoyed during the Bush administration,[8] reports of Washington's backing for the creation of a parallel chief executive position to support the presidency, even if it was intended to act as a check on his powers, later fed the notion that Karzai was still reluctantly supported.[9]

In the end, many Afghans despaired that the elections were little more than window dressing for a continuation of old-guard politics. A member of parliament from Farah province summarised a broad public mood: "Can we have hope for the future when we have a president who

[4] Nine candidates withdrew from the presidential race in favour of Karzai: Mawlawi Mohammad Saeed Hashimi, Baz Mohammad Kofi, Mohammad Nasir Anis, Mohammad Yasin Safi, Mohammad Hakim Torsan, Moeinuddin Ulfati, Hassan Ali Sultani, Abdul Majid Samim, and Hedayat Amin Arsala; two, Nasrullah Baryalai Arsalayi and Ghulam Mohmmad Regi, withdrew in favour of Abdullah and one, Mawlawi Abdul Qadr Imami Ghori, in favour of Sayed Jalal Karim. Three of the twelve – Samim, Regi and Arsala – submitted their formal letters of resignation after polling day. Since these three candidates withdrew after the final candidate list was announced, their names remained on the ballot.

[5] For further details about Fahim and Dostum's alleged involvement in war crimes during the civil war period, see "Blood-stained hands: Past atrocities in Kabul and Afghanistan's legacy of impunity", Human Rights Watch, 6 July 2005.

[6] Crisis Group interview, Qazi Sayed Mohammad Sami, northern regional director, Afghanistan Independent Human Rights Commission (AIHRC), Mazar-i-Sharif, 2 September 2009.

[7] Crisis Group interview, Ramazan Bashardost, Kabul, 18 August 2009.

[8] Joshua Partlow and Karen DeYoung, "With Karzai favoured to win, U.S. walks a fine line", *The Washington Post*, 14 August 2009.

[9] Helene Cooper, "Ex-U.S. envoy may take key role in Afghan government", *The New York Times*, 18 May 2009.

is a president of warlords? … If this government comes into power again, then there is no hope for us, no hope for human rights, no hope for democracy. What we need is change".[10]

Little change was on offer, however, during the campaign. Political reintegration of the Taliban and the route to reconciliation emerged as the only substantive issue open to debate. Almost all the leading candidates – Karzai and Abdullah included – attempted to incorporate a stance on reconciliation with the Taliban into their rhetoric,[11] but few specifics were laid out. In contrast to Karzai's "big tent" approach in which Taliban leaders would be invited to participate in a loya jirga, Abdullah favoured incremental steps before talks could begin in which the government would "reach out to the areas where people are under Taliban control".[12]

Many, including some of Karzai's close allies, viewed his statements on reconciliation as little more than opportunistic sloganeering aimed at regaining lost ground with his Pashtun political base. Indeed, a very senior cabinet member complained shortly after the elections that accusations of fraud in Pashtun areas had cost the incumbent politically, and the rhetoric of reconciliation had done little to affect the widening gulf between his administration and the Pashtun population:

> It has a very negative impact in terms of relations with the Taliban. Over the last five years, Mr Karzai has been talking about the issue of reconciliation, and the Taliban meanwhile has shown little interest. All of the rhetoric and statements around reconciliation were about stirring up the vote and drumming up support from Pashtun voters. But the practical reality is that the Taliban has expressed no interest in reconciliation, and on the government side there is no mechanism in place to deal with reconciliation.[13]

With few fresh or convincing approaches to the country's myriad challenges on offer, the presidential campaign thus unfolded for many voters as a choice between lesser evils. Analytical surveys and anecdotal accounts from polling centres suggest that those who did cast ballots were inspired less by the candidates than by a sense of civic duty or the rewards offered by patronage networks in exchange for votes.[14]

2. Provincial Councils

In general, the provincial council polls received short shrift in comparison with the presidential contest. This stemmed in part from the councils' evolution as the weakest link in Afghan governance. Since their formation in 2005, provincial councils have had no budgetary discretion and few real powers.[15] They have been wholly marginalised by presidentially-appointed provincial governors, who draw their power more from favoured status in Kabul than from local constituencies. Yet, with parties and civil society organisations remaining even farther on the political fringe, council membership often is the most attractive option for building a local political profile.

During the campaign, however, the intrinsic powerlessness of the provincial councils forced most candidates to tether themselves to a presidential campaign to raise their profiles and improve their chances at the polls. Insecurity prevented many from travelling from district to district to connect with constituents. For a number of candidates, especially women, funding also proved a formidable obstacle to mounting serious campaigns.[16]

Countrywide, 3,339 individuals initially offered themselves for the 420 seats in 34 provincial councils. About 12 per cent were backed by one or another of 36 parties, but most stood as independents. Preliminary results released on 26 September 2009 showed that 251 male candidates and 106 female provincial council candidates succeeded in the polls.[17] About 630 complaints about the provincial council polls were under review as of 12 November 2009. No final decision had been made about whether a recount would be necessary. There are strong indications, nonetheless, that fraud extended into

[10] Crisis Group interview, Kabul, 19 August 2009.
[11] Carlotta Gall, "Peace talks With Taliban top issue in Afghan vote", *The New York Times*, 17 August 2009.
[12] Crisis Group interview, Kabul, 19 August 2009.
[13] Crisis Group interview, Kabul, 12 September 2009.
[14] For more on the relationship between voter demographics and turnout, see "Patronage, Posturing, Duty, Demographics: Why Afghans Voted in 2009", Afghanistan Research and Evaluation Unit, August 2009, and Martine van Bijlert, "How to Win An Afghan Election", Afghan Analysts Network, August 2009.
[15] The 2005 Provincial Council Law (Article 2) states: "The Provincial Councils shall function as an elective assembly with objective of creating a structure for partnership and participation of people and civil society institutions with state administration at the provincial level, and counselling the provincial offices on related affairs".
[16] Crisis Group interviews, provincial council candidates and election observers, Kabul, Balkh and Ghazni provinces, August 2009.
[17] "Independent Election Commission Press Release on Announcement of Preliminary Results of 2009 Provincial Council Elections", 26 September 2009. According to final uncertified results posted on the IEC website on 27 October 2009, an additional 31 male candidates and eleven female candidates in Ghazni, Kandahar and Paktika provinces also won provincial council seats. Final results are pending the outcome of the ECC's complaint review process.

the provincial council elections as well as the presidential polls, suggesting that weaknesses within electoral institutions are endemic to the system as a whole.[18]

Several female candidates were forced underground or out of the contest, particularly in the south, east and west, where they often faced threats from the Taliban as well as their own family members, tribal elders and local commanders, many of whom supported one or the other presidential candidate. A de facto Taliban ban, for instance, on rallies in support of women candidates in the western provinces of Badghis, Ghor, Herat and Farah deterred several from holding public events.[19] Nonetheless many persevered. Some mobilised networks of family and friends to conduct clandestine campaigns on their behalf.[20] One female candidate in Khost province wore male clothing and carried a gun on the campaign trail.[21]

Intimidation was not limited to women. Weeks before the campaign officially started, some 60 complaints of threats and violent incidents against candidates were reported.[22] In May alone, three provincial council candidates were killed in the provinces of Kapisa, Ghazni and Khost; and at least nine people were killed in four election-related attacks reported in July.[23] The violence had a chilling effect across the country; attendance at rallies dropped and the rate of armed attacks on campaign events increased as election day approached.

