Political Parties in Afghanistan

A Review of the State of Political Parties
after the 2009 and 2010 Elections

National Democratic Institute

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The National Democratic Institute (NDI) is a nonprofit, nonpartisan, nongovernmental organization that responds to the aspirations of people around the world to live in democratic societies that recognize and promote basic human rights.

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With staff members and volunteer political practitioners from more than 100 nations, NDI brings together individuals and groups to share ideas, knowledge, experiences and expertise. Partners receive broad exposure to best practices in international democratic development that can be adapted to the needs of their own countries. The Institute's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

NDI's work upholds the principles enshrined in the Universal Declaration of Human Rights. It also promotes the development of institutionalized channels of communications among citizens, political institutions and elected officials, and strengthens their ability to improve the quality of life for all citizens.

ACKNOWLEDGEMENTS

NDI IN AFGHANISTAN

The National Democratic Institute (NDI) established an office in Afghanistan in March 2002 and has since conducted extensive programs to support political participation and the development of democratic governance institutions. The Institute has helped prepare candidates, political parties, polling agents, women and domestic monitors to participate in the country's 2004, 2005, 2009 and 2010 elections. NDI has also implemented programs to strengthen political processes in the National Assembly and support the country's provincial councils.

NDI has been working with Afghan political parties since 2002. In the immediate post-Taliban period, the Institute provided support in the early stages of transition, assisting emerging political parties on fundamental organizational principles, the formal registration process, and the formation of coalitions. In the lead up to the 2004 and 2005 elections, NDI conducted national-scale training activities for parties on political party development, campaigning, and electoral processes. In advance of the 2009 and 2010 elections, to help build the capacity of parties to participate in the political process, NDI implemented a trainer program that engaged party-nominated male and female participants on the basics of democracy, party building, campaign planning and management, direct voter contact, and the role of polling agents. Participants then trained thousands of their party members in provinces across Afghanistan. In addition, for several smaller parties, NDI conducted leadership development activities focused on strengthening internal party structures, building coalitions, and positioning to compete in the political environment.

TABLE OF CONTENTS

I. OVERVIEW

Political parties in Afghanistan date back to the 20th century, and their history is characterized by splits and changing alliances. The modernization policies of King Zahir Shah in the 1940s led to the formation of several political groupings, and the 1960s saw the growth of communist parties. Following the overthrow of the King in 1973 and the subsequent Soviet occupation, seven *mujahideen* organizations formed with the shared goal of resisting Soviet rule.[1] These movements, which were sometimes referred to as political parties, functioned primarily as military factions and were largely divided along ethnic, tribal and religious lines. After the withdrawal of the Soviets in 1989, many of these factions fought against one another in the ensuing civil war. During the violent conflicts of the 1980s and 1990s, alliances between these groups changed rapidly as various factions formed coalitions in search of a military advantage.

After the fall of the Taliban in late 2001, the Bonn Process initiated the post-war reconstruction of Afghan institutions. The groups that had operated earlier as military factions had established extensive management, organizational and communication structures – and these allowed the groups to command resources and public recognition in the post-Taliban era. A Political Parties Law was approved in September 2003, and several groups filed for registration as formal political parties. Former military groups, who had clearly identified leaders and maintained a strong local authority in the regions they formerly controlled, rallied support among ethnic groups based on the claim that they fought to protect them during the wars of the previous decades. Several 'new' parties also registered, most of which had formed in secret under the Taliban regime or had previously existed as civil movements. Most of these were considerably smaller than the established regional and ethnic parties, and few had the resources or organizational capacity to compete with the groups that had ties to the anti-Soviet resistance. Most of the new parties that formed in the post-Taliban period appealed for support across ethnic groups.[2] In the lead up to the 2005 parliamentary and provincial council elections, 86 political parties formally registered.

Afghanistan's electoral system – the Single Non Transferable Vote (SNTV) – favors independent candidates and large, highly organized political parties.[3] The 2004 presidential election involved 18 candidates, of whom only four identified themselves with a political party.[4] For the 2005 elections, only 14 percent of the 2,835 parliamentary candidates declared their party affiliation. Those who won these elections were individuals with strong community recognition and support; successful party-affiliated candidates were from parties with capacities at the local level to mobilize supporters and organize campaigns effectively.[5] Ultimately, the parties with the most

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[1] These organizations included *Hezb-e Jamiat Islami* Afghanistan under Burhanuddin Rabanni, and parties led by Abdul Sayyaf (*Tanzim-e-Dawat*), Mojadedi (*Jabha-e-Najat*), and Pir Sayed Ahmad Gailani (*Mahaz-e-Milli*) along with two factions of *Hezb-e Islami* led by Gulbadin Hekmatyar and Yunus Khalis. These movements were assisted in part by Pakistan's Inter-Services Intelligence (ISI) and indirectly funded by anti-Soviet international powers such as the United States.
[2] Anne Larson (2009), *Afghanistan's New Democratic Parties: A Means to Organise Democratisation*. AREU: Kabul
[3] Under SNTV, each elector has one vote in multi-member constituencies. Candidates with the highest vote totals are sequentially awarded the seats assigned to each constituency. For parties to be successful under SNTV, they must field the number of candidates that will maximize the seats they can win. This would involve having an accurate estimation of their potential support in a given constituency, and having the organizational capacity to instruct their supporters to divide votes among candidates to maximize each candidate's potential of winning a seat.
[4] Yunus Qanooni, Latif Pedram, Ishaq Gailani and Farooq Nijrabi ran on party tickets.
[5] Under the SNTV system, each constituency is assigned a number of members based on population. Each voter chooses only one candidate, irrespective of the number of members a constituency may have. In constituencies where there are a number of seats available, the leading candidates may get a large percentage of the available votes, leaving few votes to be

representation in the 2005 *Wolesi Jirga* (lower house of the National Assembly) were those that emerged from the seven *mujahideen* organizations (along with various offshoots and splinter factions within each organization), and several Shia parties representing regional factions and the Hazara community.[6]

In the years following the 2005 elections, some parties crossed ethnic lines to establish broad-based coalitions. The National Front (*Jabh-e-Milli*) was formed in 2006 by parties and senior political leaders who opposed the Karzai government. The Front has its origins in the United Islamic Front, or the Northern Alliance, a multi-ethnic military-political group that fought the Taliban in the 1990s.[7] Another multi-ethnic coalition that emerged was the National Democratic Front (NDF) which comprised of 13 parties that ranged from groups formed in the post-Taliban era to some with ties to the communist parties from the 1960s but had since pledged their commitment to pluralism and democratic principles.

