



Afghanistan Independent Human Rights Commission
AIHRC

AIHRC-UNAMA
Joint Monitoring of Political Rights
Presidential and Provincial Council Elections
Second Report
16 June – 1 August 2009



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SUMMARY OF MAIN FINDINGS

- Despite increasing insecurity, Afghans have demonstrated a high level of interest and enthusiasm to participate, and to exercise their political rights, in the upcoming Presidential and Provincial Council elections.
- Monitoring shows that the campaigns of the 3,195 Provincial Council candidates and 40 Presidential candidates by and large have been conducted in a dignified and engaged manner that has stimulated vibrant political debates.
- Though insecurity has posed a significant obstacle to the exercise of political rights during the Campaign period, political rights of candidates and their supporters have generally been respected despite isolated instances of documented violations. Such instances include four alleged election-related killings: the 6 July killing of the head of the Chimalt district (Balkh) IEC Civic Education team and his ANP guard; the 19 July abduction and killing of an independent Provincial Council candidate and his friend in Dasht-e-Archi district (Kunduz); the 15 July killing of the Nijrab district (Kapisa) campaign manager of Dr. Abdullah Abdullah; and, the 30 July remote controlled Improvised Explosive Device (IED) attack on a vehicle of President Karzai's campaign that killed four (including Karzai's district campaign manager) in Mardyan district (Jawzjan).
- There are various concerns about the status of women's political rights. Women remain disadvantaged in the context of campaigning (their right to stand for office), accessing voter registration, and seeking remedies for violations of the electoral laws and regulations.
- An upward trend in breaches of the principle of non-intimidation by anti-government elements (AGEs), as well as rival candidates and their supporters, is also of concern. AGEs tend to be responsible for the majority of breaches of the principle of non-intimidation. Breaches of the principle of impartiality, in particular the misuse of State resources and of official positions, have continued sporadically since the Nomination period.
- Insecurity has severely limited freedom of movement and constrained freedom of expression for candidates and supporters, hampering their ability to campaign openly through public gatherings or door-to-door visits throughout their constituencies. These restrictions have, in turn, created significant limitations on freedom of association and peaceful assembly, and amplified women's difficulties in participating in the electoral process. The same limitations have posed challenges to the complaints process and preparations for Polling and Counting, including voter and civic education. At the same time, the Independent Electoral Commission (IEC), in close coordination with the Afghan National Security Forces and the international military forces, are working to secure access to Polling locations for voters, IEC staff, and observers and agents of candidates.

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I. Introduction

a. Purpose and scope of the report

This second report of the Afghanistan Independent Human Rights Commission (AIHRC) and the United Nations Assistance Mission in Afghanistan (UNAMA) Political Rights Monitoring (PRM) project examines the status of political rights of candidates, voters and electoral workers during the campaign period of the 2009 Presidential and Provincial Council elections in Afghanistan. This report covers the period 16 June to 1 August 2009.

This report assesses the observance of political rights and provides recommendations to assist stakeholders in expanding Afghans' ability to exercise their political rights and to ensure free, fair, transparent, credible, secure, and an inclusive electoral process.¹

AIHRC-UNAMA Political Rights Monitoring 2009

The joint AIHRC-UNAMA PRM is designed to assess the extent of respect for, and protection of, political rights by responsible authorities and key stakeholders and make recommendations to assist in creating an environment that is conducive to the holding of free and fair elections.

The PRM monitors electoral activities during the Candidate Nomination and Challenge period, the Campaign period, and Polling and Counting primarily for observance of the three principles (non-intimidation, impartiality, and non-discrimination) and four human rights (freedom of expression, movement, peaceful assembly and association). The full observance of these principles and rights are generally deemed critical to enabling Afghans to fully exercise their right to vote and be elected in an election by secret ballot that expresses the will of the voters. Special attention is paid to the status of women in the electoral process given their current situation in Afghanistan.

The PRM does not seek to catalogue every violation of these principles or human rights but instead seeks to analyze overall trends.

As part of the PRM, public reports are issued on each period with its analysis and recommendations. The first report, focusing on the Candidate Nomination and Challenge period, was issued on 7 July 2009.

b. Content of the report

This report focuses on observance of the above-mentioned principles and human rights in relation to the three main activities of this period:

- (1) campaigning by candidates and their supporters;
- (2) preparations for Polling day, including civic and voter education, polling location set-up, and finalizing the voter registration update; and,
- (3) complaints processing by the Independent Electoral Commission (IEC) and the Electoral Complaints Commission (ECC).

The report identifies issues of concern for the remainder of the Campaign period, flags concerns emerging for Polling and Counting, and recommends preventative and remedial actions for the remainder of the Campaign period and for Polling and Counting. It highlights concerns confronting women as well.

The report also reviews the impact of the security situation on the ability of Afghans to exercise their rights and of the electoral institutions and the Government of Afghanistan to respect and fulfill these rights. Such a discussion was deemed critical to presenting an accurate analysis of the status of political rights during the Campaign period as one of the most striking features of this period has been the adjustments required in areas of insecurity to campaigning, polling preparations, and complaints processing.

c. Methodology

The methodology for the Campaign period largely mirrored that used for the Candidate Nomination and Challenge period. Observers in 21 UNAMA and 12 AIHRC offices:

- registered and examined allegations of violations or restriction of rights and principles submitted by Afghan citizens or authorities,
- monitored the media with a particular focus on freedom of expression,
- undertook interviews of Government authorities, political parties, candidates, community leaders, media, electoral officials and others to better understand trends and general perceptions of the electoral process, and
- held consultations with relevant stakeholders on the environment in which the electoral process is being conducted, particularly regarding factors impeding or violating the exercise of political rights, including the full participation of women.

During the reporting period, there was greater emphasis on interviews, consultations and information gathering than previously. This shift occurred in recognition of the critical impact of the security situation on the activities of the Campaign period that could not be measured through a case-based approach. As such, qualitative and case-specific evidence is intermingled in the report, with examples in the text and further substantiation provided in the endnotes. In addition, this report distinguishes between restrictions on rights and principles due to general insecurity, including restrictions on movement, and those deemed specific to the electoral process, such as candidate rivalries resulting in intimidations or threats by anti-government elements (AGEs) that are linked to the electoral process.

II. The Campaign Period: main activities and milestones

a. Campaigning²

As indicated by the AIHRC Chairperson Dr. Sima Samar, “despite the increasing insecurity, people of Afghanistan have demonstrated a high level of interest and enthusiasm to participate and practice their political rights in the upcoming Presidential and Provincial Council elections”. Both Presidential and Provincial Council candidates and their supporters started their political campaigns across the country by hanging campaign posters, holding public rallies, canvassing door-to-door, securing critical endorsements and seeking media coverage.³ One notable campaign event was the televised Presidential debate broadcast on Tolo TV on 23 July, which was viewed by over 10 million Afghans. Presidential candidates Ashraf Ghani and Dr. Abdullah Abdullah participated. President Karzai did not participate in the debate.⁴ Candidates’ access to, and coverage by the media, is formally monitored by the IEC Electoral Media Commission, which was established on 10 May (see Section IV (d)).⁵

b. Preparation for Polling and Counting

Completion of voter registration

The IEC completed the voter registration process. On 20 June, voter registration in provincial capitals ended, after which mobile voter registration to reach remote locations was conducted (22 June to 11 July). Over 4.6 million voters were registered in this process. This number is in addition to 12.7 million voters already registered in 2004 and 2005.