B. STACKING THE DECK

The adverse impact of the centralised political patronage system on democratic processes was evident throughout the presidential campaign. Since the executive wielded great power, the deck was stacked against Karzai's challengers. Although several candidates reportedly used government resources and employees to organise campaign activities, including Karzai's chief rival, Abdullah, the majority of allegations involving misuse of state resources implicated the president's campaign. In May, for instance, Karzai supporters set up campaign operations in a one-time National Directorate of Security (NDS, the domestic intelligence agency) office in the central province of Laghman; the same month, then deputy chief of intelligence Abdullah Laghmani verbally threatened a local leader of the Hizb-e Mardum-e Musalman-e Afghanistan, who was subsequently assaulted by the head of the district NDS.[24] The use of government vehicles was widely reported to be particularly useful in a country where security conditions impeded the mobility of less favoured candidates and their supporters, including the helicopter flight in July of several high-ranking officials to a pro-Karzai rally in Pul-e-Khumri.[25]

While the government's influence over the security sector essentially translated into control over the location and operation of polling stations, the timely dismissal and strategic appointments of police officials in several provinces ahead of the polls worked clearly to Karzai's advantage. In July, for instance, the provincial police chief in Panjshir province was replaced with one of the president's deputy campaign managers. In Kandahar, a Karzai relative was appointed acting chief of police following the June assassination of police chief General Maitullah Qateh.[26] In Baghlan, a pro-Fahim officer replaced a police chief believed to be sympathetic to the Jamiat-e-Islami, while the provincial governor was changed twice within nine months.[27]

The privileges of incumbency extended to the media, which, as witnessed during the campaign, is rapidly emerging as an important pillar in Afghanistan's state-building process. In the lead-up to election day, 30 candidates or their agents participated in fifteen television and radio roundtable discussions.[28] Three of the leading candidates –Abdullah, Ghani and Karzai – were invited to participate in the first nationally-televised debate, but Karzai refused to share the podium. This absence, however, did not affect his predominance elsewhere on the airwaves. Between 21 July and 11 August, for example, he received 91.52 per cent of coverage in news bulle-

[18] For more specific details on vote rigging in the provincial council elections see: "What the preliminary results tell us (3): Logar, Baghlan and Uruzgan", Martine van Bijlert, Afghanistan Analysts Network, 16 October 2009, www.aan-afghanistan.org/index.asp?id=382.
[19] "Joint Monitoring of Political Rights: Presidential and Provincial Council Elections, Second Report", AIHRC-UNAMA, 16 June-1 August 2009, p. 8.
[20] Crisis Group phone interview, female provincial council candidate, Helmand province, 11 August 2009.
[21] Kamal Sadat, "Afghan woman candidate packs gun, wears trousers", Reuters, 16 July 2009.
[22] "Joint Monitoring of Political Rights: Presidential and Provincial Council Elections, First Report", AIHRC-UNAMA, 25 April, 12 June 2009, p. 6.
[23] On 6 July, an IEC official and his Afghan National Police (ANP) guard were killed in Chimtal District in Balkh province; on 15 July, a regional campaign manager of Abdullah was killed in Kapisa province; on 19 July, a provincial council candidate and his friend were killed in Kunduz; and on 30 July, four people including Karzai's district campaign manger were killed in a bombing in Jawzjan province.
[24] "Joint Monitoring First Report", op. cit., p. 9.
[25] "Joint Monitoring Second Report", op. cit., p. 18.
[26] "Coalition terms Kandahar incident an 'Afghan clash'", Quqnoos Online News Service, 30 June 2009.
[27] Crisis Group telephone interviews, local officials, 2-3 September 2009.
[28] "Weekly Electoral Report for the Period 3 August to 10 August 2009", UNDP/ELECT, p. 11.

tins broadcast by state-run RTA (Radio Television Afghanistan) Radio, compared with less than 1 per cent for Abdullah.[29] Perhaps recognising the limits of state-run media, Karzai nonetheless consented to a second televised debate, which included Ghani and Bashardost, on 16 August 2009 that provided the public a rare glimpse of participatory democracy in action, although Abdullah refused to take part.

Karzai's greatest advantage, however, lay in his unique ability to appoint the board of seven IEC commissioners. The board has the mandate to prepare and organise all elections. It also oversees the technical preparations of the IEC Secretariat, the executive body responsible for developing and implementing operational plans, regulations and procedures, with offices in all 34 provinces. In February 2009, the National Assembly passed a law that would have authorised the legislature to review and approve presidential appointees to the IEC and thus lessen perceptions of bias. Karzai vetoed it, citing an absence in the constitution of a specific reference to legislative oversight of presidential appointments.[30] The reluctance of the international community to condition support on passage of this law underscored its failure to place sufficient priority on fair election procedures, inevitably paving the way for fraud. Karzai's hand-picked IEC commissioners – Chairman Dr Azizullah Ludin, in particular – often chose to serve the incumbent first and the country's interests second, inspiring little confidence among candidates and ordinary Afghans that the country's highest electoral body was impartial or independent.

III. ELECTIONS AND SECURITY

It would be difficult to overestimate the impact of deteriorating security on the polls. Much of the insecurity stemmed from Kabul's failure to recruit, retain and deploy sufficient numbers of competent and professional police and soldiers. While Taliban influence has grown significantly within the last two years, with pockets in the north and west now also under insurgent control,[31] eight years after the Taliban's ouster, security sector reform still lags despite receiving the largest percentage of international aid. Logistical logjams, corruption, low morale and desertions continue to plague both the Afghan National Army (ANA) and the Afghan National Police (ANP).[32]

The Taliban's well-entrenched strongholds in the south and east, in particular, made it difficult for people in insecure areas to exercise their franchise and left little room for scrutiny of the electoral process. The lack of government control in predominantly Pashtun areas where the insurgency is firmly rooted disenfranchised entire districts. Poor policing, combined with slow progress in disarming militias, further compounded elections-related security challenges. In southern Afghanistan, particularly in Pashtun-majority provinces such as Kandahar and Helmand, high insecurity virtually ensured that few election observers, let alone voters, could gain access to the polls, undermining the legitimacy of the exercise.

Until the Afghan government engages in rigorous security sector reform, the insurgency will continue to exploit fault lines within the Pashtun population. Weak governance has strengthened the Taliban's hand and enhanced its recruitment opportunities. The public's perception of the democratic process has suffered as a result. Failure to regain trust in government institutions will drive a deeper wedge between Pashtuns and the rest of the population and make planning for and participation in future elections all the more difficult.

A. THREATS AND PREPARATIONS

In March 2009, the Afghan government had formed the Joint Security Planning Group (JSPG) to devise a detailed plan to safeguard the elections.[33] This group, which included representatives from the IEC, NDS, the defence and interior ministries, the UN Development Programme (UNDP) and the NATO-led International

[29] "Weekly Narrative Report", Media Monitoring Project Afghanistan, 13 August 2009, p. 11.

[30] Specific recommendations were made by the Joint Election Management Body in its 2005 report for the elections commissioners to be appointed by the president from a list submitted by a nominating committee with civil society participation and approved by two-thirds majority of the Wolesi Jirga and Mesharno Jirga. "The Structure and Working Procedure of the Independent Election Commission", Presidential Decree no. 23, 24 January 2005, states that the chairman heads the IEC, which also has a vice-chairperson and members appointed for three years. They must act free of governmental or outside influence and are forbidden to hold high public office for one year after the end of their term. "Post-Election Strategy Group Progress Report", Joint Election Management Body (JEMB), 27 September 2005.

[31] "The Situation in Afghanistan and its Implications for International Peace and Security", UN document A/63/751-S/2009/135, 10 March 2009.

[32] For analysis of police reform see Crisis Group Asia Briefing N° 85, *Policing in Afghanistan: Still Searching for a Strategy*, 18 December 2008; and Asia Report N°138, *Reforming Afghanistan's Police*, 30 August 2007.

[33] An undated document titled "Security Planning" and likely released in April 2009 by UNDP/ELECT outlines the roles and responsibilities of the JSPG and states that it was formed to "ensure there is a joint coordinated security planning process for the elections".

Security Assistance Force (ISAF), was tasked with assessing security for an initial figure of 26,877 polling stations at 6,970 polling centres.[34] In April, the IEC provided it with polling centre lists, draft national provincial movement plans, candidate nomination material movement plans, IEC facility locations and an operations concept and timeline for the elections. The ANA and ANP were deployed countrywide to investigate the security status of areas around polling centres.

IEC officials had expected to receive the security assessment of the polling centres in June but misinformation about their location, insufficient troop numbers, logistical snags and fighting in some areas slowed the evaluation.[35] As a result, the final assessment was not delivered until about a week before the elections, leaving little time to execute contingency plans and inform the public of polling site changes.[36]

Insecurity forced the closure of 443 polling stations before election day, mainly in Helmand, Kandahar, Farah, Badghis, Daikundi and Herat provinces. Additionally, 124 polling centres had to be relocated.[37] A brief controversy erupted over a Karzai administration proposal to use local militias to secure the polls. IEC officials ultimately rejected this and decided that ballot materials would not be sent to polling centres in areas where no ANP or ANA were present to provide security. On 18 August, the IEC announced that it planned to open 6,519 polling centres, but the election day number, according to IEC officials, was actually 6,199.[38] According to analysis of data later issued by the IEC on 16 September 2009, a total of 5,450 polling centres opened on polling day, representing a 21 per cent decrease in the number of polling centres originally planned.[39]

Three weeks before election day, Taliban leader Mullah Omar promulgated a decree calling for a boycott. Declaring that participation in the elections would be "tantamount to making friendship and rendering help to the invading Americans", the Taliban threatened to exact retribution, including by cutting off voters' ink-stained fingers.[40] A constant stream of threats on Taliban radio broadcasts reinforced the message.