Over the last two years, political parties have demonstrated improvements in electoral performance.   For the 2009 presidential and provincial council elections, more than a hundred parties registered. For the provincial council race, although over 80 percent of the 3,197 candidates registered as independents, more than 30 parties fielded candidates.[8]   A new party law was introduced in late 2009 that changed the requirements for party registration and obliged parties to re-register – only five parties were able to complete this process before the ballot for the September 2010 parliamentary elections was finalized.[9]   Several parties mobilized candidates for the 2010 parliamentary polls and currently, 21 parties have representatives in the new *Wolesi Jirga*.[10]

This report describes the state of Afghanistan's political parties after the 2009 and 2010 elections. While the transition of most major parties from violent, ethnic-based factions was recent and in some cases incomplete, this study indicates that the broader political landscape has changed significantly in the post-2001 era. In the present day, Afghan parties continue to face considerable challenges that hinder their development as credible political players. Based on 90 interviews with party representatives and civil society, the report provides an overview of the present stage of development among Afghan parties and evaluates party identity, institutional frameworks, party performance, external factors and the relationships between parties and other political actors. The report presents the parties' own views on how and what kind of assistance should be provided[11] to

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divided among the rest of the candidates. As a result, a candidate that attracts strong support from a small group may be successful with a small percentage of the total vote.

[6] Approximately 26 parties were represented in the 2005 parliament with *Jamiat, Tanzim-e-Dawat, Naween, Mutahed Milli* and *Junbish* having the most members.

[7] The National Front was led by Burhanuddin Rabbani, a former President and party leader of *Jamiat.* Other members that were parties included *Naween, Mutahed Milli, Paiwand Milli, Junbish* and *Wahdat Islami*. The coalition worked in concert to defeat Karzai in the 2009 presidential election. Dr. Adbullah Adbullah, a former foreign minister, was the coalition's candidate for the 2009 elections.

[8] *Junbish* had over 80 candidates in 10 provinces. *Wahdat Islami Mardom* had more than 50 candidates in 11 provinces. *Hezb-e-Islami* had over 40 candidates in 14 provinces.

[9] Political parties continued to re-register after the September 2010 elections. As of the end of April 2011, 38 parties were registered in accordance with the 2009 Political Party Law requirements.

[10] A table describing party representation in the current *Wolesi Jirga* is on page 29 of this report.

[11] In referencing party respondents, the report does not disclose names of individuals or names of parties being represented. This is meant to protect the anonymity of respondents. However, provinces in which interviews were conducted are included after quotations to indicate whether the respondent was speaking from the party's central headquarters in Kabul or a regional office. Names of parties are used in the text itself where the identification of parties or groups of parties was considered potentially useful without disclosing confidential information.

promote longer-term political development in Afghanistan, and provides recommendations for Afghan and international actors on ways forward. The report builds on data collected in previous NDI assessments, which were conducted in 2006 and 2009.

Political parties interviewed for this study were selected according to their representation in the *Wolesi Jirga* and/or Provincial councils (PCs). Of the 21 parties represented in these bodies, 19 were willing to take part in the study.[12] Up to 10 representatives were chosen in each party, reflecting a range of party positions. A total of 80 interviews were conducted among parties. Where possible, the leader or deputy leader was interviewed, along with a member of the leadership committee, a member of parliament (MP), PC member or rank-and-file party member. Both men and women were selected as respondents, although a much smaller number of women were interviewed due to the limited number of women holding party positions in Afghanistan. In addition to interviews conducted with the parties, an additional 10 civil society respondents provided insights on the potential coordination of parties with branches of Afghan civil society.

The study revealed several key findings, including the following:

Party Identity
- Parties see themselves as potentially contributing to the political landscape in Afghanistan but are unsure about how to best to develop a stronger political role for themselves as institutions. To date, most have functioned as the support networks of individual leaders.
- The process of determining and distinguishing ideological profiles among parties is slow. Some parties are gradually identifying and refining their key messages; however, many parties do not assign an ideological position to their activities. Most parties do not identify themselves in terms of differentiating policy agendas.
- Respondents acknowledged that different parties have varying support bases across the country. However, all party respondents had difficulty providing accurate membership figures. There is a general need for parties to realistically assess the composition of their support bases before or as part of the process of developing issues-based or ideological bridges with other groups. Parties would also benefit from the development of party membership rights, roles and responsibilities.

Institutional Frameworks
- Parties have not updated or reformed their party constitutions before or in between elections. No party appears to have publicized their party legal framework into written materials or manuals tailored to be user-friendly to their members.
- Several parties have fairly well-developed structures at the national level and partly at provincial level. The presence of staff within administration and offices at the provincial level varies greatly across parties. However, in most parties, vertical structures for communication, consultation and reporting are rudimentary.
- Very few parties have written or formalized party procedures, partly as a result of the way in which party activities between elections have been minimal. The procedures that exist for most parties focus on the selection of party officials and electoral candidates. Most other types of activities have often occurred on an ad hoc basis and were not conducted using a procedural format.

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[12] The two parties unable or unwilling to take part in the study were *Adalat-e Islami* and *Niaz-e Milli*.

Party Performance
- In post-2001 Afghanistan, parties appeared to have focused on elections and hardly had any other activities in the periods between electoral cycles. Re-registration, however, proved to be a motivating factor for the increased consolidation of parties, promoting communication between the center and the provinces.
- Performance in participation and representation is better across the board for parties during elections than between them.
- Party performance in elections has improved since 2005 with a greater understanding of the electoral system, more preparation, and increased internal cohesion. However, parties noted that the benefits of this experience should not be left to stagnate between elections.
- Empirical results from the recent elections demonstrate that a few parties are able to overcome the challenges of the SNTV system with an organized approach to campaigning and candidate selection, in spite of fraudulent and violent elections.

External Factors
- On the current Political Party Law (put into place in late 2009), respondents focused only on the re-registration article and were not familiar with the other sections of the law. A number of parties regarded this law as a positive influence in increasing party activity, given the need to collect membership papers and signatures for re-registration. However, several cited that the requirements for re-registration added strain to the resources of smaller parties at a time when such resources were needed to support campaigns.
- While many parties complained about the SNTV system, not all necessarily wanted to see it changed since some had found ways to overcome the system during the recent elections.
- The Parties Registration Office within the Ministry of Justice has little power or autonomy to verify the claims of parties on their membership numbers or declaration of assets, and does not have the authority to de-register or prosecute a party if it provides false documentation. Parties have little incentive to be more financially accountable.
- There is an increase in the number of so-called 'opposition' groups in the new parliament, and many are strongly in favor of promoting a parliamentary system.
- Public perceptions of parties are not unchangeable but there needs to be political will at the highest levels to provoke substantive image-change.

Party Relations with Other Political Actors
- Parties show interest in the prospect of working together; but to date, there have not been any formal mechanisms through which they might do this effectively.
- In spite of restrictions limiting the ways in which parliamentary groupings can form, they provide a useful avenue through which parties could strengthen their presence in the legislature.
- In all interviews, the value that party representatives place on parliamentary seats was evident, and many respondents related these seats directly to influence in government.
- There exist internationally-recognized frameworks for coordination between parties and election management bodies that could be used in Afghanistan to promote greater levels of coordination between parties and the Independent Election Commission.
- A joint party-CSO oversight forum could be created as a venue to encourage greater coordination between parties and civil society on key issues.