Civic and voter education

Since 23 April, 1,605 IEC civic educators have been deployed to conduct face-to-face voter and civic education programs throughout the country at the provincial, district and village level. These programs include town hall meetings, community mobilization events for community leaders, and mobile theaters. A call center, which has additional staff to handle the volume of calls was established, and a variety of media programs in Dari and Pashto were launched. In addition, civil society organizations conducting civic education supported by funding from UNDP-ELECT are reaching out to voters in most parts of Afghanistan.

Recruitment, materials, and logistical preparations

Production and packing of sensitive materials (ballots in particular) and non-sensitive materials (voting screens, polling station posters and other materials) have been generally on schedule, and their distribution has begun. Delivery of sensitive materials to polling locations is contingent upon final security assessments of polling locations.

Accessibility issues created by security concerns have created challenges for the IEC and Afghan as well as international security forces in completing the polling location assessments required to finalize Polling and Counting preparations so as to ensure the widest possible accessibility for voters. Co-locating or merging polling locations is being considered so as to enhance security and the widest possible enfranchisement of voters. At this stage it is unclear how many polling stations will be opened.

Recruitment and training of Polling and Counting staff, has begun throughout the country. Approximately 160,000 staff, including female staff for female polling stations, are required. Recruiting female staff, including women to conduct physical searches of female voters, continues to be a challenge.

Finally, accreditation of national and international observers as well as agents of candidates is underway. Organizations such as the National Democratic Institute (NDI) and the International Republican Institute (IRI) are training agents of candidates about their roles and responsibilities.

c. Complaints processing

The ECC started receiving complaints after the end of the Challenge period on 12 June. As of 1 August, they had received a total of 279 complaints, some of which had been referred for investigation by the Attorney General. During the reporting period, the ECC disqualified two Provincial Council candidates - one from Nimruz and one from Kunar - for not resigning from their Government posts. On 23 July, the IEC provided the ECC with the names of eight Presidential candidates who failed to submit periodic financial disclosure reports as per the deadline of 19 July. Their failure to provide these reports or the submission of incomplete reports could constitute an electoral offense according to IEC Regulations.⁶

Provincial ECC (PECC) offices also began their operations after the Campaign period commenced. Yet, the opening of PECC offices was delayed by operational issues, such as challenges in identifying office space, delayed provision of Afghan National Police (ANP)

security, and late receipt of transport, generators and computers. The late establishment of the PECCs coupled with the prevailing security conditions, has meant that the PECCs are not fully functional, and outreach to the district and village level has thus far been limited. Consequently, the visibility of the PECCs and awareness of the ECC's mandate continues to be low though the ECC is attempting to address this. A seeming consequence of this delayed start and low awareness is the relatively small number of complaints, 279, received.

III. The Electoral Environment: Insecurity

As the UN Special Representative of the Secretary General (SRSG) Eide stated on 13 July: "the current situation in Afghanistan is the most complex we have experienced for many years".⁷ This complexity is largely due to insecurity in different parts of Afghanistan. Stakeholders consulted in the context of this report identified security as the main obstacle to campaigning, preparing for Polling day, and to developing an effective complaints system.⁸ This is particularly true in the South and South East of the country where many districts are effectively inaccessible but is also documented in areas of the North East (parts of Kunduz and Baghlan), West (Farah, Badghis, Ghor and Herat) and Central regions (Logar, parts of Kapisa and Wardak).

While difficult to quantify or at times document, there is no doubt that the restrictive environment created by growing insecurity – especially during the summer months when fighting is most intense – restricts, at times severely, freedom of movement, creates an intimidating environment and undermines freedom of peaceful assembly, expression and association. Therefore, it is not surprising that the fear as well as the covert and overt intimidation that characterizes the insurgency creates an underlying reticence to stand for office and to campaign or to vote.⁹ As far as women are specifically concerned, the insecure environment amplifies the existing cultural restrictions that often severely limit women's ability to exercise their political rights (see further Section V below)

Insecurity and campaigning

Restricted freedom of movement in insecure areas has inhibited some Presidential and Provincial Council candidates and their supporters from undertaking traditional campaign activities, and has limited media coverage. For example, a campaign manager for a Presidential candidate in the Northern region reported that security considerations played a role in a decision to shift tactics from large rallies to smaller gatherings. Provincial Council candidates in provinces such as Paktia, Paktika, Khost, Kunduz, Baghlan, Logar, Uruzgan and Kandahar reported that insecurity hampers their ability to campaign in many districts. Specifically, some candidates have not been able to freely raise funds, hold large public rallies, or distribute posters or other campaign materials.¹⁰ It is reported that in many Taliban-dominated areas, including the North East, political activities are extremely difficult to carry out. For instance, in Zabul, in the South, no campaigning has occurred outside the provincial capital, Qalat.

In some areas, Provincial Council candidates have made or requested security arrangements. In the North East, police have asked candidates to register their own weapons for protection, noting that the police do not have the resources to provide security to all the candidates. In Khost, the provincial authorities have issued licenses to hold weapons to nine Provincial Council candidates, after they requested the licenses.

Insecurity and the ECC

Insecurity also has had a tangible impact on the ECC's operations at the provincial level. Movement restrictions created by insecurity impede both ECC outreach and complaints intake in concerned provinces, and particularly affect female complainants who have difficulty

accessing the PECCs. In a few provinces like Logar and Wardak, security concerns have prompted PECC staff to maintain a low-profile, rather than be publicly visible and accessible. Consequently, awareness about, and access to, the ECC remain limited as does the ECC's ability to provide remedies and accountability.

Insecurity and the IEC and the right to vote

Insecurity poses a threat to the ability of a significant number of Afghans' to exercise their right to vote. The IEC plans to relocate and merge polling stations in areas rendered inaccessible due to insecurity so as to facilitate the widest possible enfranchisement of voters. It is expected that some polling locations will be changed because of logistical considerations. Consequently, though the goal is to ensure security and access for the IEC and voters, as well as observers and agents of candidates, many may have difficulty to physically access a polling location in affected areas.

In addition, problems accessing the voter registration update continued throughout the Campaign period. In some areas, mobile voter registration units were deployed outside district centers to reach potential residents who could not access voter registration centers, but complaints were still received that these efforts were insufficient due to limited accessibility.¹¹

Both the IEC and UNDP-ELECT funded voter and civic education have not been able to fully access the country because of security issues and recruitment issues linked to security concerns.¹² In some areas, such as Farah province, where civic educators cannot freely conduct their activities, female civic educators use traditional gatherings like weddings to distribute leaflets and other materials to women. In other areas, for example, parts of Baghlan province, IEC civic educators have disseminated awareness materials through community elders, while in other areas of Baghlan civic educators were not able to distribute materials or physically access some locations.¹³ Restrictions on civic education mean that voters in inaccessible areas are not necessarily aware of their rights or how to vote.¹⁴ In addition, security concerns also create difficulties for the IEC in recruiting Polling and Counting staff, as has been experienced in many districts in Paktika.

Conclusion

Overall, despite intense efforts by both the IEC to overcome security constraints, and the Government of Afghanistan and the Afghan National Security Force (ANSF) with support of international military forces to improve security, insecurity in significant portions of the country has diminished the ability of Afghanistan's electoral and support institutions to make all planned preparations for the elections. Insecurity has also hampered candidates' ability to stand for office and, importantly, of Afghans to exercise their political rights during the Campaign period.