A wave of attacks on campaign workers and government installations followed the decree. One such attack on the provincial governor's compound in Pul-e-Alam, Logar province, killed six people on 10 August 2009. Six days later, suicide bombers, penetrating the heavily-guarded diplomatic area in Kabul, set off an explosion near ISAF headquarters, killing seven and wounding 90.

The violence in the days leading up to the polls prompted a 19 August order from the increasingly embattled Karzai administration to media outlets to refrain from reporting on election-day incidents. At least twelve journalists were arrested for reporting on violent incidents after the media ban was imposed.[41] This capped a series of efforts by the government and some of the president's supporters to silence criticism during the campaign.[42] The media nonetheless reported on election-day violence.

B. ELECTION DAY

Within hours of the polls opening, dozens of rocket attacks on polling centres were reported across the country, including eight in Kabul alone. Armed skirmishes between rival candidates' camps also erupted in the capital, leaving many voters wondering whether it would be safe to come out. Scores of rockets were fired at polling sites in the south, while clashes in the northern prov-

[34] The IEC released several conflicting numbers for projected polling stations on election day. In a 27 September 2009 interview in Kabul, IEC spokesman Noor Mohammad Noor told Crisis Group that 26,877 was the initial number; however, a 29 July logistical update of the IEC Secretariat Information and External Relations Department had used the figures of 28,663 polling stations at 6,969 polling centres. IEC officials have provided no explanation for this discrepancy.

[35] Crisis Group interview, General Zahir Azimi, chief spokesman, ministry of defence, Kabul, 28 August 2009.

[36] Crisis Group interview, international elections adviser, Kabul, 24 August 2009.

[37] IEC press conference, 13 August 2009.

[38] "The situation in Afghanistan and its implications for international peace and security", UN General Assembly/Security Council, 22 September 2009, p. 4.

[39] IEC press release with reference to the announcement of preliminary results of 2009 presidential elections, 16 September 2009. According to this press release, the IEC determined that 6,210 polling centres would open on election day. Of those, 760 were closed at the last minute due to security and operational problems.

[40] "All the Mujahidin have to rigorously concentrate on the defeat of this evil project. They must carry out attacks on the centres of the enemies, prevent people from participation in the election, and fully block all the main and sub-roads one day before the elections to all government and military vehicles". Statement of the Islamic Emirate of Afghanistan, 30 July 2009. The fingers of voters were stained with ink to guard against multiple voting.

[41] Ten journalists were arrested on 19 August 2009 and two more on 20 August in Kabul. AIHRC-UNAMA "Joint Monitoring of Political Rights: Presidential and Provincial Council Elections", Third Report, 1 August- 5 October 2009, p. 10.

[42] Crisis Group interview, Sidiqullah Towhidi, chairman, Electoral Media Commission, 24 August 2009. See also Bob Dietz, Asia program coordinator, Committee to Protect Journalists, "At Tolo and other media outlets, pressure from all sides", 22 July 2009, at http://cpj.org/blog/2009/07/at-tolo-and-other-afghan-media-pressure-from-all-s.php.

inces of Baghlan, Jawzjan and Faryab resulted in the deaths of twelve members of the Afghan security forces and 58 Taliban fighters.[43] Eleven IEC workers were also killed in the violence.[44] According to the defence ministry, at least 26 people were killed and 50 injured in 135 separate attacks countrywide, marking it as the most violent day of 2009.[45] Accounts from media and local officials suggested that total incidents and casualties may have been higher.[46] According to the UN, 31 were killed and some 300 incidents were reported on election day.[47]

Widespread insecurity led to the last-minute closure of hundreds of polling stations and late openings at scores of polling centres. Poor security prevented voting in seven districts in four provinces: three in Helmand, two in Ghazni and one each in Kandahar and Wardak.[48] The closures created confusion for many voters; some reportedly turned to provincial reconstruction teams for guidance on where to vote.[49]

The violence leading up to election day had an immediate, negative impact on turnout. On 16 September 2009, the IEC's final preliminary tally for the presidential elections indicated that 38.7 per cent of registered voters, that is 5.6 million out of a total of 15.2 million, cast their ballots; 58.4 per cent of the voters were men, 38.7 per cent were women, and 2.3 per cent Kuchis.[50] However, anecdotal accounts indicate that participation was very thin in the south, east and pockets of the north, dipping as low as five and ten per cent in some areas.[51]

The overall turnout was far less than the eight million in the 2004 presidential elections and well below the 6.4 million in the 2005 parliamentary and provincial council elections. While insecurity certainly affected voter turnout, this drop in turnout also indicates how much ground the Karzai government has lost over the last five years in building confidence in and reliance on state institutions. Continued failure to deliver security and guarantee the sanctity of democratic processes would risk alienating even more Afghans, thus further fuelling the insurgency.

C. FRAUD AND VOTING IRREGULARITIES

Insecurity, particularly in the south and east, prevented many international and domestic observers from accessing the polls. Similarly, the absence of candidate agents, particularly at the separate polling sites for women, left the way open for fraud and intimidation. For instance, in the south-eastern province of Ghazni, a steady stream of rocket attacks on polling centres drove most voters and observers away.[52] Taking advantage of the absence of witnesses at polling stations in insecure parts of the province, IEC staff stuffed ballots into boxes by the thousands. A regional campaign manager for a presidential candidate said:

> When a rocket was fired, voters started fleeing, and IEC staff engaged in ballot stuffing. When the rocket fire ceased, voting resumed again. This is how polling day began and ended. There was no election in Pashtun majority districts. One of my own candidate agents voted 90 times for [our candidate]. I told him he had committed treason.[53]

Blatant vote rigging on Karzai's behalf occurred in predominantly Pashtun areas where insecurity was highest. In Ghazni, Paktia, Paktika and Kandahar provinces, there was massive ballot stuffing for Karzai and his allied provincial council candidates in entire districts. Local commanders – in many cases district or border police chiefs or governors – also interfered, stuffing ballots on the president's behalf.[54] Votes recorded in the south in many instances far exceed the estimated voter turnout. In Helmand province, for instance, 134,804 votes were recorded – 112,873 for Karzai – though turnout esti-

[43] Crisis Group telephone interview, General Murad Ali Murad, commander, ANA 209th Corps, 5 October 2009.
[44] At least fourteen IEC workers were killed and a dozen injured between 15 August and 30 August 2009.
[45] Crisis Group interview, General Zahir Azimi, chief spokesman, ministry of defence, Kabul, 28 August 2009.
[46] See, for instance, Ben Farmer, "Afghanistan election: Taliban attacks town to disrupt vote", *The Telegraph*, 20 August 2009.
[47] "The situation in Afghanistan", 22 September 2009, op. cit., p. 4.
[48] In a Crisis Group interview on 27 September 2009, IEC spokesman Noor Mohammad Noor claimed that elections were not held in seven districts. However, defence ministry figures showed eight districts were under Taliban control on polling day, including five in Helmand. Crisis Group interview, General Zahir Azimi, chief spokesman, ministry of defence, Kabul, 28 August 2009.
[49] Crisis Group interview, international election observers, Kabul, 23 August 2009.
[50] IEC press conference, 16 September 2009.
[51] Crisis Group conducted separate interviews with international and domestic election observer team members from 21 August to 2 September 2009. Their estimates of voter turnout varied widely, depending on location, but the majority projected a national turnout between 20 and 30 per cent.
[52] Crisis Group interview, international election observer, Kabul, 23 August 2009.
[53] Crisis Group interview, Ghazni, 14 September 2009.
[54] See, for instance, Dexter Filkins, "Tribal leaders say Karzai's team forged 23,900 votes", *The New York Times*, 1 September 2009; and Saboor Mangal, "IEC official blames police for interference", Pahjwok News Service, 21 August 2009.

mates ranged from 5,000 to 38,000 at most.[55] IEC officials either ignored irregularities or actively participated in ballot stuffing.[56]

Specific reports of large-scale fraud emerged in the south, for example in the border town of Spin Boldak, where the head of Kandahar province's border police had promised to deliver votes from six districts. Full ballot boxes were reportedly delivered to the police chief's compound before election day and IEC staff – ordered to fill in ballots for Karzai – took them to polling stations.[57] This pattern was replicated in a number of southern and eastern district centres, multiplying the extent of the fraud.