II.   METHODOLOGY

A. Primary Data

1. *Interviews with Political Parties*

Political parties interviewed for this study were selected according to their representation in the *Wolesi Jirga* and/or Provincial councils (PCs). The majority of party support within the lower house of parliament is informal and tends to shift on a regular basis, and establishing formal connections between parties and the members of parliament (MPs) or PC members is often difficult. Sources used to verify the party affiliations of MPs included electoral candidate lists on which some candidates (34) had run on a party ticket; and MPs/party members themselves whose information was triangulated against candidate lists.

Twenty-one (21) parties which had registered under the previous law or the law adopted in 2009 were selected as subjects for this study. Of this figure, 19 parties were willing to take part in the study.[13] Up to 10 representatives were chosen in each party, reflecting a range of party positions. The number of interviews conducted in each party roughly reflects its size and influence. Where possible, the leader or deputy leader was interviewed, along with a member of the leadership committee, an MP, PC member or rank-and-file party member. Both men and women were selected as respondents, although a much smaller number of women were interviewed due to the limited number of women holding party positions in Afghanistan. Respondents also represented a considerable age range, from those in their mid-twenties to the party leadership, often between 50 to 60 years old.

Interviews were conducted from January 2011 to February 2011 in Dari or Pashtu by a research team comprised of 12 NDI staff in teams of two – with one person taking primary responsibility for leading an interview, and the other tasked with taking notes (with these roles rotating on a regular basis). All research team members were trained in qualitative methods of data collection. A semi-structured interview guide was used to facilitate in-depth conversations with respondents, which was flexible and could prompt detailed responses to questions through probing (Appendix 1). Qualitative interviews allowed extensive explanation of complex political circumstances being described by respondents.

Most of the interviews (70) were conducted in Kabul since the majority of party headquarters and civil society organizations are based in the city. Twenty (20) interviews were also conducted in provinces in the North, West and East of Afghanistan by NDI regional staff.

Data were then collated and further analyzed by two international consultants, Anna Larson and Bjarte Tora, in conjunction with the research team.[14] The consultants brought perspectives to the study that involved extensive knowledge of the Afghan political context as well as considerable experience with political party development in other contexts. This view allowed a useful comparison with party assistance in other countries, but was consistently compared with and grounded by the views and opinions of the Afghan experts on the research team.

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[13] The two parties unable or unwilling to take part in the study were *Adalat-e Islami* and *Niaz-e Milli*.
[14] For author and contributor biographies, see Appendix 5.

Limitations of the methods used to collect primary data included some difficulties in finding leaders of the larger parties for interview; during the interview period, many were busy with internal parliamentary affairs. When a party leader was not available, the party deputy or vice-president was interviewed. MPs were also difficult to find due to their involvement with events in the newly-inaugurated parliament, which was in the (protracted) process of electing deputy speakers at the time of the research. In addition, given time limitations, second interviews with respondents could not be conducted. In cases where critical information was found missing or had been unavailable in the interview itself, the respondent was contacted afterwards by telephone.

2. Interviews with Civil Society Organizations (CSOs) and International Actors

In addition to interviews conducted with political parties, a further 10 respondents were selected as representatives of Afghan civil society. These interviews allowed a different, local perspective to be gained on the role of Afghan parties, and presented insights on the potential coordination of parties with branches of Afghan civil society. While not in any way representative of 'the Afghan public', these CSOs provided a view on parties from those who are involved in Afghan political processes but who are purposefully not involved in parties in any official or formal capacity.[15] The choice of these individuals to form CSOs instead of parties is indicative in itself of a certain perception of Afghan parties, and this perspective was sought as a means to contribute to the information given by party members themselves.

These interviews with CSOs were conducted in English by one of the international consultants. A semi-structured guide was used to facilitate conversational-style interviews in which detailed information could be provided.

A meeting with a group of international representatives of donor agencies was also conducted at the end of the research, as a means of presenting some of the suggestions for assistance put forward by the parties. This was useful to help gauge the receptiveness of international actors to increased assistance to party development, and as a way to ensure that recommendations provided in this report were realistic in their scope and timeframe.

B. Secondary Data

To provide a detailed background for this study, a literature review was conducted. This included previous NDI party assessments and reports, along with academic research papers and reports produced by Kabul-based and international think-tanks and organizations.

III. POLITICAL BACKGROUND

A. Pre-1960

Political parties in Afghanistan had their origins in the reform and conservative movements of the early 20th century.[16] Despite being repressed in early years, constitutional reformers – known as *Afghanan-e Jawanan* – were instrumental in supporting the progressive regime of King Amanullah

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[15] Some CSOs have informal connections to political parties. However, a general effort has been made to conceal these connections in presenting an independent stance to the public and/or international community.
[16] Thomas Ruttig, 2006. 'Islamists, Leftists and a Void in the Centre: Afghanistan's Political Parties and Where they Came From.' Kabul: Konrad Adenauer Stiftung. p3.

(1920-1929). The King's reformist policies, however, were met with considerable resistance from the religious conservatives and reformers who were in favor of a more gradual approach to social change.[17] With a distinct absence of British support, and with a rebellion fast becoming a prospective civil war, Amanullah abdicated and eventually fled to Europe in 1929.[18]

By the late 1940s, educated Pashtun elite had formed an organized and proactive political group under the title *Wesh Dzalmian* (Awakened Youth), which had regular publications and a policy platform or manifesto.[19] This split into several smaller groups as a result of ethnic differences and concern over the nature and tone of the manifesto; ultimately, these groups took on the 'party' label and functioned by and large as political parties. Five members of the *Wesh Dzalmian* were elected to parliament in 1949 and pushed a reform agenda in the creation of the *Jabha-e Milli* (National Front), supported by up to 40 members of parliament.[20]

During the 1950s, a considerable reaction from the government towards the work of parties was visible, with the activities of certain parties made illegal and a general reluctance on the part of the monarchy to allow the development of opposition groups.[21] This did not succeed in preventing their activity, however, and a number of groups continued to function in secret.

B. The 'Decade of Democracy' 1963-1973

Zahir Shah's New Constitution, implemented in 1964, set the political stage for more competitive parliamentary elections in 1965 and 1969 as well as the development of the first political parties law (although the law remained unsigned by the King). The parliaments that were formed through these elections comprised of regional representatives of *aloqa dari* – constituencies similar to, if smaller than, today's administrative districts. In addition to being based on those established through the 1964 Constitution, the political institutions of the Bonn Process have demonstrated key similarities to their 1960s predecessors. Most notably, members of the 1965 and 1969 assemblies did not form organized or cohesive blocs, in spite of the fact that political party interests were represented informally. In 1965, a number of representatives of the Islamist parties competed for elections and were successful, although as would be primarily the case in 2005 and 2010, candidates campaigned as independents rather than on a party ticket.[22] As one analyst wrote at the time, '[al]though elections are competitive and the parliament vocal, organized political groups, notably political parties, are unsanctioned.'[23] This refers specifically to the way in which the newly introduced party law remained, in spite of being passed by parliament in 1968, unsigned by the King.