IV. Observance of Principles and Human Rights

This section details AIHRC's and UNAMA's assessment of the status of political rights drawing upon information collected through 1 August. Beyond the restrictions created by insecurity, monitoring indicates that the three principles and four rights are generally being respected. Incidents breaching these rights and principles have been confirmed, but there is no apparent systematic pattern. As the Campaign period has progressed, breaches of the principles of non-intimidation and impartiality have increased, and are thus of specific concern.

Overall, AIHRC and UNAMA received 147 complaints during the reporting period.¹⁵ In addition to interviews and consultations with key stakeholders, the cases referred to in the following

sections, mainly as endnotes, are examples of the complaints that the joint teams were able to examine and substantiate. For security reasons and to protect sources and complainants, some of the cases outlined in the report have no identifying characteristics.

a. Non-intimidation

The principle of non-intimidation has been largely respected during the Campaign period by candidates, supporters, and IEC and ECC officials (example those directly involved in the electoral process). While breaches of the principle of non-intimidation by those involved in the electoral process may be under-reported and some complaints cannot be verified, this pattern indicates that those involved in the electoral process are not using intimidation as a central tactic of their campaigns.

AGEs have, however, intensified their intimidation tactics to discourage participation, particularly that of women, in the elections. Telephone threats (47 reported in total), while occurring and increasing, do not appear to be widespread.¹⁶ Instead, confirmed breaches of non-intimidation tend to be isolated to a community, district, or individual.

Alleged election-related killings

Four alleged election-related killings have occurred during the Campaign period to date. Investigations appear to indicate that the head of the Chimtāl district (Balkh) IEC Civic Education team and his ANP guard were killed on 6 July because of their affiliation with the electoral process. Similarly, a 19 July abduction and killing of an independent Provincial Council candidate and his friend in Dasht-e-Archi district (Kunduz) appears to be linked with the election. Whether the 15 July killing of the Nijrab district (Kapisa) campaign manager of Dr. Abdullah Abdullah is connected to the election remains unclear though it is suspected to be linked to candidate rivalries.¹⁷ On 30 July, a remote controlled Improvised Explosive Device (IED) attack on a vehicle of President Karzai's campaign killed four, including Karzai's district campaign manager, in Mardyan district (Jawzjan).

Election-related attempted killings, kidnappings and threats by AGEs

The most apparent violations of the principle of non-intimidation are those committed by AGEs. AGEs are threatening the electoral process through breaches of the principle of non-intimidation. On 30 July, the Taliban issued a threat nation-wide that they will close down access to polling locations the day before Polling day. Sporadic incidents of attempted killings, attacks or kidnappings by AGEs also have occurred throughout the Campaign period, with a recent spike in such incidents against candidates in the North East.¹⁸ Outside the North East, a Provincial Council candidate was shot seven times in Logar on 12 July as he drove in the Zarghonshare area of Pul-i-Alam. AGE involvement is suspected.¹⁹ On 31 July, a Provincial Council candidate from Jawzjan province with several supporters have been kidnapped in Darzab district (Jawzjan). As will be discussed below, female candidates also have been targeted by AGEs. AGEs have also targeted IEC officials. They abducted four IEC officials in Jaghatu district (Ghazni). They were freed after a successful operation of the ANP. On 1 August, a District Field Coordinator was abducted by AGEs in Chak district (Maidan Wardak).

Threats and attacks on political rallies also appear to be increasing as the Campaign period draws to a close, as is evidenced by recent attacks on campaign rallies and supporters in Nangarhar and Laghman.²⁰ It is unclear if these attacks are linked to AGEs or are instigated by rival candidates.

In certain areas, AGEs are issuing threats by radio (Nuristan and Kunar) and pamphlets (Logar and Kabul) against candidates, IEC workers and those who participate in the elections. For

example, the Taliban's "Shariat Ghag" or "Voice of Shari'a" radio in Qalga area of Barge Mattai district (Nuristan) has been broadcasting threats that those who participate in the elections will face severe consequences.²¹ In Logar and Kabul, AGEs are reported to have threatened IEC staff throughout Logar.²² IEC officials are reported to be adopting a 'low-profile' in a number of insecure districts in Logar, Kapisa, Parwan and Wardak. Candidates in Logar and Wardak are receiving threat letters about their candidacies from AGEs. Some threats can be addressed. Tribal elders in Sharana district, (Paktika) negotiated with the Taliban to enable the District Field Coordinator from Sharana district (Paktika) to continue his work after the Taliban demanded he resign. Still, such instances are the exception.

In some instances, these threats have had their desired effect and prompted resignations by IEC officials, candidates or campaign workers. On 8 July, a Provincial Council candidate in Wardak halted his campaign after allegedly receiving threatening telephone calls from AGEs as did female candidates in Logar. IEC officials are known to have resigned due to threats in Ghazni, Paktia, Khost and Logar.²³

Overall, while such incidents are relatively few, they do contribute to an overall sense of insecurity and may discourage Afghans from participating in the electoral process. It should be noted here, however, as discussed in Section V below, that there is a disturbing and growing trend of threats against females.

b. Impartiality²⁴

Despite appeals by SRSG Eide and AIHRC Chairperson Dr. Samar during their 7 July press conference and in subsequent public statements, breaches of the principle of impartiality continue.²⁵ Such breaches also are violations of the Presidential Decree on Non-Interference in the Electoral Affairs of Election 1388 (2009).

Partiality of Government authorities

Reports of partiality by State and local officials continue to be received. While prohibited by Presidential Decree on Non-Interference and the current IEC Election Campaign Regulation, an increase in the misuse of Government resources, including public media outlets,²⁶ and misusing of Government positions to campaign for a particular candidate, has been observed.²⁷ The removal and replacements of some Chiefs of Police gave a cumulative impression that they were politically motivated.²⁸

Breaches of the principle of impartiality range from denying some candidates and not others security protection²⁹ to working on Presidential campaigns while still in Government positions.³⁰ In some instances, Government officials have encouraged local residents to join a campaign rally.³¹ Several reports have been received that Government resources, particularly cars, are being used to organize or support campaign events.³² In other instances, Government employees are being used to place posters or tear down certain candidates' posters³³ or to place posters of a particular candidate on Government buildings.³⁴ These reported breaches of impartiality, including by State-run media, tend to be in favor of Presidential candidate Karzai though not all interventions by Government officials have been in favor of one candidate. These breaches may place some candidates at an unfair advantage. Little appears to have been done by the Government to address these breaches.³⁵ Not addressing these allegations can erode non-incumbent candidates' ability to run for office and also place their supporters at greater risk of intimidation.

Partiality of IEC

Generally, the IEC and its staff appear to be respecting the principle of impartiality. There are positive reports that IEC officials are resisting interference. For example, UNAMA was informed that the IEC in Nuristan withstood attempts by the Provincial Governor to interfere in recruitment of electoral staff. In fact, AIHRC and UNAMA have received only a few allegations of partiality by IEC staff.³⁶ Yet, it is not unreasonable to assume that pressure on IEC staff and allegations of their partiality will increase as the recruitment of the tens of thousands of Polling and Counting workers begins. Remedial mechanisms to address these complaints within the IEC should be available to swiftly address such concerns.

c. Non-discrimination

As with the Nomination period, most breaches of non-discrimination were against women and are covered in Section V, "The situation of women during the Campaign period". No case of discrimination based on ethnicity, religion, or other status was confirmed during the Campaign period thus far. This, of course, does not mean that such violations or infringements are not occurring, only that they are not reported. It is also useful to note that violations or infringements of this principle are more likely to be exhibited during the Polling and Counting process.

d. Freedom of expression

Freedom of expression includes the freedom to hold and impart opinions and ideas (in the electoral context, to campaign or show support for a candidate or party) as well as equitable access to the media. In many secure parts of Afghanistan, such as the cities of Kabul, Mazar-i-Sharif and Herat, public and large-scale rallies are increasingly common, indicating that supporters and candidates feel able to openly express their political opinions. Posters are visible throughout the majority of the country, though there are complaints of posters being defaced. A vibrant public discussion among Presidential candidates continues on television and in print media.