IV. THE AFTERMATH

Within 24 hours of the polls' closure, simultaneous declarations of victory by Karzai and Abdullah were subsumed by a steady stream of reports about massive vote rigging across the country, including allegations of widespread fraud by both candidates. It soon became clear, however, that the incumbent had benefited most from the irregularities. The massive scale of fraud surprised even some in Karzai's camp, suggesting that his supporters may have overcompensated after public surveys showed the president's lead shrinking ahead of election day and also as partial results were released.

A Ghazni parliamentarian and Karzai campaigner said:

> In some insecure districts, 300 people voted but the tally will show 200,000 votes for Karzai. Ballot stuffing began on election day and ended five days later. I was a representative for Karzai and campaigned for him, but I am also a representative of the people and can't ignore this and remain silent about the fraud.[58]

The early and numerous allegations did not deter the international community from quickly declaring the elections a success. Although security concerns prevented the majority of registered international observer teams from viewing activity at the vast majority of polling sites, the European Union Election Observation Mission (EU EOM), for example, declared the polls a "victory for the Afghan people", stressing that the elections had taken place in a "reasonably well-organised manner".[59] After first rushing to affirm that the elections were free and fair, EU EOM chief observer General Philippe Morillon then declared that some 1.5 million ballots should have been disqualified due to fraud.[60] Such pronouncements undermined the credibility of the entire observer community, a serious consequence in an environment where little trust remains in international actors.

A. ELECTORAL INSTITUTIONS AND INTERNATIONAL SUPPORT

1. UNDP/ELECT and UNAMA

The international community demonstrated a complete lack of resolve in pressing for a credible electoral process. As a Western diplomat in Kabul put it, "everyone wanted to have elections, but no one cared about the quality of the elections".[61]

Although management of the August polls was ostensibly Afghan-led, UNAMA was tasked with providing support.[62] Much of the funding for the $296-million process was administered through a basket mechanism controlled by UNDP/ELECT.[63] Working closely with UNAMA, its mandate was to provide "project and program design and management, mobilisation of donor funding, activity coordination, the channelling of funds for electoral support and reporting". A significant part of its work involved providing, "with overall supervision by UNAMA/SRSG", direct technical assistance and advice to Afghanistan's principal electoral bodies, primarily the IEC.[64]

Inherent flaws in ELECT's structure and management, however, often hampered timely and effective assistance. The dual-hatted role played by its chief electoral adviser, who served both the IEC and UNAMA, hindered the latter's ability to steer the process, and may have bur-

[55] "Colum Lynch and Joshua Partlow, "U.N. data show discrepancies in Afghan vote", *The Washington Post*, 7 October 2009.
[56] Crisis Group interview, Kabul, 2 September 2009.
[57] See for instance: "Polling Day Fraud in the Afghan Elections", Afghanistan Analysts Network, 3 September 2009; and Robert H. Reid, "Vote fraud allegations mount in Afghanistan", Associated Press, 23 August 2009.
[58] Crisis Group interview, Kabul, 26 August 2009.
[59] "Preliminary Statement of the European Union Election Observation Mission", 22 August 2009.
[60] Heidi Vogt, "Karzai leading Afghan vote with 54 per cent", Associated Press, 16 September 2009.
[61] Crisis Group interview, Kabul, 22 August 2009.
[62] UN Security Council Resolution 1868, 23 March 2009, called for UNAMA to "support, at the request of the Afghan authorities, preparations for the crucial upcoming presidential elections in particular through the IEC, by providing technical assistance, coordinating other international donor agencies and organisations providing assistance and channelling existing and additional funds earmarked to support the process".
[63] See www.undp.org.af/whoweare/undpinafghanistan/Projects/dcse/prj_elect.htm for a breakdown of costs and program details.
[64] Ibid.

dened ELECT with more responsibilities than it had capacity to manage, with disastrous consequences for the overall electoral process.

Procurement delays, budget shortfalls and internal disputes between UNDP and UNAMA hindered the process of advising IEC staff and delayed the appointment of ECC staff.[65] This delay resulted in the majority of regional ECC offices opening only a month before polling day.[66] Hence ECC staff was largely unavailable in the provinces during the crucial period when candidates should have been vetted. Although there was little public talk about problems with the vetting process, several candidates with dual citizenship likely remained on the ballot in contradiction to the electoral law.[67] The IEC, meanwhile, complained that requests for commissioners to receive training were largely ignored.[68]

Despite strong indications that glaring flaws in the electoral system, such as the absence of an accurate and complete voter registry, greatly increased the potential for fraud, ELECT staff did little to map out contingencies, and few fraud mitigation strategies were put in place before polling day. Coupled with SRSG Kai Eide's failure to check repeated abuses of power by the Karzai campaign and the lack of transparency in the process, the ostensible electoral guarantors – domestic and international – contributed to the erosion of the rule of law.

In the immediate aftermath of election day, this trend devolved into a dangerous game of personal politics that extended across UNAMA, with reverberations in Kabul, Washington and New York, further undermining the international community's credibility. Early on, Secretary of State Hillary Clinton reportedly acknowledged that Karzai would likely remain in office another five years, which was interpreted by some as a tacit endorsement of one of the leading perpetrators, or at least beneficiaries, of electoral fraud.[69] Meanwhile, a months-long dispute between Eide and his deputy, Peter Galbraith, over UNAMA's role in the elections, became public after Galbraith was dismissed by Secretary-General Ban on 30 September.[70]

Eide, a distinguished Norwegian diplomat, and Galbraith, a former U.S. ambassador, reportedly clashed over UNAMA's failure to prevent and disclose fraud during the election process. Galbraith disclosed that the SRSG had instructed his staff not to turn over voter turnout data collected by UNAMA field personnel to the ECC unless that body made a specific formal request for it. Leaked reports indicating that the UN data contained evidence of serious discrepancies between recorded votes and actual turnout, implying blatant electoral fraud on Karzai's behalf, strengthened Afghan perceptions of a cover-up by the SRSG.[71] Justifying withholding the data on the grounds that the UN could not interfere in the workings of Afghan electoral institutions, Eide said: "We received information about the fraud. But I said we are an organiser, not a judge. We cannot be both observers and organisers. It's not up to us to judge. It's up to the ECC. I cannot shout fraud and continue to move the process along. I said if there's a formal request from anybody, we will look at that. As for the evidence, some of it was very solid. Some was second and third hand. There's no doubt that the information was credible".[72]

While some senior UN officials accused Galbraith of following his own political agenda –an attempt to convince the Obama administration to annul the elections and remove Karzai from office– this and similar explanations for the dispute belied longstanding personal friction between the two and by extension Karzai (reportedly supported by the SRSG), and indeed between key powerbrokers in Washington and Kabul.[73]

The highly public fallout and internal furore over the dispute has prompted the resignations of at least three senior UNAMA officials, who believe that Eide had become "too close" to Karzai and thereby compromised UNAMA's mission.[74] Eide acknowledged that the controversy had become a dangerous "distraction", saying: "This debate has had implications for the security of our staff and my security especially and for [Galbraith's]

[65] Crisis Group interview, former international elections adviser, Kabul, 7 September 2009. See also "Islamic Republic of Afghanistan United Nations Development Programme, Enhancing Legal and Electoral Capacity for Tomorrow", ELECT ID-0050324, October 2006-December 2010, Substantive Revision Number 2, December 2008.

[66] Crisis Group interview, Grant Kippen, ECC Chairman, Kabul, 27 August 2009.

[67] Crisis Group interview, senior UNAMA official, Kabul 6 October 2009.

[68] Crisis Group interview, senior IEC official, Kabul, 27 September 2009.

[69] Karen De Young, "U.S. allies vow support for Karzai", *The Washington Post*, 28 September 2009.

[70] "UN recalls envoy from Afghanistan", BBC News, 30 September 2009.

[71] Joshua Partlow and Karen DeYoung, "With Karzai favoured to win, U.S. walks a fine line", *The Washington Post*, 14 August 2009.

[72] Crisis Group interview, SRSG Kai Eide, Kabul, 6 October 2009.

[73] Crisis Group interview, SRSG Kai Eide, Kabul, 6 October 2009.