Parties' strength as organized institutions increased during the development of a party law, and several registered to apply for official status while the law was being considered. However, their increasing influence –particularly that of the Islamist parties – led to the repression of these parties'

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[17] Thomas Barfield, 2010. *Afghanistan: A Cultural and Political History*. Princeton and Oxford: Princeton University Press, p189.
[18] Ibid, p194-195.
[19] Thomas Ruttig, Islamists, Leftists and a Void in the Centre, p4.
[20] Thomas Ruttig, p5.
[21] Thomas Barfield, p11.
[22] Thomas Ruttig, p9
[23] Marvin Weinbaum, 1972. 'Afghanistan's non-party parliamentary democracy'. *Journal of Developing Areas*, Vol. 7 (October), p54.

activities and a manipulation of elections in 1969.[24] This advanced a theme of executive interference in elections which had been seen before and would continue through later regimes.

Khalq, P*archam*, *Shola-e Javid*, *Anjuman-e-Jawanan* were the key leftist factions that emerged in this era. Of these, *Khalq* and *Parcham* were to become the most politically prominent, competing for power and patronage throughout the 1970s with the increasingly influential Soviet regime.

C. Daoud, the Soviets and the Civil War

In 1973, Prince Daoud – a cousin of Zahir Shah whose role as prime minister had been cut short by the 1964 Constitution – orchestrated a non-violent coup to topple the monarchy while the King was abroad. Forming the Republic of Afghanistan, Daoud established himself as President and annulled the King's Constitution. Elections occurred during his regime but they were largely considered rigged, and the political opposition was prosecuted.

The Saur Coup in 1978 saw the assassination of Daoud, and the rise to prominence of the People's Democratic Party of Afghanistan (PDPA) with Soviet backing. This was to last a decade, although the influence of both the *Khalq* and *Parcham* factions of the PDPA was to shift continually depending on the leadership's relationship at any one time to the party's Soviet patrons. Notable in this period was the emphasis on secular government and the continued persecution of Islamist groups, who, having established themselves in Pakistan, were receiving considerable support through the Inter-Services Intelligence (ISI) and from anti-Soviet international powers such as the United States and Saudi Arabia.[25]

Although armed resistance against the Soviets had been carried out by Islamist, *mujahideen* groups throughout the decade, it was only towards the end of the 1980s, as the Soviet Union declined, that the resistance began to gain strength. When the Russian troops left Afghanistan in 1989, the parties developed a power-sharing agreement.[26] However, this fell apart as figures such as Gulbuddin Hekmatyar refused to be part of the interim government. Civil war ensued, resulting in the large scale destruction of Kabul city. In this context, espousing a sense of order, honor and religious piety, the declarations of a new faction – the Taliban – were comparatively well-received. However, initial receptions did not last and the fundamentalist and authoritarian tendencies of this group became clear to the Afghan population.

D. Bonn and Beyond: 2001 to the Present

The overthrow of the Taliban regime in late 2001 was followed by the Bonn Agreement and subsequent Bonn Process, a mechanism that initiated the post-war reconstruction of Afghan institutions. Many of the participants in the Agreement discussions included former Northern Alliance representatives and *Tanzim*[27] leaders, those who had ousted the Soviets in the early 1990s and who had subsequently fought in a civil war resulting in widespread civilian casualties. Their struggle against the Taliban in the late 1990s appeared to have given them legitimate grounds for participation at Bonn; yet for many Afghans, the atrocities they had committed prior to the Taliban regime were still recent memories.

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[24] Ruttig, p9.
[25] Thomas Ruttig, p10.
[26] Peshawar Accords of 1992
[27] The Dari word *Tanzim* is literally translated as 'organization' but is often used particularly to describe the Islamist parties formed which developed in resistance to the Soviet occupation.

Nevertheless, the Bonn process also signified the start of a new era in which the *Jihadi* factions would need to create for themselves a new identity – and one which was to come in the form of political party registration. In 2003, the first political party law since the one passed by parliament in 1968 was ratified by the President, allowing parties to form and register for the first time as official institutions with the Ministry of Justice. The law stipulated a number of conditions for parties wishing to register, among which were the requirements that parties ensure their activities comply with the principles of Islam and not provoke violence between different social groups.[28] The 2004 Constitution specified further that parties could not form on the bases of ethnicity, region, language or religious sect.[29]

Following the passage of this law, a plethora of parties filed for registration – not only the older, ex-military groups but also a considerable number of 'new' parties, some of which had formed in secret under the Taliban regime or which had previously existed as movements or civil society organizations. These parties tended to have progressive or liberal agendas but had little or no established support networks across the country and very little access to funding. By 2009, a total of 110 parties were officially listed on the Ministry of Justice website.[30] Between 2003 and 2009, many complaints were made by the parties themselves about the number of parties registered, and calls were made for a restriction in registration requirements as an attempt to force the de-registration and dissolution of smaller parties. A new party law was drafted in 2008, passed in 2009, and came into effect in September of that year. It required signatures of 10,000 members to be provided with registration documents – as compared to 700 signatures required in the previous law.

The immediate effect of the change in registration requirements was that few parties were able to register before the 2010 elections.[31] This prevented unregistered parties from fielding candidates officially as party members in the elections – but only 226 (from 36 different parties) out of 2,577 total candidates attempted to do this anyway,[32] partly due to the general tendency (and higher incentives) for candidates to register as independents.[33] Eventually, a total of 34 candidates were officially registered with a party name on the ballot in the final candidate lists.[34]

The SNTV system was chosen for Afghanistan in 2004, given its simple and straightforward requirement of one person, one vote and its relative ease of implementation across the country. The simplicity of the system was given particular emphasis due to the novelty of universal suffrage in Afghanistan and the high degree of illiteracy in rural areas. Many commentators at the time however were critical of the choice, as it did not require candidates to be members of political parties and put no limit on the number of candidates that could stand for a given constituency.[35] Votes in a given province in the 2005 parliamentary elections were often split between hundreds of candidates, with many receiving only a tiny proportion of the total vote and

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[28] Article 6, Afghanistan Political Parties Law, 2003.

[29] Article 35, Chapter 2, Constitution of Afghanistan, 2004.

[30] There was a slight discrepancy between the Dari and English versions of the list of registered parties, with the former cited above and the latter at 84 in 2009. Anna Larson, 'Afghanistan's New Democratic Parties: A Means to Organize Democratisation?'. Kabul: AREU, p8.

[31] Even *Jamiat*, one of the largest of the older parties, did not complete its registration in time for the September 2010 election.

[32] Thomas Ruttig, 'Afghanistan's elections: Political Parties at the Fringes Again'.

[33] For a broader discussion on these incentives, see Part IV, Section D of this report.

[34] NDI figures.

[35] For example Andrew Reynolds and Andrew Wilder, 2004. 'Free, Fair or Flawed: Challenges to Legitimate Elections in Afghanistan', Kabul: AREU.

the majority unable to secure a seat in parliament. The votes wasted arguably led to a highly unrepresentative system in which the electoral choices of the majority of citizens were not cast for winning candidates.