Insecurity and freedom of expression

In volatile areas of the country, insecurity combined with AGE-perpetrated intimidation has stifled supporters' ability to express their political opinions, whether discussing their opinions or visibly lending support to the electoral process or to a particular candidate by attending gatherings, public or private. For example, thus far there have not been any known rallies and public gatherings in the provinces of the South East. Meetings and rallies are curtailed in most of the East (Laghman, Kunar and Nangarhar). Supporters in tense or insecure areas have at times been deterred by fear of reprisals for expressing support for the electoral process or for particular candidates. Reportedly, supporters of female candidates in parts of the West of the country (Herat, Badghis, Farah and Ghor) have been deterred from attending rallies or showing support because of AGE threats warning them against such activity. In various parts of Kunduz province under AGE influence, the local population has stated that they have chosen not to attend campaign events out of fear of retaliation for such participation and expression of support for the electoral process. This fear is not without basis: Kunduz and the neighboring province, Baghlan, have experienced a number of attacks against candidates in the past two months.³⁷

Restricted freedom of movement resulting from insecurity (discussed at length below) also constricts the ability of candidates to freely express their opinions or platforms, as they are unable to campaign (impart their opinions) throughout their constituencies. For instance, candidates are not able to campaign freely or post posters in Tagab district of Kapisa or Chak, Saydabad and Jakghatu districts in Wardak or in Kandahar or Zaranj (Nimroz). In Kunduz, two Provincial Council candidates explained that 50% of Imam Saheb district and approximately 20% of Khanabad district are too dangerous for them to hold any rallies or to meet voters. Still,

as discussed below, candidates are able at times to hold rallies in insecure areas. On the whole, though, candidates' and supporters' free expression of political support and of opinions in insecure or increasingly insecure areas is significantly diminished.

Access to media

Access to media is critical for all candidates, whether at the provincial or national level, and particularly for those whose constituencies extend to conflict-affected and remote areas that are not physically accessible. The media in Afghanistan is diverse, including State-run (RTA) and private media as well as provincial, regional and national media. The media has facilitated a lively public debate during the Campaign period. Illiteracy, inaccessibility and sheer distances also lend additional significance to the importance of candidates being able to access radio and television. Insecurity does not appear to have generally affected candidates' access to media. There is only one documented case—in Ghazni province—in which AGEs threats lead to the shut down of broadcasts.³⁸

Throughout Afghanistan, Provincial Council candidates' access to media is generally satisfactory, and radio is heavily relied upon as a campaign tool.³⁹ Save for isolated incidents, insecurity does not appear to have affected Provincial Council candidates' ability to conduct media campaigns. In fact, at times, the media has encouraged Provincial Council candidates to use their services. In the Eastern region, State-run and private media organizations provided airtime to all Provincial Council candidates on television. In another example, RTA Gardez has produced a five-minute programme for each Provincial Council candidate. Radio Paktya Ghag has given 30 minutes for each Provincial Council candidate and a roundtable discussion with different candidates is broadcast twice a week. In contrast, access to television appears to be hindered by both the media's and candidates' insufficient awareness and understanding of the laws, regulations and opportunities facilitating candidates' access to television advertising.⁴⁰ In some areas, such as the North East, the media has not generally covered Provincial Council races but has, instead, focused on the Presidential election.

For Presidential candidates, unequal coverage of media is a well-documented concern of the IEC Electoral Media Commission and amounts to denial of equal access to State-run media.⁴¹ RTA's coverage of the Presidential campaign has been a significant concern. Nationally, the IEC Media Commission has reported that RTA coverage is biased in favor of President Karzai.⁴² At the provincial level, however, only isolated incidents of such a denial of equal access of candidates to RTA have been reported; one in Baghlan, one in Parwan and one in Badakhshan.⁴³ Favourable coverage of Presidential candidates other than President Karzai is carried out by private media, owned and run by allies of these candidates.⁴⁴

e. Freedom of movement, peaceful assembly and association

Due to the nature of the activities of the Campaign period, the status of the freedoms of movement, peaceful assembly and association is more apparent than during the Nomination period, in particular the effect of insecurity on the enjoyment of these rights during the electoral period.

As discussed above, the security situation has a significant and restrictive impact on freedom of movement, peaceful assembly and association. Threats and attacks by AGEs against those working for, and deemed to be supporting, the Government of Afghanistan has resulted in a general unwillingness to attend political rallies in areas in which AGEs are present. Even in relatively calm areas, there seems to be a reluctance to be publicly associated with the elections. This reluctance appears to be the result of threatening actions by AGEs, such as attempted killings and attacks. Consequently, candidates in many insecure and relatively secure areas have changed campaign tactics. Some candidates have shifted from the use of large

gatherings to smaller, more private meetings and have increased door-to-door canvassing. On the other hand, some candidates are simply not campaigning in highly insecure areas, but, as in Ghazni, relaying posters to district contacts and requesting they distribute them.

Given this overall situation, there is a notable absence of specific violations and infringements of these rights as compared to previous election cycles when public and large gatherings were more common and provincial-wide campaigning more possible.⁴⁵

Still, even within this reduced space, large rallies for Presidential candidates are occurring, posters are being distributed and candidates for both the Presidential and Provincial Councils campaign publicly where possible. For instance, on 26 July alone, rallies of several hundred to a few thousand of people were held for Presidential candidates in secure areas of Kunduz, Parwan, Kandahar and Herat provinces.⁴⁶ Such activity is likely to intensify as the election draws closer.

Reduced freedom of movement

Within the reduced space for campaigning, there are infringements and violations of these rights by those taking part in the electoral process. For instance, on 22 June, approximately 600 supporters from Alingar district (Laghman) who were in Merterhlan city to participate in a rally in support of President Karzai were prevented from participating in the rally and instead taken to another location until elders secured their release. A rival party is suspected of involvement. On 20 July, a clash between supporters of President Karzai and of Dr. Abdullah Abdullah resulted in the killing of a Dr. Abdullah Abdullah supporter in Bamustan Ra village, Raghistan district (Badakhshan).

The limitations on freedom of movement and association (in relation to being an electoral official or a participant in the electoral process) created by AGE activity and violations of the principle of non-intimidation have prevented some IEC staff from accessing polling locations for assessments, and conducting other activities critical to the Campaign period including civic and voter education programs. One of the consequences of these severe limitations is the uncertainty with regard to the number of polling stations that can be opened. Some PECCs also suffer from these limitations and are not able to raise awareness, or at times, conduct investigations as per their mandate.

f. Overall conclusion about observance of principles and rights

The security situation in many areas overshadows the electoral process and feeds into concerns linked with intimidation and the ability of candidates and supporters to campaign and electoral officials to prepare the poll, and the ECC to receive and investigate complaints. Within the space available to campaign, the principles and rights are generally observed though intimidation and, to a lesser extent, partiality are of continuing concern, particularly as the Campaign period is brought to a close.