[74] Crisis Group interview, Kabul, 6 October 2009.

security should he return say for a couple of days. It has jeopardised the stability of the country".[75]

Acknowledgement of harm is not enough. The SRSG has long served his country well and he has received expressions of confidence from his superiors in New York and from the U.S.[76] But he has lost the faith of many on his staff. Since the controversy has also rendered him unable to function with the necessary trust of many parts of the Afghan polity, he should resign in the interests of the UNAMA mission. His resignation should be taken as an opportunity to conduct a thorough review of the UN's electoral advisory role and funding structure with a view to providing more dynamic support to Afghanistan's electoral institutions and processes. In order to restore trust among Afghans, the findings of that review should be made public.

2. IEC and ECC

Flaws in the electoral process highlight the need to strengthen the capacity of the IEC and ECC and to clarify the roles of both in electoral administration. While the IEC's preliminary results, released on 16 September, indicated Karzai as the winner over Abdullah by 54.6 to 27.7 percent, concerns surfaced almost immediately that the IEC had included questionable votes in partial tallies released soon after the polls.

On 25 August, the ECC disclosed that it had received 2,384 complaints and that it would try to adjudicate the 751 it had designated "high priority" by 17 September. The final number of complaints reported later increased to 2,584 with 893 designated high priority.[77] There were early indications that security concerns would stymie the adjudication process by severely limiting its investigators' access to evidence and witnesses. According to ECC Chairman Grant Kippen, many of the 200 investigators assigned to review complaints (out of a total staff of 300) could not travel to insecure areas where the complaints had originated.[78] The ECC also requested additional staff to cope with the massive scale of investigation.

The IEC's response to allegations and evidence of fraud was egregiously inconsistent with its mandate to guarantee the sanctity of the polls. Senior officials repeatedly fell back on legal loopholes and employed delaying tactics to skirt the commission's responsibilities as chief guarantor of credible election results. Interpretations of ECC orders and data were routinely manipulated in Karzai's favour. For example, the IEC announced on 6 September that it had decided to annul results from 447 suspicious polling stations but two days later reversed itself and reinstated those results on the grounds that it lacked legal authority to annul the votes.[79] This raised serious questions about the commission's independence and cast doubt on whether it was capable of or indeed willing to execute its mandate. An electoral official observed:

> The culture of the IEC is fundamentally broken and needs to be entirely rebuilt. People at the top need to be removed, and the whole thing needs to be revamped, because there are a lot of people out there who are looking for signals to behave properly, but they are not getting any of those signals.[80]

While numerous IEC staff were implicated in the fraud, only a handful were initially disciplined. At least six IEC workers in Balkh province and one or two in Kabul were dismissed after it was discovered they had tried to influence the vote for a particular candidate.[81] In October, the UN said some 200 IEC officials would be removed as a result of their alleged involvement in fraud, but no verification has been publicly offered as to whether these officials were actually dismissed.[82] With a few exceptions, neither the IEC nor ECC have publicly dis-

[75] Crisis Group interview, SRSG Kai Eide, Kabul, 6 October 2009.
[76] On 9 October 2009, for example, the State Department issued the following statement: "The United States fully supports the United Nations Assistance Mission in Afghanistan (UNAMA) and Special Representative Kai Eide in UNAMA's oversight of and support for Afghanistan's election processes on behalf of the world community. We are in close cooperation with UNAMA and Ambassador Eide, and believe that the agency and its leadership have shown sound judgment in the conduct of their mission".
[77] AIHRC-UNAMA, Third Report, op. cit., p. 6.
[78] ECC press conference, Kabul, 2 September 2009.
[79] There is no direct reference to the annulment of results in the 2005 Electoral Law; Article 49 (2) stipulates only that either the IEC or ECC "may order a recount of some or all of the ballots in a counting centre, or a repeat of the voting in any constituency". However, fraud mitigation remedies laid out in a non-binding fact sheet published by the IEC on 2 August 2009 stipulate that "the results of any audits will be presented to the IEC Board of Commissioners. If evidence of fraud is detected, the IEC Board of Commissioners may disqualify specific results, or quarantine results pending further investigation". Similarly, Item 15 (a) of an unsigned 21 July 2009 "Protocol of Cooperation" agreement between the two commissions states that the IEC is required to inform the ECC should an audit lead to an IEC order that "the results of a polling station for one or both elections are not to be included in the final result".
[80] Crisis Group interview, Kabul, 7 October 2009.
[81] Crisis Group interview, IEC spokesman Noor Mohammad Noor, 27 September 2009.
[82] "UN seeks to fire 200 Afghan election officials before runoff vote", Voice of America News, 21 October 2009.

cussed cases in which IEC staff have been sanctioned for inappropriate actions and then only in limited detail.

The two commissions operated under a cloud of mutual suspicion, with their differences made public on 8 September, when Kippen, declaring that the ECC had found "clear and convincing" evidence of fraud, ordered an audit and recount by the IEC of some of the presidential election ballot boxes. The order called for a re-examination of preliminary results from polling stations that either indicated that the total number of votes cast in a polling station was equal to or greater than 600 – thus at least representing a 100 per cent turnout – or that any single presidential candidate had received 95 per cent or more of the recorded votes in a polling station where the number of ballots cast exceeded 100.[83]

On 10 September, the ECC annulled the votes from a total of 83 polling stations in Kandahar, Ghazni and Paktika, based on those criteria. The same day, the IEC chief electoral officer, Dr Daud Ali Najafi, claimed the IEC was unable to execute such an audit because the Dari language translation of the two-page ECC order was unclear. Pressed further, he said the IEC would conduct the audit but that it would take "a long time" to complete. Even after the ECC published a clarification of the order, Najafi insisted that two to three months could be required.[84]

However, on 24 September, the IEC and ECC agreed to audit suspect ballots by using a statistical sampling method. Details of the procedures were partially revealed during several stakeholder meetings at UNAMA on 27 September. While the decision was presented as a time saving device, the methodology applied raised questions about the thoroughness of the investigation. The IEC and ECC initially identified 3,063 suspect polling stations; 313 ballot boxes, or a little more than 10 per cent, were randomly selected for the sample. The statistical universe pertained to three criteria for potentially fraudulent votes. Criteria A applied to polling stations where 600 ballots or more were cast. Criteria B applied to polling stations where 95 per cent or more of the ballots were cast in favor of a single candidate, with 100 ballots or more cast. Criteria C applied to polling stations where 600 or more votes were cast and 95 per cent of the votes were cast for a single candidate.[85]

Because of security concerns, the randomly selected ballot boxes were transported from provincial warehouses to a central location in Kabul. Although candidate agents and other elections observers were briefed on the auditing process, they were insufficiently trained to understand the complexities involved.[86] More broadly, there was widespread confusion about the formulas and procedures used to extrapolate results. The consistent failure of ELECT, as well as the IEC and ECC, to give full and timely information about their decision-making processes enhanced suspicions that the numbers would be manipulated in favour of a given candidate.

Such suspicions were reinforced when the rules of the game changed again on 5 October, as the audit got underway. According to a joint statement issued by the IEC and ECC, an "administrative error" had resulted in the improper exclusion of several hundred ballot boxes from the audit. To the confusion of many observers, three additional criteria for fraud detection were added, with a total of 3,377 polling stations fitting into the six established criteria, and ultimately a sample of 345 ballot boxes randomly selected for scrutiny.[87]

Under the 5 October scheme, disqualification of votes from each polling station in the randomly selected sample of ballot boxes would be determined by individual ratios for each candidate. The larger the candidate's share of fraudulent votes in the sample, the higher the share of votes that would have been invalidated for that candidate.[88] But this formulation was eventually found to

[83] ECC Order 202009, 8 September 2009.
[84] IEC press conference, 8 September 2009.
[85] UNDP/ELECT Weekly Electoral Report, 22 September-29 September 2009.