The marginalization of parties in the electoral system was not unintentional. Karzai himself was rumored at the time to attribute the nation's instability to parties, and according to some sources was concerned that facilitating party development might allow a Pashtun opposition party to form among those already dissatisfied with his performance.[36] This distaste for parties at the highest level, along with the widely-cited reference to the Afghan public's negative perception of parties, coincided with the general prioritization by international actors at the time of immediate peace and stability above more long-term political objectives. While the concern to avoid ethnic animosity and the acknowledgment of public wariness toward parties were no doubt genuine, there was nevertheless a clear strategy in place to promote a strong Presidential system, which was supported by the international community in the hope that the centralization of power would prevent future conflict.

To date, public confidence in Afghan political parties has not been strong.[37] This is not only as a result of the direct association made between the word 'party' and the violent *Jihadi tanzims* of the past, but due to the way in which political opposition more generally is perceived as a confrontational affront to widely practiced politics of consensus.

As will be explored further in this report, parties themselves generally have elevated expectations of their abilities, outreach and popularity within the broader Afghan public. Without strongly distinguishable platforms, most adopt a similar rhetoric when describing their party's priority issues and the means through which they will attempt to pursue them. Furthermore, although some elected representatives are comfortable and willing to define themselves as party members, there is little strategic coordination between the party leadership and these MPs, which could consolidate a unified party perspective within the legislature.

IV. AFGHAN PARTIES IN 2011

This section of the report presents findings from the qualitative data collected from party respondents in January 2011 and February 2011. The information is divided into five sections: 1) party identity; 2) institutional frameworks; 3) party performance; 4) external factors; and 5) parties' relationships with other political actors.

A. Party Identity

1. The Role of Political Parties in Afghanistan

One of the key difficulties for parties in interviews proved to be in answering the question: 'what is the current role of political parties in Afghanistan?' The roles of many parties have changed

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[36] International Crisis Group, (2005). 'Political Parties in Afghanistan'. Policy Briefing, Asia Briefing No. 135, June 2005. Kabul and Brussels: ICG, p6. Accessed online at http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/B039_political_parties_in_afghanistan.ashx, April 2011.
[37] In polls such as The Asia Foundation's 'Survey of the Afghan People' conducted between 2006 and 2010, political parties ranked second to last in a list of 17 public institutions that respondents had confidence in. The list included the Afghan army and police, the provincial councils, parliament and community shuras.

since they were first formed, and re-defining these roles in the post-2001 context has been necessary. For some, this has constituted little more than the registering as an official party. For others, a recognition of the need to re-construct a post-Jihad identity has been clear and has created an imperative to change. As one party respondent in Nangarhar reflected, 'during the Jihad, we needed weapons and our goal was to attain them – but now times have changed and we have to take steps according to the demands of the time. We have to encourage our youth toward new technology and growth'.

Yet for other parties, for example those formed under the later years of the Taliban regime, the transition from an underground movement formed in opposition to a brutal regime to a legal institution operating in a comparatively open environment has brought with it an increasing vagueness of purpose. Some parties were more specific than others in defining their role, but in general parties talked about 'promoting the national interest', raising awareness (or taking on an educational responsibility) or contributing to the country's development directly through service provision. Very few respondents talked about having a role or duty vis-à-vis the state, for example in oversight – although one respondent representing an older party in Kunduz said that 'parties awaken the government because they keep it in check'. This appeared to be a reference to the role of parties more generally and was not a specific reference to the role of his own party in the current context.

By far, the most common approach that respondents took to answer this question was by describing their *lack* of a political role in the current context:

> In the current situation of Afghanistan, the parties' role is not political or partisan. The parties do not have a place as political parties. This is because the system founded by the current government of Hamid Karzai is individual and all the focus of power is in one point. (party representative, Kabul)

> Parties are the main foundations for growing democracy in a modern society and democratic system…Unfortunately, from the Bonn Agreement until now, parties have had no visible role to play as the government has not implemented an easy way for parties to have a role. (party representative, Herat)

> In the past, there were some former *Jihadi* parties like *Afghan Millat*, *Masawat Islami, Khalq* and others who were taking positions in different political events of the country like doing organized demonstrations, striking, meetings and other activities. They were much more active than parties in the current environment. (party representative, Kabul).

> Parties have a supportive role. The parties' role is mostly in encouraging people in political events. For example, when an event occurs and the politicians have to take action – meetings are arranged or demonstrations happen, and the parties' members do these to support the politicians. But it's not a direct role for parties, they have an indirect and supportive role. (party representative, Kabul).

> Now we are witnesses to the fact that there is no chance given to parties in order for them to have a role or improve. If they were given an opportunity in the election, then the parties could have seats in parliament and there would not be the problems that parliament is currently facing [in electing a speaker]. (party representative, Kabul).

> Now the parties are not taking specific positions on important political events…It is the role of Afghan politicians to discuss these important issues and have meetings to consult about them. (party representative, Kabul).

> Now in Afghanistan, parties do not have any obvious role, but if some parties do have a role it is because of their illegal deals with the government. Parties are trying to strengthen themselves but the government is making restrictions against their development. In general, parties are not active in Afghanistan. (party representative , Kabul).

> In the rest of the world, parties are the main sources of transferring political ideologies for the people. But unfortunately here, it does not happen. (party representative, Herat)

While for most respondents the political nature of parties' roles in other countries (and to some extent in the past in Afghanistan) were clear, the Afghan context in the current moment was seen as not conducive to the development of this kind of activity. The reasons given for this perceived lack of political role most commonly featured problems with the electoral system and party law, which do not facilitate the development of parties as political institutions (see Part IV, Section D of this report for more on this). The bias of the Executive and, more specifically, of the President against parties was also frequently mentioned, with the common perception that the President actively works against party development so as not to facilitate the development of political competition. Some parties related the lack of a political role to their own lack of internal organization or development; one party respondent questioned the desire of the leadership to encourage the political stances of parties due to a fear of members becoming more knowledgeable and thus more difficult to control.[38] Related to this was the way in which parties are seen as the support networks for individual politicians rather than being the organization drivers of those individuals. It is clear however that respondents for this study acknowledged the necessity of parties' contribution to the political landscape in Afghanistan, and were keen to build on this. Contextual limitations aside, they were unsure of the way in which to develop a political role for themselves as institutions, rather than as the support networks of individual leaders.

Alongside the question of parties' perceived role in the current context was that of their potential role in future. A number of respondents implied that, should the electoral law be amended, the parties' political role would automatically be strengthened. Others were more cautious and talked about the need for the parties themselves to provide reason for people to join them. As one party representative in Kabul stated, 'we need the party to have a good message and policy based on the major problems that Afghan people are facing.' One member of an older party in the Eastern region talked about the lack of capacity within parties as a key factor preventing their further political development:

> In Afghanistan, parties are new and they are growing, and [at the moment] they are not capable enough to analyze the political situation of the country and the world. Maybe after 10 years, they will be able to do this if the international community and the government support them through capacity building. Then parties may play a vital role in Afghanistan (party representative, Laghman).

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[38] Party representative, Kabul.