V. The situation of women during the Campaign period

Female candidates running for Provincial Council seats account for 10% (327) of all Provincial Council candidates, representing an overall increase of 20% over the previous Provincial Council elections. While this is an encouraging step forward, cultural limitations and insecurity have constrained women's ability to campaign as a candidate or supporter, to work for the IEC, or to lodge complaints.⁴⁷

a. Campaigning/standing for office

While most female candidates are actively campaigning, the constraints under which they are campaigning render it difficult for them to directly and genuinely compete with male candidates.

Most Afghan women face restrictions on their freedom of movement due to cultural norms. Female Provincial Council candidates in conflict-affected areas report that insecurity further restricts their movement.⁴⁸ While the Ministry of Interior has issued a directive to allow female Provincial Council candidates to have one registered bodyguard, reporting suggests that this directive is not being implemented at the provincial level. In fact, in Herat, female Provincial Council candidates have lodged complaints that bodyguards, previously provided, are being withdrawn.

Notably, none of the three female Provincial Council candidates standing in Kandahar reside in Kandahar due to security threats; neither have they undertaken a public campaign in the province. Death threats received by female Provincial Council candidates in the North East have caused them to further curtail their already limited campaigns. In the East, female candidates' posters have been removed, and in other areas, defaced. The office of a female Provincial Council candidate in Kabul was destroyed the week of 27 July. On 30 July, night letters were plastered on buildings in the neighborhood of a female Provincial Council candidate in Takhar warning her to stop campaigning or suffer consequences; on 1 August, her house was fired on at night.

In addition to security issues, cultural constraints limit female candidates' ability to campaign throughout their constituency, in particular, in South, South East and Central regions. Many women, particularly in more conservative areas, are unable to move beyond their home-base, and are generally confined to door-to-door canvassing and other innovative methods of campaigning, such as using business cards instead of photographs and campaigning in private groups and schools. In Herat, female candidates reported that to move in the city they had to wear a burkha and the vast majority stated that they could not go to the districts to campaign. Female candidates also frequently are not able to hold large public rallies or at times use print, radio or television media. In many areas of the Eastern region, posters of female candidates are removed. In certain parts of Parwan province near the capital, female candidates' posters were inked over. A female Provincial Council candidate in Jawzjan explained that she cannot produce posters with her picture as it is deemed inappropriate for a women's photograph to be next to a man's.⁴⁹

Some women also face community resistance to their candidacies. Community leaders and mullahs in Karok district (Herat), Sayyad district (Sar-i-pul) and in Alingar district (Laghman), for example, have called upon people not to vote for female candidates, or stated that women have no right to stand for office. In fact, female Provincial Council candidates in Baghlan, Kunduz, Takhar, Ghazni, amongst others, have been victims of specific threats demanding they halt their campaigns. In Herat, a female Provincial Council candidate withdrew her candidacy after receiving threats.

Yet, this pattern is not consistent throughout Afghanistan. Women's ability to campaign varies greatly.⁵⁰ In Panjsher, seven female candidates are campaigning freely in villages, organizing rallies and gatherings, and using the media; their posters are visible throughout the province. Dr. Frozan, one of the two female Presidential candidates, held a rally in Kabul several times in June and July. Women have been able to attend rallies for male Presidential candidates even in the most insecure areas, such as Qalat (Zabul), Tirin Kot (Uruzgan) and Kandahar (Kandahar).⁵¹

Furthermore, female candidates tend to have limited access to funds for their campaign activities. This obstacle, created largely by women's disadvantaged status in the family and community, was consistently highlighted by female candidates as a main obstacle to their campaigning.⁵² Lack of networks and access to property or other fundraising methods—including access to male supporters—and dependency on their family's willingness and finances, render women disadvantaged financially both as candidates and supporters. Consequently, many female candidates are unable to fund media campaigns, posters or other campaign activities, as is the case for female candidates in Kabul, Parwan, Takhar,⁵³ throughout the Western and Southern regions (Herat, Ghor, Badghis, Farah, Kandahar, Uruzgan and Zabul) and elsewhere.⁵⁴

Taken together, women are generally confined to campaigning amongst women unless male family members or power-brokers provide support and assistance. The quota system, while necessary, also tends to amplify this dynamic. Thus, while women are able to stand for office, the constraints under which they operate do limit their political rights and handicaps their attempts to win a race against a male candidate.

b. Securing and exercising the right to vote

During campaigning, women operate under similar constraints as those they experienced when seeking to register as voters. Of the total number of voters registered in 2008-09 (4,649,332), only 39% (1,838,501) are women.⁵⁵

One obstacle is a poor level of awareness. As noted above, IEC and other civic and voter educators were not necessarily able to reach women because of security and staffing issues. For instance, female IEC civic educators are not able to reach beyond provincial or district centers in provinces such as Khost, Ghazni and other places, even when security is sufficient. In Farah, the IEC has complained of difficulties in recruiting staff and has been forced to pair female civic educators with male relatives. In areas where there are inadequate numbers of female civic educators, outreach to women is even more limited. Thus, women are more likely than men to be unaware of their rights or of voting procedures.

Another obstacle is limited physical access to voter registration and polling. As has been documented by the Free and Fair Election Foundation of Afghanistan (FEFA) and other agencies, women have not had full access to voter registration because of community resistance, security concerns, and limited freedom of movement (registration centers were in district centers). For example, in Zadran and Chashmai-Mayan villages of Eshkamish district (Takhar) as well as Qulbars village of Taloqan city (Takhar), women were not permitted to register. Similar incidents occurred in other areas and raise questions about female participation on Polling day.

Difficulties in recruiting females to physically search voters for weapons as well as female Polling and Counting staff will further hinder women's ability to vote. If no female staff are identified, IEC has indicated it plans to hire retired civil servants or elder men to staff female polling stations. Coupled with accessibility issues associated with the number and location of polling centers, women's right to vote appears to be at increased risk in insecure areas.

Given cultural constraints on freedom of movement, and, insufficient awareness of political rights, the votes of women are vulnerable to manipulation. Proxy voting by a male head of household was an issue in the last election and may be an issue again. Proxy voting occurs not because someone has another's registration card, but because there is complicity by polling

station staff, e.g., they ignore an inked finger, accept the submission of female voter registration cards by a male, or issue multiple ballots to one person. Given the cultural acceptability of male heads of households taking decisions for females, proxy voting may not necessarily be viewed as a violation of women's rights.⁵⁶ Complaints also have been received that women's voter registration cards are being misappropriated. The former District Governor of Ghormach district (Faryab) is alleged to have misappropriated 9,000 voter registration cards intended for women and to have then gone to seven local political allies with the intention of using the cards fraudulently. This is being investigated by the ANP and the ECC is tracking the case.

VI. Looking ahead

This section is designed to flag concerns and suggest remedial and preventive actions for the remainder of the Campaign period. It also highlights concerns in relation to Polling day and Counting that are emerging during the Campaign period.

a. The remainder of the Campaign period

Campaigning by candidates and supporters

- Refraining from threats, intimidation and violence, by candidates and their supporters, will be critical to a successful conclusion of the Campaign period. All candidates, particularly those standing for President, should strongly discourage their supporters from practices that violate the principle of non-intimidation and vocally condemn violations when they occur. Threats against female candidates and their supporters should be condemned by male candidates in the strongest terms. If candidates have concerns about their rivals, they are urged to use the legal mechanisms available, in particular the ECC, to address concerns rather than practices that amount to intimidation. Using these legal mechanisms will help ensure the integrity of the process.
- AGEs are urged to refrain from attacks and acts of intimidation on Polling day so as to allow Afghans the greatest opportunity to exercise their right to vote. AGEs, moreover, are encouraged to use the ballot to express their political affiliation.
- Increased threats and attacks by AGEs, however, should be anticipated. Security forces need to be strengthened in areas that have witnessed a rise in election-related intimidation and violence. Election-specific training for security forces should be prioritized in these areas.
- The Ministry of Interior should ensure that its directive on providing or licensing bodyguards for female candidates is understood at the provincial level and is given appropriate resources and attention.
- When carrying out their official functions, Government officials should act impartially and be seen to be impartial.
- RTA should redouble its efforts to ensure equitable coverage of all Presidential candidates and, locally, of Provincial Council candidates whatever their affiliation. The tone of this coverage should be characterized by objectivity.
- Provincial level media outlets, both public and private, are encouraged to facilitate airtime for female Provincial Council candidates.