[86] Crisis Group interview, Afghan elections observer, 5 October 2009.
[87] See "Policy on Audit and Recount Evaluations", ECC; ECC press release, 5 October 2009, and UN ELECT Weekly Electoral Report, 30 September to 12 October 2009. In an undated factsheet on the audit process, released on 5 October 2009 the ECC declared a total 3,498 polling stations would be reviewed under its 8 September 2009 order with 358 ballot boxes selected in the sampling process. This number changed several times in the course of the audit process due to administrative errors and miscalculations by both the IEC and ECC.
[88] "Understanding the ECC policy on audit and recount evaluations", ECC press release, 7 October 2009. According to the step by step process detailed on p. 2 of this ECC press release, the ECC would "first determine whether a ballot box has fraudulent ballots or not, based on the evidence obtained from the audit and recount process. It will do so for each of the ballot boxes in the sample. [The ECC] will undertake the following steps to calculate the extent of the fraud, for each of the six categories: 1) For each candidate, calculate the total number of fraudulent votes he or she has received in all of the boxes of the sample; 2) For each candidate, divide the total fraudulent votes tallied in step (1) for that candidate by the total votes in all the ballot boxes of the sample and multiply by 100. This calculation will result in a percentage figure; 3) determine, for each candidate, the total votes he or she has in the entire category (based on the published preliminary results); 4) multiply the percentage calculated in step (2) by

be flawed by the ECC, which announced on 12 October 2009 that it had misinterpreted the statistical analysis used to determine how many of the votes in each ballot box would be disqualified.[89] This meant that the ratios of fraudulent votes would be applied evenly to all the candidates, setting off criticism from some observers and Abdullah's campaign.

Though key stakeholders, including Karzai and Abdullah, ultimately agreed to this confusing scheme to determine the outcome of the presidential elections, there is no objective international standard that spells out how and when this methodology should be applied and little recent precedent for the use of this sampling method to determine electoral fraud under the conditions found in Afghanistan. In short, the manoeuvres by the ECC and IEC and apparent frictions between the two bodies did little to assuage Afghans' distrust of the process. Indeed, the conduct of the audit reinforced their fears that international actors were willing to subordinate accountability to political expedience.

The IEC's poor performance pertained not only to the presidential polls but to the provincial council vote as well. Although reports of ballot stuffing for provincial council candidates were widespread, preliminary provincial council vote tallies showed no sign that questionable votes had been quarantined. In several cases, preliminary provincial council tally results posted on the IEC's website on 26 September 2009 appeared to have been cut and pasted from tally figures tabulated for presidential candidates.[90] Other discrepancies in provincial council vote counts prompted formal complaints to the ECC and protests in Herat, Jawzjan and Paktia provinces.[91]

The IEC resorted to persistent obfuscation and statistical sleight of hand in evaluating patterns of fraud, while implicitly criticising the ECC. Its officials shared little information publicly or privately about the application of fraud detection measures. In some cases, the IEC ignored data triggers indicating a large number of potentially fraudulent votes.[92] In other cases, commission officials repeatedly changed the rules of the game, applying different analytical criteria to different sets of polling stations, with the effect of minimising the number of invalidated votes.[93] A close observer of the process said, "All transparency stopped at 5pm on the 20th of August, and from there until today, there's been no real transparency with the elections process. … This election was all operationally driven with no thought given to elections accountability".[94]

The IEC's blatant disregard for electoral law and fair play continued throughout the entire complaints review and audit process, with officials repeatedly rejecting ECC orders, often without explanation. The ECC's role thus emerged as a political football among key competing stakeholders. For instance, when reports were leaked that audit results indicated a run-off, one of Karzai's main allies in the ECC, commissioner Maulawi Mustafa Barakzai, announced he would resign his post due to "foreign interference" from the non-Afghan members of the commission.[95] Karzai's apparent determination to use the weakness of the IEC to his advantage was demonstrated most visibly after the ECC's released final audit results and invalidation of almost one quarter[96]of all votes cast resulted in 48.3 per cent for Karzai versus 31.5 per cent of Abdullah, thus necessitating a run-off.[97]

Although the IEC conceded, on 20 October, that a run-off should be held on 7 November 2009, it announced that it had determined that Karzai had won 49.6 per cent of the vote with Abdullah trailing at 30.5 per cent and Bashardost at 10.4 percent.[98] This sent a strong signal that the IEC would not necessarily adhere to ECC decisions in the event of a run-off. If frictions of this sort are to be avoided, the parliament and the president must work to clarify the roles of both the IEC and ECC before the parliamentary and district council polls in 2010. IEC Chairman Ludin's actions, in particular, also strongly indicate the need for the IEC board to be fully reconstituted and the appointment of new commissioners undertaken in full consultation with parliament.

each candidate's total votes in the category. This will give the total votes that are fraudulent for each candidate on the basis of the findings for this particular category".

[89] Robert H. Reid and Heidi Vogt, "Problems beset Afghan vote count", Associated Press, 12 October 2009.

[90] Crisis Group interview, international election observer, Kabul, 27 September 2009.

[91] ELECT Weekly Report, 20 September to 12 October 2009, pp. 1-2.

[92] "In a meeting on 13 September 2009, the IEC stated that results from the following polling stations would be quarantined: 1) polling stations that recorded more than 1,000 votes; 2) polling centres and stations that did not open but results were received; and 3) polling centres where the number of votes cast was greater than the number of ballots delivered". AIHRC-UNAMA, Third Report, op. cit., p. 6.

[93] Crisis Group interview, Kabul, 8 September 2009.

[94] Crisis Group interview, international election observer, Kabul, 27 September 2009.

[95] Reid and Vogt, op. cit., 12 October 2009.

[96] ECC audit findings published on 18 October 2009 led to the invalidation of 1.2 million votes out of 5.6 million valid votes cast.

[97] "ECC decision with regard to the results of the 20 August 2009 presidential elections", 18 October 2009.

[98] "Presidential Candidate Votes", www.iec.org.af.

3. Run-off and re-election

Despite results indicating the need for a run-off, Karzai's supporters hinted that the president was unwilling to go forward with a second round. Karzai's chief campaign spokesman, Wahid Omar, complained that "foreign interference" had led the ECC to release "politically manipulated" results in order to discredit the president.[99] Meanwhile, questions remained about the sincerity of Abdullah's support of a second round amidst rumours of backroom deal-making between the two rival candidates. Although Abdullah publicly denied negotiating for a power-sharing agreement with Karzai, reports persisted that serious talks were underway. The deepening political uncertainty prompted a flurry of diplomatic efforts by key international stakeholders, most notably the U.S. and the UN. Karzai eventually agreed on 20 October 2009 to participate in a run-off after talks with an ad hoc team of international brokers led by U.S. Senator John Kerry.

The decision was hailed by the U.S. as an "important precedent for Afghanistan's new democracy".[100] But Karzai's last minute decision revealed a dangerous and growing predilection for political brinkmanship in the presidential palace. Recognising the propaganda value of the vulnerabilities laid bare by this episode and the fraudulent elections, the Taliban called for a boycott of the second round of polls, specifically referring to the disputed results as more evidence of the government's failure.[101]

There were doubts about the efficacy of a second round in many quarters. Although the partisanship of IEC commissioners was amply demonstrated, they remained intact despite calls from Abdullah's campaign and others for chairman Ludin to step down.[102] Concerns about yet another fraudulent exercise deepened when the IEC, ignoring a UN recommendation to avoid a repeat of fraudulent results from ghost polling centres by reducing their numbers actually increased the number of polling centres from a recommended figure of about 5,800 to nearly 6,300.[103] Moreover, in insurgency-hit provinces in the south and east such as Paktika and Kandahar, the IEC decided to locate fewer polling centres in urban regions where they could be better monitored than in remote areas where insecurity was high.[104] These actions, combined with an inability to quickly revamp security plans to better protect polling centres, voters and election observers in insecure areas suggested that another round of voting was only likely to result in more fraud. Abdullah subsequently set a deadline of 31 October for an announcement as to whether he would call on his supporters to boycott the elections.