This emphasis on lack of analytical capacity was also found in other interviews and reflects a general lack of political education in the country – in part due to the strict limitations placed on the teaching of the subject in state universities.[39] Nevertheless, the 'vital role' talked about here that parties might play in the future was also expanded upon by other respondents who talked about potential contributions to strengthening democracy (although the exact meaning of this was not detailed), playing a part in the peace process, and participation in the administration. It is clear that there is a desire among party respondents to develop a political role in future and to be able to contribute to the key decisions currently being made by the Executive branch of government.

2. Parties' Political Profiles

Linked to party respondents' concept of their role is that of their political profile – the specific ideology, messages and policy suggestions that differentiate them from one another. These are still in the process of being developed, and it is not uncommon for national and international political observers to comment on the frustrating similarity of messages and policy agendas among several parties. Almost all parties, for example, talk in some way about national unity, security, education or employment – without expanding upon the ways in which they (as a party or institution) would seek to address these issues. In some interviews, individual members of the parties put forward their own suggestions but these were not shared by the party as a whole. Having said this, on closer examination of parties' answers to questions for this study, there are some clear differences between party profiles that appear to have developed over the last two years (largely since the 2009 presidential elections).

Differences in ideology – meaning, the political orientation of parties as defined by their stances on key issues reflecting key political principles – is difficult to detect among Afghan parties, largely because, as indicated above, many do not have defined, collective stances and do not often themselves assign an ideological position to their activities. Although some parties have taken on the names of ideologically differentiated parties in Western democracies (for example, Liberal and Social Democrat) there is generally little to compare them with their foreign counterparts. One exception to this might be *Afghan Millat*, a party whose ideological identity was compared by one of its representatives to the U.S. Democrat party:

> Our policy and strategy is close to America's Democrats – we think every civilian should be provided with their essential requirements, for instance if they need health facilities we would try to provide them…We want a mixed economy, social justice, and equal division of capital which are all essential requirements of a liberal democracy (Afghan Millat representative, Kabul))

In essence, however, there are few Afghan parties who would disagree with these economic principles, even if they were not happy with the comparison to a Western party: in general, there tends to be a preference among all parties for state-centered service provision and a mixed (not entirely free-market) economy.

Nevertheless, there are some distinct trends that can be identified which separate parties into more distinguishable groups. First and perhaps the most obvious is the way in which Islamist

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[39] One civil society respondent reflected on this limitation in describing teaching difficulties: 'It is very difficult to teach actively at Kabul University, if you don't control your tongue then you are in trouble. This is particularly true in the faculties of law [within which political science is taught] and journalism.'

parties – following the lead of the Muslim Brotherhood more generally – tend to stand for a greater interconnectivity between religion and politics, and conservative social values, as some of their representatives describe in the following ways:

> [Our party's name] means 'preaching' [sic]. Our party's main mission is to work and provide service for Afghan people under Islamic law (party representative, Nangarhar).

> Parties can have a leading role in mobilizing the people for obtaining political and social goals…I strongly believe that religion and politics are not separate from each other (party representative, Kabul)

> The main mission of [our] party is: "Under Islamic Law work for the betterment of the country". (party representative, Laghman).

> We oppose foreigners, we love our nation, we are for the implementation of the rule of law, the implementation of Sharia and propelling society toward improvement. (party representative, Kunduz)

> There are no women in the party leadership because the Holy Prophet has said that women cannot be leaders. (party representative, Kabul)

This demonstrates to a certain extent these parties' positions on the political principle of 'the view of mankind', denoting an approach to politics which considers both the spiritual and material aspect of people's needs and aspirations. While there are elements of these values in other parties' descriptions of their core principles, they are clearer and more distinctly prioritized in the interviews with parties such as *Jamiat, Dawat-e Islami*, and *Hezb-e Islami* (and from a Shia/Sayed perspective, from *Mahaz-e Milli*). Furthermore, they are often coupled with goals for education and 'progress' – indicating that in spite of their image in the eyes of Western observers as backward-looking and centered on *jihadist* principles, they are not fundamentally opposed to the modernization of society per se.

Another indicator pointing to the general ideological standpoints of parties is that of where they see power as being concentrated in an ideal scenario (reflecting their position on the political principle of subsidiarity). [40] For some, as with the Republican and *Kangara* parties, this answer was very clear – at the provincial and federal levels respectively. In the words of a representative of one of these parties, 'We accept the Presidential system but this does not mean that power should be centralized. In addition to the President, there should be a strong parliament…[and] Provincial Councils should have the authority to hold Provincial governors to account.' For the *Kangara* party, a more vehement case for federalism was made in interviews. The transfer of some or all decision-making power from the executive to more local levels was a concept shared by these parties directly – and to some extent by others who talked about the problems with decisions being made only by one person, and the necessity for a stronger legislature. These points reflected that within the current structures of parties, most of the decision-making took place within a top-down hierarchy and with very little access to decision making processes available to the average member.

A second aspect of a party political profile is that of message or mission. During the interviews, respondents were asked to describe this, and again had difficulty responding in many cases. Some

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[40] This question was not directly asked of parties but was inferred through different questions about government.

(perhaps due to a difficulty in translation) referred to the immediate internal concerns of the party (such as the need for re-structuring or the need to assess electoral performance) and others referred again to the problems with the current political environment. The majority of respondents also referred to general needs in Afghanistan – security, peace, national unity, or education. However, some parties presented a more narrowly defined message – Hazara parties, in particular, appear to have moved from a stance on national unity to one in which the need to promote the rights of minorities is clearly stated.[41] This is a recent development and perhaps one which has been prompted by events over the last two years in which a number of issues concerning the Hazara ethnic group have been prominent in the political arena.[42] This is a stance shared by the predominant Uzbek party, *Junbish*, and it is likely that MPs from the two ethnic groups will stand together (as they have done previously) over some issues that arise in the new parliament.

Another example of a message put forward by a particular party is that of a clear stance on the presence of U.S. military bases in Afghanistan, as put forward by one of the older parties. In contrast to conservative Islamist stances against the presence of international troops in the country, the party leader recently gave a speech containing his (party's) views on the issue, as one party member described:

> The leader of the party gave a speech at the beginning of a workshop conducted for provincial managers of the party, and he expressed his ideas in order that the managers should transfer them to other members in the provinces. The party's views regarding the existence of American bases in Afghanistan is positive, due to the issue of the safety of the country. The current situation in Afghanistan is not acceptable to the people. If the American bases are taken away, then the country will face problems and will be destroyed again. So their existence in the country is very necessary. Afghanistan needs them and their continued existence here. There are lots of other countries that are independent but still have American bases – like Japan and Germany. (party representative, Kabul)

While the method of determining a party message appears to be highly hierarchical, with messages effectively decided by the leader – the example above highlights a clear message and a distinct position on a critical, current issue. It demonstrates that to some extent, parties are establishing messages around current affairs that are beginning to serve as distinguishing characteristics.