Complaints

- The ECC should ensure that PECCs are operational and able to accept and adjudicate complaints. The Ministry of Interior is urged to ensure adequate security to all PECCs as per the ECC's request.

- Disqualification of candidates by the ECC should be decided as early as possible before Polling day so that the IEC has adequate time to inform voters. The IEC should make every possible effort to ensure that voters are aware of which candidates have been disqualified.
- The ECC is urged to resolve any complaint accusing an IEC official of partiality or corruption prior to Polling day so that the IEC has adequate opportunity to enforce any removal or disciplinary action necessary.

Preparations for Polling and Counting

- The ANSF are strongly urged to decide on the viability of all proposed polling locations no later than the agreed 10 August deadline. The IEC needs adequate time to make the appropriate arrangements for Polling day.
- The IEC is urged to disseminate the confirmed changes to polling locations as widely as possible, through radio, television and print media, to voters and observers. The IEC is strongly encouraged to assess if any arrangements are possible to facilitate access to these new locations by the disabled, elderly and women and to consider whether additional fraud mitigation procedures should be put in place in relocated/merged polling locations.
- Community leaders, mullahs, and prominent officials are urged to support the IEC in its recruitment drive of female searchers and Polling and Counting staff, particularly in areas in which women's mobility is severely restricted. Without such staff, women's ability to exercise their right to vote will be curtailed.
- The IEC is urged to take all necessary regulatory, training and anti-fraud measures to maintain the impartiality of its staff, including those to be recruited for Polling and Counting. Swift action to investigate and address allegations of partiality is strongly encouraged.
- As local militias are used to secure polling locations, the Government should have strong oversight and make every effort to ensure the impartiality of security personnel and respect for the principle of non-intimidation.
- The IEC should take measures necessary to support the role of observers and agents of candidates during Polling and Counting. Such measures include appropriate briefings to staff on their functions and the rules governing their conduct. Observers and agents of candidates are encouraged to familiarize themselves with the Polling and Counting procedures and their roles in the process. Agents of candidates in particular are urged to comply with the procedures for protesting irregularities and encouraged to familiarize themselves with the ECC procedures and to use them when appropriate.
- Candidates should deploy as many of their agents as they can, including women, and the agents should be allowed by the IEC to exercise their full rights as set out in the electoral law.

b. Polling day and Counting

Below is a brief list of emerging concerns for Polling and Counting that the IEC, ECC and observers may want to consider when planning their activities:

- Attempts by AGEs to intimidate, threaten or kill voters, particularly women;
- Staffing of female polling stations, including those tasked with physical searches;
- Provision of security at polling locations and its surroundings;
- Access, security and awareness of relocated polling locations, particularly for women and the disabled;
- Risk of proxy voting, particularly in districts with abnormally high female voter registration in 2008-09;

- Potential concerns with disputes between agents of candidates, with polling staff during Polling and Counting;
- Transport of ballots and results from polling stations to Kabul and securing and tracking chain of custody;
- Unrest after Polling day and as certification of results approaches; and
- Misuse of ECC complaints to delay certification.

Endnotes

¹ Statement by the President of the UN Security Council, S/PRST/2009/21, 15 July 2009, page 1.

² The Campaign period commenced on 16 June, four days after the final list of candidates was published by the IEC and continues until 18 August.

³ The Campaign period is regulated by IEC Electoral Campaign Regulation, 25 March 2009.

⁴ AFP, "Karzai snubs TV debate ahead of Afghan poll", 23 July in which the Office of the President's Spokesperson is reported as having indicated that the President had not been given enough notice to participate.

⁵ As part of its mandate, the Media Commission is issuing weekly reports on coverage of the Presidential campaign on public and private national media and has begun examining provincial level media issues. The Media Commission is also tasked with addressing complaints of biased reporting and coverage of the political campaign. It also established and is managing the Sponsored Advertising Program that provides each Presidential candidates with free airtime.

⁶ According to the IEC Regulation on Political Campaign Financial Disclosure, all the Presidential candidates must submit information on their assets along with periodic campaign spending reports every 15 days. See also IEC Decision 35, 18/06/2009

⁷ "Afghanistan's Critical Elections", Opinion Editorial, 13 July 2009.

⁸ AIHRC and UNAMA interviews of candidates, electoral officials, PECC members, and voters throughout the Campaign period. Security is also cited by UNIFEM as the top concern of female candidates with whom they interacted during the Campaign period.

⁹ In Kabul, a school was burnt in Dihsabz district on 30 July by AGEs who opposed the use of schools as polling stations. In certain parts of Kapisa, some directors of clinics and schools claimed that they were under pressure by AGEs not to use their premises for polling stations.

¹⁰ For example, on 14 July, Provincial Council candidates in Imam Saheb district of Kunduz told UNAMA that 50 % of their district is unstable and too risky for political activities. In Khanabad district of Kunduz, Provincial Council candidates reported to UNAMA on 16 July that 20 % of their district is inaccessible to them because of AGEs presence. There has been little or no campaigning in Dilaram or Khash Rod, Nimroz province. In Uruzgan province, while candidates have met with elders in Dehrawod as well as Tirin Kot, there is little or no access for candidates to any other districts.

¹¹ For instance, public representatives and local officials from Paghman, Bagrami, Dehsabz and Chahar Asiab districts of Kabul province reported that they have issued more than 100 appeals to the IEC for sending mobile registration teams, to no avail. The IEC officials confirmed receiving such appeals but mobile teams had listed 9,000 voters in Paghman, more than 6,500 in Bagrami, 4,000 in Dehsabz and 4,500 in Chahar Asiab in the second phase of the registration process. However, the residents argued that the number of eligible voters - both male and female - in the districts was much higher. Officials confirmed that all eligible voters in the four districts could not be registered because ANP failed to provide them with security.

¹² Based on discussions with both institutions. For example, in Imam Saheb (Kunduz) on 14 July, eight IEC civic educators told UNAMA that they have covered only 70 villages out of 204 in the district, because of insecurity. Civic education materials, they reported, are systematically destroyed in the district as soon as they are displayed. In the Northern region, the IEC reported that in Faryab province, civic education activities were not possible in Ghormach and Pashtun Kot nor in some villages in Bilchiragh, Dawlat Abad, Qaysar and Gurziwan due to the security situation. Male civic educators report facing threats and hostility from the population in Farah allegedly because they are seen as part of the Government.

¹³ IEC mentioned that they have not been able to send civic educators to 14 villages in the following districts of Baghlan: Dehana-e-Ghori, Burka, Jelga, Pul-e-Hisar, Deshalah and Tala-wa-Barfak. Though in four villages, awareness material was sent through the mediation of community elders.

¹⁴ It should be noted that one out of 1,605 IEC civic educators has been killed.

