



EUROPEAN PARLIAMENT

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**Account of the mission
to observe the
parliamentary elections in Afghanistan
15-20 September 2005**

Leader of the delegation: Mr José Ignacio Salafranca Sánchez-Neyra

28 March 2006

INTRODUCTION

By letter dated 6 December 2005 the Afghan Electoral Commission invited the European Union to observe the elections to be held in Afghanistan on 18 September 2005.

At its meeting of 7 July 2005, the Conference of Presidents of the European Parliament authorised an ad hoc delegation to observe the parliamentary elections in Afghanistan, "subject to updated information on security conditions".

The necessary information having been received from the EU election observation mission, on 8 September 2005 the Conference of Presidents authorised a mission consisting of 7 members to be appointed by the political groups in accordance with the continuous d'Hondt system.

The European Parliament delegation to observe the elections consisted of:

Mr José Ignacio Salafranca Sánchez-Neyra (EPP-ED) (appointed leader of the delegation on 15 February 2006)

Mr Robert Evans (PES)

Mr Richard Howitt (PES)

Mr Philippe Morillon (ALDE)

Ms Baroness Nicholson of Winterbourne (ALDE)

Ms Karin Scheele (PES)

Mr Jürgen Schröder (EPP-ED)

the delegation was accompanied by Ms Anne McLauchlan, Mr John Bryan Rose and Ms Kaija Braid of the European Parliament secretariat, Directorate General for External Policies, and Ms Brigitte Bataille, official of the PES Group.

ARRIVALS

All members of the delegation arrived in Kabul at 15.00 hrs on Thursday, 15 September 2005.

PROGRAMME OF THE MISSION

Tuesday, 15 September 2005

17.45 hrs

Presentation of the programme by Ms Emma Bonino, EU chief observer, Mr Karl Harbo, Head of EC Delegation in Afghanistan, Mr Edouard Auer, Political Advisor EC Delegation in Afghanistan.

Briefing on the situation and the background to the elections by Ms Bonino, Mr Francesc Vendrell, EU Special Representative in Afghanistan, and Mr Karl Harbo.

19.00 hrs

Security Briefing by Mr Christopher Morris, EU-EOM Security Service.

19.30 hrs

Working Dinner in Heetal Plaza Hotel, Kabul with EU Ambassadors, Ms Bismillah (Joint Electoral Management Body (JEMB)), Mr Erben (Chief Election Officer for Afghanistan), Mr

Grant Kippen (Head of Election Complaints Commission), Ms Bonino, Mr Vendrell, and Mr Karl Harbo.

Friday, 16 September 2005

8.00 hrs

Departure from Kabul airport to Herat.

9.30 hrs

Meeting with Spanish Forward Support Base.

Participation in a Ceremony commemorating the helicopter crash in which 17 Spanish soldiers were killed. Mr Salafranca laid a wreath on the memorial to those killed.

Briefing with Lieutenant Colonel Isidoro, Commander, Spanish Forward Support Base.

11.30 hrs

Meeting with Mr Anwari, Governor of Herat Province

12.15 hrs

Meeting with Mr Qazy Ghulam Hakak, Afghan Independent Human Rights Commission.

13.15 hrs

Working lunch with EU-EOM long term and short term observers.

14.15 hrs

Meeting with female candidates.

16.00 hrs

Departure from Herat

17.30 hrs

Arrival in Kabul airport

18.30 hrs

EU-EOM briefing on election day observation methodology by Mr Plamen Tonchev, Deputy Chief Observer, EU-EOM.

18.40 hrs

Mr Lars Tollemark, Observer Coordinator, on the Deployment

18.45 hrs

Mr Tom Karl Bil, Security Expert, on Security

18.55 hrs

Ms Maria Espinosa, Election Expert, on election observation

19.15 hrs

Mr Lars Tollemark, Observer Coordinator, on the reporting system

20.00 hrs

Dinner hosted by Ambassador Dr Rosalind Marsden, British Ambassador representing the EU Presidency, and Mr Francesc Vendrell, EU Special Representative, at the British Embassy.

Saturday, 17 September 2005

Mr Morillon left for the Panjshir Valley, where he observed the elections.

9.00 hrs

Departure from heliport for Bamyan

10.30 hrs

Meeting with Simon Hermes, Head of Bamyan Regional Office, United Nations Assistance Mission Afghanistan.

11.10 hrs

Meeting with women candidates in Bamyan.

12.00 hrs

Meeting with Ms Sarobi, Governor of Bamyan Province

12.30 hrs

Lunch with Governor Sarobi and local dignitaries

13.15 hrs

Visit to site of destroyed Buddhas

16.45 hrs

Departure for Kabul (delay owing to problems with helicopter)

18.15 hrs

Meeting with Mr Qanooni, Leader of the National Understanding Front.