A party that would in theory stand against this position, for example, would be *Hezb-e-Islami* – which has repeatedly stated its position against foreign presence in Afghanistan. In the last two years, it has also put forward its support of a negotiated political settlement between the government and insurgent groups. Although consistent among those interviewed for this assessment (those belonging to the legal and registered branch of the party, led by Arghandiwal) this is complicated by a seemingly contradictory stance promoted by Gulbuddin Hekmatyar's group which appears to be rejecting negotiation in favor of violent opposition to the Karzai regime. Other parties interviewed talked about not wanting to form alliances with *Hezb-e-Islami*

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[41] The actual focus of the Wahdat parties has been directed toward the Hazara group for some time (for more on this see Niamatullah Ibrahimi, 'The Dissipation of Political Capital Among Afghanistan's Hazaras: 2001-2009'. Crisis States Research Centre, Working Paper No. 51, June 2009. But it is only in the last two years in which members of the party have been consistently open in talking about this focus.

[42] These include: the Kuchi/Hazara land conflict; the support of Karzai in the 2009 presidential elections by prominent Hazara leaders; and the nomination and parliamentary election of cabinet ministers (no Hazara candidates have been successful to date).

because they were not sure what the party's message was. One party representative in Nangarhar explained this further:

> There are some very influential parties in this province, like *Hezb-e-Islami*. We respect their mission and by-laws and we are sure they have influence and followers in our province, but now we don't know whether this party is independent or connected to the branch of *Hezb-e-Islami* which is against the government. We are not sure about its policy. (party representative, Nangarhar).

This perspective held by other parties was acknowledged by *Hezb-e-Islami* respondents, one of whom explained the problem in more detail:

> Our party has a good relationship with other parties but not a strong one. As you know, our party members are divided into two parts. One part is involved in the political issues of Afghanistan – I mean, we have members in provincial councils and in the parliament. However, on the other side a number of members are fighting against the Afghan government. This has affected our relationship with other parties because they think we are extremists, but this is not true. We are Afghans, and we have members in the provincial councils and parliament who are working for Afghanistan. (party representative, Nangarhar)

A third and final aspect of parties' political profiles considered here is that of their stance on policy. Again, this is an area in which distinct and clear answers were not given by party respondents in interviews. Of the three indicators of profile outlined in this section, this generated the weakest responses from interviewees. In talking about the problems with SNTV, for example, very few respondents could name alternative systems, and less still could describe what these might comprise. Leaders of some parties talked about influencing policy through their own personal connections or influence but not as an institution. One party leader, for example, talked in depth about education as a principle concern for his party, and the ways in which the party sought to address the issue by providing courses for students across the country. In spite (or perhaps as a result) of the leader's own position in government, however, he did not provide suggestions as to how the party as an institution (as opposed to himself as an individual) had developed policy suggestions for the government on education, or acknowledge the need to do so.

3. Parties' Support Bases

A critical element of parties' identity relates to membership. Parties in Afghanistan are commonly generalized by Afghans and international observers alike as being ethnically based, with some exceptions – and interested primarily in promoting the interests of their own groups. This is true of some Hazara and Uzbek-dominant parties, although some reach beyond a mono-ethnic composition with their focus on Shia Islamic as opposed to Hazara-only communities. It is also generally true of *Jamiat*, the principal Tajik-based party, although the party is not at present able to unite members under one stance in support or in opposition to the government, for example – as prominent members of its leadership are strongly positioned on both sides. All parties (with the notable and recent exception of Hazara and Uzbek-dominant parties) tend to claim to represent all ethnicities and promote national unity – a stance encouraged but not enforced by the 2009 party law which states that members must come from at least 22 of Afghanistan's 34 provinces. This claim is rarely taken seriously by Afghans, however, who judge parties by their largely homogenous membership composition.

Parties' approximate support bases by region[43]

North	South	East	West	Central
Jamiat	Hezb-e-Islami	Dawat Islami	Afghan Millat	Wahdat Islami
Wahdat Mardum	Afghan Millat	Hezb-e-Islami	Jamiat	Wahdat Mardum
Harakat		Afghan Millat	Wahdat Mardum	Harakat
Junbish			Wahdat Islami	
Kangara			Dawat Islami	
Hezb-e-Islami				

The general approach by the Afghan government – through the constitution, party law and parliamentary rules of procedure, for example – has been to discourage parties' ethnic orientations. This tends to strip away one of the only forms of cohesion that parties are able to have as institutions – something perhaps demonstrated by the Hazara parties who have recently become more comfortable talking plainly about their singular support base and who have secured a greater number of parliamentary seats in 2010 than in previous elections. This is not a case of direct cause and effect, but strategically restricting their campaigns to Hazara areas may well have contributed to this success. There is a general need for parties to realistically assess the composition of their support bases before or as part of the process of trying to make issues-based or ideological bridges with other groups.

There is also a great need for realism in parties' estimations of the size of their support bases. Across the board, parties could not give accurate membership figures or talk about the size of their support bases across provinces. Furthermore, although some parties made a distinction between 'active members' and 'supporters', most parties did not know the extent or nature of the support they had as a party. For the some parties, the 2009 Party Law changed this somewhat in that to comply with the requirement to collect 10,000 member signatures, they actively collected the names and identity cards of members. Yet since the re-registration process only required 10,000 signatures, parties did not register support above and beyond this figure.

It is important to encourage parties to keep accurate and updated membership lists, and to make them available and public. This should be combined with the production of clear policies and publications stating the rights, roles and responsibilities of party members. Parties should work on accommodating members' participation through inclusive party structures and procedures in an open and transparent manner.

Section on Party Identity: Conclusions

- Respondents saw parties as potentially contributing to the political landscape in Afghanistan but were unsure of the way in which to develop a political role for themselves as institutions. Until now, they have functioned as the support networks of individual leaders.
- Parties are gradually identifying and refining their key messages; but there is room for greater clarity and direction in this process.
- Most parties do not identify themselves in terms of their policy suggestions and do not have clear ideas on policy in general.
- There is a general need for parties to realistically assess the composition of their support bases before or as part of the process of developing issues-based or ideological bridges with other groups.
- The development of party membership rights, roles and responsibilities is important – along with the keeping of clear, accurate and updated membership registers that are publicly available.

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[43] Compiled by NDI staff in Kabul.

B. Institutional Frameworks

Linked to the notion of parties' identity is that of their internal institutional frameworks. These constitute the inner working of the parties – the structures around which party activity takes place. In assessing these, it is possible to determine the nature of decision-making within parties and ascertain whether or not structures facilitate the reliance on mechanisms as opposed to personalities. This section discusses three issues in turn: 1) party constitutions, rules and regulations; 2) party structures; and 3) party procedures.

1. Party Constitutions, Rules and Regulations

All parties interviewed for this study have written constitutions in which their basic priorities or values were generally stated. Most begin with a statement in which their adherence to Islamic principles is stated, in accordance with the political party law. Some constitutions detail the ways in which the party functions, including the formal structure of the party and the way in which leaders are selected.