¹⁵ Complaints received included 78 complaints related to the principle of non-intimidation; 36, to the principle of impartiality; 22, to the principle of non-discrimination (discrimination against women); nine, to freedom of expression; one, to freedom of movement; and, one, to freedom of peaceful assembly.

¹⁶ During the Campaign period, AIHRC and UNAMA received 47 allegations of telephone threats against Provincial Council candidates from all the regions; seven female and 40 male candidates. AIHRC and UNAMA also received five allegations of telephone threats against IEC officials and two incidents in which Presidential campaign staff were threatened by opposition parties.

¹⁷ On 19 July, another case emerged in Kandahar in which three Taliban members appear to have been killed by the Taliban and hung on a tree with their voter registration cards hanging around their neck in the Kohkaran area of Kandahar city. Those who were killed were apparently suspected of spying for the Government, but the use of voter registration cards appears to convey a veiled threat to the population not to participate in the elections.

¹⁸ On 23 July, AGEs appeared to be responsible for a Rocket Propelled Grenade (RPG) and small arms attack on the vehicle of Presidential candidate Mullah Abdul Rocketi near Pul-e-Khumri in Baghlan province. The incident killed one person and injured two others. Three days later, on 26 July, unknown armed men launched a RPG and small arms attack against the convoy of Vice Presidential candidate Mohammad Qasim Fahim as it passed through the Pul-e-Arbab Safar area of Khanabad in Kunduz after he attended a rally in Kunduz city. Two people were reported injured. On 3 July, AGEs allegedly shot 50 bullets at a Provincial Council candidate's car in Takhar. The candidate sustained injuries. The Taliban claimed responsibility, stating they had killed the candidate and three of his followers.

¹⁹ Other incidents have been reported in Ghazni and Zabul, but have yet to be confirmed.

²⁰ On 27 July, unknown armed men attacked a campaign gathering in support of Presidential candidate Dr. Abdullah in Utran village of Dara-e-Nur district of Nangarhar. According to the District Governor, more than 1,000 supporters were present. As result of the attack, one of the campaigners of Dr. Abdullah Abdullah was slightly injured. On 28 July, another group of armed men ambushed a vehicle carrying the local campaign manager of Presidential candidate Dr. Abdullah Abdullah in Ulik village of Dawlatshah district of Laghman as he was traveling to a campaign rally, killing the driver and injuring three others, including the campaign manager.

²¹ In Sirkanay district of Kunar, the Taliban "Shariat Ghag" has been broadcasting continuous threats against President Karzai and some Provincial Council candidates. The radio is also broadcasting messages against international military and Government officials in Chawkay, Narang and Sirkanay district of Kunar province. The broadcasting is heard in three districts of Kunar province. The community has concerns about the failure of the authorities to halt such threats broadcast by Taliban radio.

²² Other similar incidents have occurred throughout the campaign period. For instance, on 19 July, AGEs used microphones in several villages of Mehtarlam and Alingar districts of Laghman to warn people not to participate in the electoral process.

²³ A female District Field Coordinator in Jalrez (Ghazni) resigned due to AGEs' threats against her life. A male IEC employee in Baraki district (Logar) resigned after he was allegedly threatened and beaten by AGEs who mistook him for the IEC District Field Coordinator. Four IEC civic educators from the districts of Chamakani and Waza Zadran in Paktia resigned as a result of AGE threats; Similarly, in Khost, one IEC official resigned.

²⁴ The principle of impartiality, in the context of this exercise, is defined as Government officials conducting their duties with "complete neutrality", including not using state resources to advance the campaign of particular candidates. Please see Article 50 of the Afghanistan Constitution and the May 2009 Presidential Decree on Non-interference of Government Officials in Electoral Affairs.

²⁵ UNAMA and AIHRC Press Conference Transcript, 7 July 2009.

²⁶ See Media Commission reports. The Head of Baglan TV (state owned) was accused of partiality for supporting President Karzai with media coverage provided for his rallies whilst Dr. Abdullah Abdullah's campaign activities were not broadcast. The Afghan Independent Journalist Association (AIJA) in Baghlan disclosed to UNAMA that Dr. Abdullah Abdullah's gathering in Baghlan-e-Jadid with about 500 participants on 3 July was not broadcast, but Shokria Esakhail's campaign for President Karzai the next day with 50-60 participants was broadcast for 20 minutes. On 5 July, campaign representatives for Dr. Abdullah Abdullah held a press conference in Pul-e-Khumri city, accusing the Department of Information and Culture, Baghlan TV and the executive officer to the Provincial Governor of partiality in favor of President Karzai.

²⁷ Various officials have been seen at campaign rallies endorsing Presidential candidates in their official capacity including in Baghlan, Ghor, Kunduz.

²⁸ The 1 July replacement of the provincial Chief of Police of Panjsher with one of President Karzai's deputy campaign managers, the appointment of one of President Karzai's relatives as acting provincial Chief of Police in Kandahar, and the 21 July replacement of the Chief of Police in Baghlan (who was seen as pro-Jamiat) with a pro-Fahim individual may be viewed as politically motivated.

²⁹ The police in Parwan is providing President Karzai supporters with police protection upon request. In Herat, the ANP provides police protection only to President Karzai campaign offices and not to other candidates' offices.

³⁰ The Deputy Director of Education in Ghor was noted to be spending most of his working hours at the local President Karzai campaign office, as does the Director of Public Works in Panjsher.

³¹ On 13 July, Hezb Insijam Mili attempted to organize a large gathering in Yakawlang center to voice its support for President Karzai's candidacy. As only a small number attended, a campaign official met with the Chief of Police and requested his assistance to encourage residents from Yakawlang center/Bazaar to attend a similar gathering the following day. Reportedly an ANA officer resisted the Chief of Police's instruction which resulted in a physical skirmish between the two. The local community wanted to protest against the intervention of the Chief of Police, but local elders intervened successfully to lower tensions.

³² For example, on 9 July, Second Vice President Khalili, MP Haji Alms, and Advisory Minister on Parliamentary Affairs Jickdalek used three Government helicopters to attend a large gathering in support of President Karzai in Pul-e-Khumri city (Baghlan). MP Mohaqeeq organized a gathering of approximately 550 people in Jambolaq village of Chahar Kint District (Balkh) in support of President Karzai. Five vehicles from the ANA 209 Shaheen Corps were reportedly used to transport meeting participants to the district. MP Mohaqeeq reportedly also travelled to the gathering with 40 ANA personnel. The Nangarhar Director of Customs is allegedly using his position and public resources to secure support for Presidential candidate Karzai. It is reported that an associate of the President Karzai campaign also stated that Nangarhar's Director of Customs is providing his office with financial support.

³³ On 12 June, the press broadcast video tapes showing ANP officers removing some candidates' pictures and replacing them with others in Parwan. On 4 July, Nangarhar municipality vehicles were seen to be used for hanging President Karzai posters in town.

³⁴ For example, in Tirin Kot (Uruzgan), there are a significant number of campaign posters seen on Government buildings and vehicles, including the prosecutor's office, the Department of Education (DoE) building, the DoE's official vehicle, and at least one ANP vehicle.

³⁵ Three senior police officers from Balkh Provincial Police HQ (Heads of CID, Traffic Police and Highway Police), all former Jihadi commanders, were reportedly dismissed from their posts on orders from the Ministry of Interior. Specifically, the police officers are accused of having assisted in transporting villagers from two outlying villages to Mazar-i-Sharif city in order to participate in an electoral meeting promoting the Dr. Abdullah Abdullah's campaign. These allegations are difficult to verify, given the fact that similar dismissals of police officers have also been reported in other areas of the country. The dismissals prompted strong reactions from local political figures and a delegation, including several MPs and the PC Chairman, visited UNAMA's office to register their concern over the officers' dismissal, and their belief in the officer's integrity.