19.20 hrs

Meeting with Mr Mohaqeq, Opposition candidate (Hazara)

20.25 hrs

Dinner with Mr Mohaqeq

Sunday, 18 September 2005 - Polling Day

The following observed the elections in different Districts of Kabul:

- Mr Salafranca and Mr Evans, accompanied by Ms McLauchlan and Ms Braid
- Mr Howitt and Mr Schröder
- Ms Scheele accompanied by Ms Bataille
- Baroness Nicholson of Winterbourne accompanied by Mr Rose

Mr Morillon observed the elections in the Panjshir Valley

19.30 hrs
Reception hosted by Mr Karl Harbo, Head of EC Delegation

21.00 hrs
Meeting between Mr Salafranca and Ms Bonino, on the EP delegation's contribution to Mrs Bonino's preliminary statement.

Monday, 19 September 2005

08.00 hrs
Working breakfast with Ms Emma Bonino, Heetal Plaza Hotel, Kabul

10.00 hrs
Meeting with President Karzai, Presidential Palace

11.15 hrs
Meeting with NGOs, Residence of Head of Delegation

12.00 hrs
Lunch

14.00 hrs
Meeting with Ameera Haq

15.30 hrs
Visit to counting centre

16.00 hrs
Departure for airport - Baroness Nicholson of Winterbourne

17.00 hrs
EU-EOM press conference in Intercontinental Hotel, Kabul, at which Ms Bonino, Chief Observer, presented her Statement of Preliminary Findings and Conclusions.

Mr Salafranca made a statement on behalf of the EP delegation.

18.00 hrs
End of press conference

19.00 hrs
Meeting with Lieutenant General Del Vecchio, Commander of the International Security Assistance Force (ISAF), Heetal Plaza Hotel

Tuesday, 20 September 2005

DEPARTURES

09.00 hrs Departure of the delegation from Kabul Airport for Dubai

BACKGROUND TO THE ELECTIONS

For an analysis of the background to the elections, please see the report of the EP mission that visited Afghanistan from 14 to 20 July 2005.

That note describes the organisation of the election and the electoral structures.

The 18 September 2005 elections were part of the process initiated by the 2001 Bonn Agreement. The new Afghan Constitution was adopted by the Constitutional Loya Jirga in January 2004. Presidential elections, won by Mr Hamid Karzai, were held on 9 October 2004.

The legislature consists of the 249 seat Wolesi Jirga (House of the People) directly elected by the 34 provinces, each province receiving a seat allocation roughly proportional to its share of the population, with each province electing at least two women. The 102 seat Meshrano Jirga (House of Elders) is allocated as follows: one seat for each of the 34 provinces, selected from the members of the provincial council; 34 seats allocated to district councils; 34 persons appointed by the President, of which 50% should be women, with two representatives of disabled persons and two representatives of the Kuchi (nomadic community). As district council elections were not held the 34 seats allocated to them will be vacant for the moment.

Afghan citizens of at least 18 years of age who had not been deprived of civil or political rights by a competent court and who had been registered as voters by the JEMB have the right to vote.

Voter registration cards were issued to most of the electorate in the lead up to the presidential election of October 2004, and remained valid for the parliamentary elections. In order to allow new voters, including returnees, to vote, the JEMB ordered a voter registration update and correction period, from 25 June to 21 July 2005.

Candidates for the Wolesi Jirga had to be at least 25 years old, and for the Meshrano Jirga at least 35 years old. Furthermore, according to the electoral law, "Individuals who practically command or are members of unofficial military forces or armed groups shall not be qualified to candidate themselves for the elections". The idea was to exclude warlords. However the provision proved difficult to apply. Originally over 200 applicant candidates were threatened with exclusion, but in the end only 11 were definitively excluded. The final list of candidates was certified by the JEMB on 12 July 2005, with 2775 candidates for the Wolesi Jirga and 3025 candidates for provincial councils.

The electoral system chosen for both the Wolesi Jirga and Provincial Council elections was the single non-transferable vote. This means that in, for example, an electoral district with four seats and ten candidates, the four candidates with the highest number of votes would be elected.

The election was administered by the JEMB.

The JEMB consisted of 13 voting members, 9 Afghan members of the Independent Electoral Commission (IEC) appointed by the President of Afghanistan, and 4 international members appointed by the UN Special Representative of the Secretary General. The Chief Electoral Officer, appointed by the UN Special Representative, headed the JEMB Secretariat, was a member of the JEMB but did not have voting rights.

The JEMB Secretariat was represented in the 34 provinces.

There were Provincial Electoral Commissions (PECs) in each province. The PEC was composed of 3 members, one of which had to be a woman.

An Election Complaints Commission (ECC) had been set up under the electoral law. It consisted of 5 members, one appointed by the Supreme Court, one appointed by the Afghan Independent Human Rights Commission and 3 international members appointed by the UN Special Representative. The decisions of the ECC were final and the body itself was wound up after final certification of election results.