The Taliban took swift advantage of the political uncertainty in Kabul with a series of attacks on the capital, including one on a UN guesthouse on 28 October in which eleven, including five UN workers and three of the attackers, were killed and several others wounded.[105] The most serious against a UN installation in Afghanistan in the past eight years, the attack sent a strong signal that the insurgents were more determined than ever to disrupt the electoral process. With the morale of many UNAMA workers already low, UNAMA was forced to relocate more than half of its roughly 1,100 staff members in the country to a UN complex in Kabul, with close to 100 removed from the country altogether.[106]

The attack on the UN took place against a backdrop of negotiations between Abdullah and Karzai, as internal and external pressures reportedly mounted on the two sides to defuse the conflict over the polls through a power-sharing deal. The bargaining involved multiple actors, each jockeying for greater leverage in the future government with a view to building the portfolios of their respective and largely ethnic constituencies. Initial negotiations reportedly broke down over the distribution of twelve ministries for Abdullah's supporters and soon

[99] Anand Gopal, "Karzai camp hardens its line on recount", *The Wall Street Journal*, 19 October 2009.
[100] "Statement by President Barack Obama on Afghan Elections", White House press release, 20 October 2009.
[101] In a statement released by the Taliban on 22 October on its official website, the insurgents called for the boycott, saying: "Generally, the Islamic Emirate of Afghanistan believes that the August 20 elections were never in the interest of Afghans, but still the current squabbling and humiliation exposed the elections as more ridiculous". A subsequent statement issued on 31 October 2009 by the Taliban on its website www.alemarah.com stated: "Undoubtedly, the first round election were not free from rigging and fraud. This is clear as the broad daylight. Still more, the Americans are now well-known for being ringleaders of rigging, forgery, counterfeiting and deceptions at the world's level but their surrogates are not lagging behind them either".
[102] On 22 October, a group of pro-Abdullah MPs called for a change in IEC leadership at a press conference in Kabul. An unofficial translation of a list of conditions submitted to UNAMA by the Abdullah campaign ahead of the scheduled run-off called for Ludin's dismissal along with suspension for the ministers of education, border and tribal affairs, and international development and governance.
[103] Heidi Vogt, "Afghanistan to open more voting centres for run-off", Associated Press, 29 October 2009.
[104] Crisis Group telephone interview, international election observer, 6 November 2009.
[105] Sabrina Tavernise and Sangar Rahimi, "Attack in Afghan capital illustrates Taliban's reach", *The New York Times*, 28 October 2009.
[106] Alissa Rubin, "UN relocates foreign staff in Afghanistan", *The New York Times*, 6 November 2009.

reached a stalemate as Karzai's supporters refused to share the spoils of government with Abdullah's Tajik constituents.[107] On 1 November, citing the "inappropriate actions of the government and the election commission", Abdullah announced his decision not to participate in the second round. His carefully worded announcement avoided the use of the term "withdrawal" and the absence of a formal letter of withdrawal to the IEC left in question the legal way forward.

After initially conceding that, in the absence of any candidate with a clear 50 per cent majority, cancelling the run-off would be unconstitutional,[108] on 2 November 2009, the IEC reversed course and declared Karzai the winner of the presidential elections. Citing the dangers and high costs associated with holding a second round, in a broad interpretation of constitutional and electoral law, the IEC invoked its limited legal authority as the chief administrative body for elections in announcing its decision.[109]

At least one IEC commissioner, Fazel Ahmad Manawi, acknowledged that the decision to cancel the run-off left the IEC in uncharted legal waters:

> In the run-off when one candidate pulled out, we had no legal articles neither in the constitution nor in the electoral law. We were in a vacuum. We had to make a decision one way or another; we had to abide by the law. We had no other way except to declare the winner the only candidate left standing.[110]

Karzai might be the de facto winner, but because that victory is the result of a fraudulent election, his re-election has done little to convince Afghans of the government's legitimacy. As one Afghan lawyer and legal scholar put it: "They declared [Karzai] president without holding an election. Nobody can become a president without an election in which the people express their will. He did not win in the first round and the run-off did not take place. Karzai's presidency is now neither legal nor legitimate".[111]

V. A WAY FORWARD

A. COPING WITH THE CRISIS

With the legitimacy of his presidency now in doubt, Karzai faces a critical test of his willingness to end his dependence on corruption and cronyism in favour of building a genuine political legacy. Thus far there is little evidence indicating that he will pass this test. The president's allies are an amalgam of religious conservatives, tribal strongmen, factional leaders, regional power-brokers, powerful businessmen and myriad local chieftains. It will be very difficult to accommodate the often contradictory demands of these diverse players within any single political framework. Warlords and local commanders have profited richly from the instability and corruption, obtaining millions of dollars from graft and illicit trafficking networks. While they have little incentive to accept the rule of law and indeed are largely content with the current situation, Karzai's failure to deliver on backdoor deals made with lesser powerbrokers and local tribal elders could weaken his already tenuous grip on power and impede reform.

While there has been, as earlier mentioned, strong international pressure for Karzai to cede several cabinet positions to Abdullah's camp, given the animosity between the two, the chances of a negotiated compromise are slim. Even if such a power-sharing deal was reached, it would be short-lived at best, and could even widen the north-south divide. In fact, post-election events have hardened lines between the two camps. During the campaign some of Abdullah's closest supporters expressed a determination to exploit the power vacuum created in the wake of the elections – an extremely dangerous prospect given the Taliban's intention to do the same. Ahmad Wali Masood, a key Abdullah backer and brother of the legendary Northern Alliance leader Ahmad Shah Masood slain by the Taliban in 2001, insisted:

> If Mr Karzai is in place after all of this, you will witness a very credible opposition. Because apart from being corrupt, apart from not being able to root out drug traffickers, apart from not being able to give good governance, Mr Karzai is now no longer legitimate in the eyes of the Afghan people.[112]

[107] Crisis Group interviews, Kabul, 8-11 November 2009.
[108] Golnar Motevalli and Sayed Salahudin, "Karzai rival quits Afghan run-off", Reuters, 1 November 2009.
[109] In the 2 November press release, the IEC specifically cited Article 156 of the constitution and Article 49 of the electoral law as the legal grounds for its decision. Article 156 of the constitution states that the IEC "shall be established to administer and supervise every kind of election as well as to [render] to the public its opinions in accordance with provisions of the law". Article 49, Part 1 of the electoral law states: "The Commission is responsible for announcing the certified election results in each constituency once all counting procedures have been completed and after all complaints concerning polling and counting have been adjudicated by the ECC". There is no stipulation in either case what should happen in the event a candidate refuses to participate in a run-off.
[110] Crisis Group interview, Kabul, 9 November 2009.
[111] Crisis Group interview, Kabir Ranjbar, chairman, Democratic Lawyers Union of Afghanistan, Kabul, 9 November 2009.
[112] Crisis Group interview, Ahmad Wali Masood, Kabul, 7 September 2009.

The opposition however lacks sufficient cohesiveness and maturity to broker a lasting political bargain and there is little consensus among political elites in Kabul on the way ahead. In fact, the use of violence is the one thing most Afghan powerbrokers can agree on as a viable means to a political end. Burhanuddin Rabbani, chairman of the opposition and leader of the Jamiat-e-Islami party, pointed out:

> We will not be indifferent to the problem if Karzai is still in power. The problem in Afghanistan is that we don't have a rich tradition of opposition politics like in the West, so much will likely end up falling to the people and to the streets to decide.[113]

If the Afghan opposition is in disarray, so is the international community on the way forward. Lack of clarity and disjointed approaches to strategy have left the way open for avaricious warlords to extend their reach into the presidential palace in Kabul and exploit the power vacuum that exists in Afghanistan.

The U.S., the EU and the UN in particular, must insist on restrictions on the size of the cabinet, along with thorough vetting of cabinet and provincial governor appointees to exclude candidates with demonstrated links to armed groups or criminal activities. A large, unwieldy cabinet is likely to duplicate past poor performance and risks inviting the expansion of graft networks as well as creating cumbersome overlapping structures that hamper reform. While the international community presses for anti-corruption measures to be instituted, simultaneous pressure must be applied to ensure cabinet members and their immediate subordinates adhere to the letter and spirit of the law. The National Assembly and the courts must also act urgently to defuse the potential for the conflict to widen. Moreover, if parliament is to play a meaningful political role, it can ill afford to allow the results of these deeply flawed elections to go unchallenged. Political capitulation in the face of such flagrant violations of the law would result in a greater imbalance of power between the executive, legislature and judiciary.

Although the constitution is far from perfect, it provides several mechanisms for actions against government officials who abuse their office or violate the law. Legislators should not expect the Afghan public to continue to endorse their longstanding inaction against a culture of impunity. The Wolesi Jirga must employ the full range of sanctions at its disposal against those suspected of having violated electoral laws, particularly those at the highest levels of government. The actions of the president and his close circle of advisers during the election warrant close scrutiny, and the constitution contains measures for dealing with certain types of crimes committed by the president.[114] The attorney general and courts of criminal prosecutions must also vigorously pursue those involved in flagrant violations of the law, whether candidates, IEC staff or government officials.

Notwithstanding action taken by the Afghan parliament or judiciary against the perpetrators of the fraud, Afghans have a fundamental right to review their government's failures. The international community and the Afghan government should agree on a means to form a special public commission of inquiry, composed of respected Afghan and international individuals, to conduct a thorough public review of the 2009 presidential and parliamentary elections. The commission should assess the role of the IEC, ECC, UNAMA and other relevant actors in the elections, and where possible identify possible cases and suspected perpetrators of electoral fraud.