³⁶ Allegations have been made against IEC officials in Samangan, Sar-i-Pul and Kunduz.

³⁷ There were four documented attacks against candidates that are linked to AGEs. On 3 June, a Provincial Council candidate was attacked in Khwaja-Buhawodin district (Takhar); on 22 July, Provincial Council candidate Habibullah was attacked in Imam Sahib (Kunduz) district; on 26 July, the vehicle of Presidential candidate Abdul Salam Rocketi was attacked near Pul-e-Khumri district (Baghlan), and on 26 July, the vehicle of Vice Presidential candidate Qasim Fahim attacked by small arms fire at Khanabad district (Kunduz) and one Provincial Council candidate (Jan Mohammad Khan) was killed on 19 July in Aliabad district (Kunduz) Two Provincial Council candidates, in Khanabad and Baghlan-e-Jaded, respectively, resigned purportedly due to threats received by AGEs.

³⁸ The Taliban threatened three private radio stations to stop broadcasting until after the elections. As a result, two of the radio stations were forced to shut down completely, and one was forced to shut down temporarily, and allowed to operate only after some adjustments.

³⁹ Male Provincial Council candidates widely use the radio for campaigning. Radio Paktya Ghag and RTA Gardez have been broadcasting elections related messages on a daily basis.

⁴⁰ For example, in the North East, UNAMA was informed that the reason for the lack of broadcasting on television for Provincial Council candidates is that the Provincial Council candidates have not approached the media. In Baghlan province, female candidates stated that they have not approached television stations as they have not been invited to do so, although television stations stated that invitations have been issued. In Samangan province, RTA did not want to provide (television) airtime to a Provincial Council candidate citing that they have not received any directions from RTA Kabul with regard to providing airtime to Provincial Council candidates.

⁴¹ Media Monitoring Project Afghanistan, IEC Media Commission (24 July 2009). Media coverage of the Presidential and Provincial Council candidates during the 2009 elections from 23 June to 16 July 2009.

⁴² IEC Media Monitoring Report, 24 July 2009.

⁴³ In Baghlan province, RTA Baghlan was accused of giving airtime (20 minutes) to a campaign rally of President Karzai of approximately 50 people and denying coverage of Dr. Abdullah Abdullah's 3 July rally of 500 people. With the support of UNAMA's intervention, the Governor instructed the Head of the Cultural and Information Center in Parwan to cooperate with all candidates without discrimination; and, in Badakhshan, journalists and the media in Faizabad reportedly attend mainly rallies of President Karzai and Dr. Abdullah Abdullah.

⁴⁴ Media Monitoring Project Afghanistan, IEC Media Commission (24 July 2009). Media coverage of the Presidential and Provincial Council candidates during the 2009 elections from 23 June to 16 July 2009.

⁴⁵ This absence of freedom of movement, peaceful assembly and association highlights how vital the full exercise of these rights are to candidates' ability to exercise their right to stand for office and to voters' rights to express their support for candidates.

⁴⁶ A rally for President Karzai in Kunduz city (Kunduz) was attended by approximately 2,500 supporters, including approximately 200 women. Another large rally was held for President Karzai on 25 July in Pul-e-Khumri (Baghlan). On 26 July, a rally was held for Presidential candidate Dr. Abdullah Abdullah in which approximately 2,000 people participated. On the same day, Presidential candidate Dr. Mangal addressed a gathering of hundreds of people in Jalalabad (Nangarhar) while Presidential candidate Ghani attended a gathering of hundreds of supporters in Herat. There also was a rally of thousands for President Karzai on 26 July in Dand district (Kandahar).

⁴⁷ In response to concerns raised about women's awareness and access to PECCs, the ECC requested its offices to contact their provincial Department of Women's Affairs (DoWA) to explore ways to raise awareness of women and facilitate complaint intake.

⁴⁸ As reported in a meeting held by UNIFEM on 26 July with female candidates. Two female Provincial Council candidates in Khost reported to UNAMA on 1 and 2 July, respectively that security concerns play a significant role in their ability to campaign in the districts. One indicated she would only be campaigning in three out of 13 districts, and both indicated that the security situation might prevent them from organizing large public gatherings. In Kapisa, six female candidates are not actively campaigning in public, but are relying on local media to communicate their message.

⁴⁹ In the Western and Central regions (save for Kabul city), cultural constraints have resulted in no media campaigns for female candidates. In other areas, cultural restrictions hamper female candidates' ability to raise funds, including purchasing airtime on television or radio.

⁵⁰ The situation in the six provinces comprising the Central Region is illustrative. In Kabul, all the 67 candidates are campaigning, by posters, through private in-house gatherings, and through friends and relatives. They do not campaign through media outlets due to limited resources. In Kapisa, six female candidates are not campaigning in public, but some are using the local television station. In Wardak, two out of seven female candidates are carrying out the door to door campaign; whereas the rest are not actively campaigning. In Logar, 10 candidates of whom two are supported by a strong political party are actively campaigning. Females are campaigning in schools, in private groups and distributing their business cards, but not using local television. In Panshjer, seven candidates are campaigning freely in villages. Their posters are visible in all districts. They are also using the local radio of Khorasan, which has a very limited coverage.

⁵¹ On 1 July, approximately 400 women gathered in Qalat (Zabul), and several delivered speeches supporting President Karzai's campaign. On 19 July, in Tirin Kot (Uruzgan), a gathering in support of President Karzai's campaign reportedly drew around 4,000 men and 500 women. Similarly, on 29 July, in Kandahar city, several hundred women attended a campaign event held in support of Dr. Abdullah Abdullah.

⁵² As reported by UNIFEM on 27 July, based on interviews they conducted through their Women's Resource Center. The other major obstacle was insecurity.

⁵³ While some female Provincial Council candidates have made radio broadcasts (Radio Sahar in the Western region and two female Provincial Council candidates have radio broadcasts on Paktia RTA), reports of lack of funds to buy airtime on television and radio have been documented in most provinces throughout the country. In Taloqan city, three female Provincial Council candidates intimated to UNAMA that they did not have sufficient funds to buy airtime on television or radio. Similarly, candidates made such allegations in Herat, Badghis, Farah and Ghor provinces in the Western region and in Panjsher and Parwan provinces in the Central region. In the Northern region, during discussions with UNAMA, female Provincial Council candidates have reported that the media remain inaccessible to them due to their lack of funds.

⁵⁴ Confirmed to be a consistent complaint by UNIFEM's Women's Resource Center on 26 July. In Parwan, five candidates are not campaigning due to lack of budget and facilities.

⁵⁵ Figures provided by UNDP-ELECT as of 25 July. There are questions about the legitimacy of some female registrations.

⁵⁶ This argument appears to be supported by patterns during the voter registration update, where it appears, but is not confirmed, that men have registered for women, sometimes multiple times. For instance, in the deeply conservative provinces of Paktia and Khost, female voter registration was almost double that of men. In Paktia, 77,537 women were recorded as registering compared to 39,276 men. In some districts, women's registration numbers were four times that of men. In Khost, allegedly 72,938 women registered compared to 38,222 men. In one of the most volatile districts, Terazai, only 517 men registered compared to 2,494 women.