There was also a Media Commission set up to assess and monitor the Media Code of Conduct. The 5 media commissioners (3 Afghan and 2 international) were appointed by the JEMB.

POLITICAL PARTIES

Though political parties exist, the system was not based on political parties. No candidate was allowed to display a political party affiliation on the ballot paper. The electoral system, the single non-transferable vote, favours individual candidates. In discussions with the Delegation President Karzai expressed his distrust of political parties, which, he claimed, had in the past acted against the interest of Afghan unity and were therefore not held in high regard in the country. He gave this as one of the reasons why the single non-transferable vote had been preferred.

ELECTION ORGANISATION

Because voters were not registered to vote in specific polling stations, it was unclear how many would arrive in each place so large numbers of ballot papers (some 20 million) had to be prepared even though there were only some 12 million voters.

For the Wolesi Jirga ballot papers were extremely long. Each candidate's name, photograph and symbol appeared on the ballot paper.

There were some 2 800 parliamentary candidates for the 249 seats in the Wolesi Jirga. Throughout the country there were almost 26 000 polling stations and 160 000 polling officials. Men and women voted in separate polling stations.

At the end of voting, ballot boxes were sealed, unused election material was sealed, counterfoils were sealed and all were forwarded to the appropriate authority.

The count took place in counting centres which were not in the same places as the polling stations.

SECURITY

Throughout the election period security was a problem. Seven candidates and five election workers were killed during the campaign. The security situation made it very difficult to observe in certain areas. The most troubled areas were in the east and the south, in the Pashtun

regions of the country, and where the Taliban had widespread support. There were some places, particularly these troubled areas, where election observers could not operate.

The Delegation visited a counting centre on the outskirts of Kabul and observed the strict security arrangements whereby ballot-boxes were guarded and those presenting security irregularities, such as incorrect noting of security-tag numbers, were isolated for further checks. However, allowances were made for the high level of illiteracy in Afghanistan and the likelihood of human error and the strictest security measures were reserved for ballot-boxes presenting more than one inconsistency.

ACCESS TO THE MEDIA

The Media Commission granted free access to radio and television to the candidates for broadcasting campaign propaganda. Approximately 53% of candidates took advantage of this offer. One problem was that the large number of candidates meant that each candidate had very little broadcasting time.

Print media coverage was small in terms of volume, and many candidates' campaigns went largely uncovered. The tone of coverage was largely positive or neutral, and there was very little critical comment in the press.

There was meant to be a 48 hour period immediately preceding polling day during which candidates were not allowed to canvas. According to the EUEOM this campaign silence period was not well respected.

VOTER EDUCATION

Though significant efforts had been made, it is clear that voter education was inadequate, and that, in many remote areas, little had been done in this respect. The high proportion of illiterate people in Afghanistan made voter education more necessary and more difficult.

Voter education was most difficult in the south and south east, where the security situation was much more problematic, and where women are often obliged to remain in their houses in conformity with local custom.

CONCLUSIONS

The general conclusion of the European Parliament mission was that the 18 September 2005 elections for the Wolesi Jirga were well administered.

Polling day was generally peaceful. Voters turned out in large numbers despite a tense security situation.

The JEMB was regarded as having generally administered the electoral process in an impartial and efficient manner.

The free access to media scheme was regarded as generally positive, though not all candidates took advantage of the possibilities offered.

In a society in which a woman's role is traditionally limited, women represented some 44 % of voters and 10% of candidates. In fact roughly a quarter of the seats in the Wolesi Jirga and provincial councils are reserved for women.

An encouraging number of local Afghan observers took part in the election process.

However, on the negative side, security problems restricted campaigning in parts of the country, notably in the south and east.

Voter education and civic education did not reach voters in many of the more remote areas, where women tended to be less well informed than men.

Mr Salafranca, Leader of the EP Delegation, made a declaration at the press conference (see Annex I). Furthermore the Parliament Delegation issued conclusions/recommendations (see Annex II).

The Delegation stresses the importance of keeping Afghanistan high on the agenda in Europe. It emphasises the need for continuing EU assistance to Afghanistan — political, military and financial. Focus must be maintained on institution building. The Delegation requests the European Parliament to examine how it can best make a direct and concrete contribution to the fledgling Afghan Parliament, possibly by providing training opportunities for parliamentary officials. The Delegation further recommends that the European Parliament establish an Interparliamentary Delegation with the Afghan Parliament to ensure continued political relations between the two institutions. As the EC is the second biggest donor to Afghanistan the Delegation insists that greater effort be made to highlight the visibility of the EC contribution.

In general the EP Delegation felt that the outcome of the election represented the will of the Afghan people, and put the country on a democratic path which, if maintained, could prepare Afghanistan for a better future.

The EP Delegation hopes that the number of persons elected who had contacts with militias and armed groups in the recent past, including warlords, will not adversely affect progress towards a peaceful and stable Afghanistan.