While the IEC Secretariat and Board should be urgently reconstituted with the active involvement of parliament, the intervening months ahead of the 2010 parliamentary and district council elections should be used to strengthen the IEC and ECC's mandate, widening each commission's ability to impose stiffer sanctions for violations of elections law. Enhanced penalties for misuse of state resources during a campaign should be adopted, along with clarification of the shape and scope of both the ECC and IEC so as to boost their credibility. The memorandum of agreement between the IEC and ECC should be reviewed by parliament with a view to standing up the ECC permanently. Both commissions must incorporate more stringent fraud mitigation measures and more time must be allotted to mapping out contingencies in the event of massive rigging or other future electoral mishaps.

[113] Crisis Group interview, Burhanuddin Rabbani, Kabul, 5 October 2009.

[114] Article 69 (3) of the constitution states: "The President shall be responsible to the nation as well as the House of People in accordance with the provisions of this Article. Accusations of crimes against humanity, national treason as well as a crime against the Presidency shall be demanded by one third of all members of the House of People. If this demand is approved by two thirds of the House of People, the House of People shall convene the Loya Jirga within one month. If the Loya Jirga, by two-thirds majority, approves the accusation, the President shall be released from duty, and the issue shall be referred to a special court, which shall be comprised of the President of the House of Elders, three members of the House of People, and three members of the Supreme Court appointed by the Loya Jirga". Article 67 (3) further stipulates that in the event of "resignation, impeachment, or death of the President", the first vice president would assume power until elections for a new president are held three months later.

B. THE LOYA JIRGA AND CONSTITUTIONAL REFORM

The elections and their aftermath laid bare glaring flaws in the country's constitutional and electoral structure. Simply put, the Afghan government under the current framework no longer enjoys legitimacy in the eyes of most Afghans. Repairing the damage done will take serious effort on the part of the government and an expenditure of political will that the international community has yet to demonstrate it possesses. As one Ghazni MP put it:

> These elections have destroyed what little confidence the Afghan people had in democracy … The Afghan government has destroyed democracy … a lot of work will have to be done to restore the Afghan people's confidence, to convince them that power and influence and money are not the only things that make democracy.[115]

The political system itself is in need of fundamental reform. Provincial and eventually district councils must be given more opportunities to influence local outcomes through a meaningful devolution of authority and resources, while remaining accountable to the political centre in Kabul. Discussions should begin now about the possibility of broadening local government accountability by instituting elections for provincial governors in place of the current process of presidential appointment. A serious assessment must be made of the ways and means available to curtail the excessive powers afforded the executive under the current constitution. Broad agreement is needed to improve the poor working relationships between the branches of the state and to make the balance-of-power concept effective. Conflict over roles of the Supreme Court and the Independent Commission for the Supervision of the Implementation of the Constitution (ICSIC) must be resolved so that legal disputes can be decided through precedent and practice.[116] An ultimate constitutional arbiter must be identified in order to ensure that remedies sought in court are adhered to and respected.

Afghans and the international community must set their sights on genuine political change. Flaws in the constitution, particularly with regard to the electoral calendar, balance of powers and succession articles, have allowed Karzai to ably exploit institutional weaknesses to his advantage. The Supreme Court, as a result, has turned into a rubber stamp for abuse of power at the executive level while marginalising parliament in the process. What is needed most now is vigorous constitutional reform, and this can only be undertaken through a loya jirga, or grand assembly. The formation of a loya jirga to amend the constitution requires the participation of the National Assembly and the district and provincial councils.[117] Hence credible district council elections will have to be held alongside parliamentary polls in 2010, for which the delineation of district boundaries must be urgently undertaken.

If it is not possible to hold district council elections, the National Assembly in its current composition must move forward with an emergency loya jirga so that the work of overhauling the constitution can begin. Parliament can no longer allow itself to be sidelined by unbridled executive power in Kabul. Deliberations over constitutional reform are likely to be contentious, and possibly drawn out. But there are no quick fixes on the route to stability. Anything less than vigorous constitutional and electoral reform will only fuel further conflict in Afghanistan.

VI. CONCLUSION

The Taliban's growing tactical advantage now rests soundly not only in its ability to operate freely in areas where Afghans have largely been abandoned by their government but in its ability to point to Karzai's, and the international community's, failure to deliver on the electoral process. Pressure must be brought to bear on Kabul to make state institutions more accountable to the Afghan public. The executive branch, in particular, should be pressed to observe and maintain the balance of powers laid out in the constitution and allow the legislature and judiciary to perform their tasks without undue interference. The current environment in which many powerbrokers benefit from instability, impunity and the lack of rule of law must end.

Eight years after the fall of the Taliban, Western nations appear poised to set the bar so low that real progress in Afghanistan will be nearly impossible. The international community must not treat the August election as a distinct event, but rather use the energy and enormous re-

[115] Crisis Group interview, Kabul, 15 October 2009.

[116] For detailed analysis of the role of the Supreme Court and the ICSIC see Alex Their and John Dempsey, "Resolving the crisis over constitutional interpretation in Afghanistan", USIP, March 2009.

[117] Article 110 (6) of the constitution states that the "Loya Jirga is the highest manifestation of the will of the people of Afghanistan. The Loya Jirga consists of: 1. Members of the National Assembly 2. Presidents of the provincial as well as district assemblies. Ministers, Chief Justice and member of the Supreme Court as well as the attorney general shall participate in the Loya Jirga sessions without voting rights". Article 111(6) further states that a loya jirga can be convened to "amend provision of [the] constitution".

sources that have been poured into the exercise to strengthen Afghanistan's constitutional and electoral framework. Planning for the 2010 elections must begin immediately and the lessons learned from this flawed elections used to strengthen the process. If the Afghan government and international community fail again to produce credible polls, bullets not ballots may come to be seen as the most viable solution to the country's problems.

The confused international response to egregious violations of electoral law reflects the dangerous fatigue that has set in among donor nations. The elections were clearly perceived by many influential international actors, including the U.S., as just another political hoop to jump through on the way to implementing a strategy that has as yet failed to make the connection between effective counter-insurgency and genuinely universal political franchise and rule of law. When the manipulation of the process and its implications for security became clear the U.S. and its international partners found themselves without a contingency plan and opted to accept a flawed outcome that may reverse efforts to stabilise the country.

The clock has run out on political obfuscation and buck passing. Without more honest assessments of flaws and missteps in the process of state rebuilding, Afghanistan will become increasingly unstable. As a Western adviser put it:

> The first step to solving any situation like this is to tell the truth – at least to yourself. … the international community is living in an environment where there's a deficit of truth. We just haven't been telling the truth. We haven't been telling the truth to our domestic constituencies. And we haven't been telling the truth to the Afghans.[118]

Confronting the strategic costs of corruption and weak institutions must be the highest priority for the Afghan government and international community. An Afghan government that continues to face a crisis of credibility of such huge proportions cannot defeat the insurgency and risks being subsumed by it.

Kabul/Brussels, 25 November 2009

[118] Crisis Group interview, Kabul, 10 September 2009.

APPENDIX A

MAP OF AFGHANISTAN

International Crisis Group

WORKING TO PREVENT CONFLICT WORLDWIDE

International Headquarters
149 Avenue Louise, 1050 Brussels, Belgium · Tel: +32 2 502 90 38 · Fax: +32 2 502 50 38
Email: brussels@crisisgroup.org

New York Office
420 Lexington Avenue, Suite 2640, New York 10170 · Tel: +1 212 813 0820 · Fax: +1 212 813 0825
Email: newyork@crisisgroup.org

Washington Office
1629 K Street, Suite 450, Washington DC 20006 · Tel: +1 202 785 1601 · Fax: +1 202 785 1630
Email: washington@crisisgroup.org

London Office
48 Gray's Inn Road, London WC1X 8LT · Tel: +44 20 7831 1436 · Fax: +44 20 7242 8135
Email: london@crisisgroup.org

Moscow Office
Belomorskaya st., 14-1 – Moscow 125195 Russia · Tel/Fax: +7-495-455-9798
Email: moscow@crisisgroup.org

Regional Offices and Field Representation
Crisis Group also operates out of over 25 different locations in Africa, Asia, Europe, the Middle East and Latin America.

See www.crisisgroup.org for details.

www.crisisgroup.org