In interviews, most party respondents did not refer to their constitutions until asked – which is perhaps an indication in itself of the way in which these are treated more as background, static documents without influence generally on the activities of the party. This was also reflected in the way in which party constitutions are rarely amended – and this in a context where both the Electoral Law and the Party Law have been amended very recently. One respondent from an older party talked about the infrequent nature of party constitution changes:

> In the last two years, the party's constitution has not changed. But in 2001, it was updated because at that time it still had its *Jihadi* mission and different goals. So far, the constitution has been changed twice [since the party's formation in 1966]. If necessary, it will be updated in the party congress, because only the congress can bring changes to it. (party representative, Kabul).

Constitutions are not working documents for the parties – which appears somewhat incongruous with the statements of many respondents who talked about the internal development of strategy or organizational procedures which were apparently taking place. Furthermore, for the average member, few opportunities exist to contribute to the amendment of party constitutions. New members to most parties are given copies of the constitution when joining, but are generally excluded from any changes that might be made.

Equally important is that many of the parties do not seems to develop the provisions within the party constitution into separate party laws, party rules and/or party regulations. Some of the parties have internal election and nomination laws, but this is not the case across the board. None of the parties have publications and/or members handbooks where party laws, rules, regulations and party structures and procedures are presented in a "user friendly" manner.

2. Party Structures

The internal structures of parties can be divided into two categories – horizontal structures, which include the way the party is organized at national, provincial and local levels respectively and within this, the differentiation of party organs, party officials and administrative staff; and vertical structures between the national, regional and local level, which include mechanisms for communication, consultation and reporting.

In spite of their differences in background and support base, Afghan parties have similar horizontal structures which are loosely based on those of the PDPA factions in the 1970s and 80s. These consist of a hierarchical arrangement of councils and committees, led by the party leader and executive or high council. A party congress is held every three to five years in which key decisions (primarily concerning the selection of leadership) are made:

> The selection of the leader and other members of the councils are through elections. The congress of the party is the highest authority – it elects the leader and the members of the high council. Then the high council elects the members of the operation council of the party. The approval of any changes to the constitution is also made through the congress. The committees of the party are related to the operation council. The party has different committees for different areas – like finance, culture, youth, women, foreign affairs, political, parliament and education. (party representative, Kabul)

This statement is typical of respondents' descriptions of their party structures at the central level. Some parties have slightly different names for the councils (one party has an 'activities council' while another has an 'operations council') but the structure at the central level is generally the same across parties. Some have more committees than others, and there is a tendency at present to increase the number of committees to cover a wider range of subjects. One representative from an Islamist party reported an increase of three committees since 2009: 'In the last two years, we have made a political committee to keep watch on the activities of other political parties. The committees of provincial affairs and women were also made in the last two years'. (party representative, Kabul)

The actual day-to-day activities of committees at the central level, however, are not clear – and are dependent on the level of resources available at a given time. The number of full-time paid staff varies significantly from party to party, reportedly from zero (in the case of smaller parties) to 250. These figures also vary from respondent to respondent within parties, and a considerable number of respondents in Kabul said they did not know how many full-time staff were employed by the party. Whether they were reluctant to disclose this information or simply did not possess it is difficult to determine, but it is evident that a degree of ambiguity exists in many parties as to the administrative functioning of the party. One slightly clearer indication of horizontal structures at the central level is the demarcation of positions within the party, in that heads of committees or members of the executive council have defined roles and do not participate in, for example, administrative activities. Separate support staff (whether paid or voluntary) are employed for these tasks.

Outside of Kabul, most parties only have permanent offices in one or two provinces. Other provincial-level offices are often set up on a temporary basis since their maintenance requires consistent resources which are not often available. Recently, parties increased the number of offices in different provincial locations as a result of the need to collect registration documents in different areas of the country and as part of their 2010 campaign strategies. Many respondents talked about the opening of new offices in the last year for these reasons. Whether these offices are sustained, however, remains to be seen.

In terms of staffing, at the provincial level, parties' regional offices are usually managed by the provincial head of the party, who may or may not be in full-time party employment. Most provincial offices are only staffed by the manager and one or two support staff. For some of the

larger parties, committees extend to the provinces where party offices reflect the internal structure of their national headquarters. This is rare, however, and it is more common that only one or two committees, if any, exist at the provincial level, alongside the provincial head of the party and administrative staff.

Many parties talk about incorporating the views of local level members, but few have structures in place within the party to do so. One notable exception appears to be *Afghan Millat* which has established a mechanism of connecting with local level supporters in the provinces in which it has offices, as the following three party representatives explained:

> In each district of the province, the party has associates. The district *shura* will select someone to be a party representative for the district, and that person then becomes a member of the provincial committee. (party representative, Kabul)

> The party even has district and zonal committees. In addition, each district is divided into villages and in the villages the party has structures. They all conduct meetings once a month and then report back to the national office of the party. (party representative, Kabul).

> At the village level, we have groups of 5-50 members, which we call *Marakas*. Each *Maraka* chooses a leader, and then the leaders of the different *Marakas* organize a district council among themselves. We have 22 district councils in this province, and the heads of all these district councils are the members of the provincial council which meets in the central provincial office. We elect the provincial leader, the deputy and the secretary through transparent elections. (party representative, Nangarhar).

It is unlikely that the structure described in Nangarhar is repeated in all the provinces in which *Afghan Millat* has offices – but the way in which party responses from Kabul match those from one of the provinces indicates that such a system is at least in operation in one area. As a party with a considerable, largely non-violent history, it is generally well-known and respected at the local level. *Hezb-e-Islami* also has a large local support base and councils through which to channel this support, but they tend to be more informally organized than those described by *Afghan Millat* respondents.

Vertical structures for communication exist within parties but are usually informal and determined by the leadership. At the central level, most party representatives holding office in the party executive committee or as heads of committees were reasonably well-informed about party procedures (if not about policy or mission). Although as explored in Part IV, Section E of this report, there is little to no communication even within the highest levels in the party about finances or strategy. Interviews with provincial heads of parties demonstrated a considerable amount of knowledge about the party's history in the area and its local party profile. This was the case in spite of poor communication reported between central and provincial levels, and the level of party information held by regional managers appeared to be a direct result of their personal, often long-standing history of supporting the party as opposed to knowledge of recent party decisions made at the center. In general, regional managers reported being given instructions from the center as opposed to contributing to decision-making.

In terms of consultation and reporting, executive committee members and heads of committees at the central level are those who are most regularly consulted by the leadership and, in some cases, are required to meet once a week. In others, meetings take place only in light of specific issues

and are not formalized as an internal mechanism. A few provincial level party officials talked in interviews about being required to submit monthly reports of their activities to the central level. Of note, consultation of provincial-level officials was sought by many parties in their selection of electoral candidates. This involved collecting application forms, weeding out unsuitable candidates and sending the best applications to the Kabul headquarters for final selection.

Leadership. Following the discussion on vertical structures is the issue of leadership within parties. As indicated above, the hierarchies embedded within party structures mean that very few decisions are made without the presence of the party leader, and no decisions are made outside the central executive or leadership committees. Parties are largely personality-based: even newly established parties have a top-down hierarchy with very little devolvement of key decisions. This does not go unnoticed by mid-level party members. One respondent commented on the need for change in this area:

> We know parties have very old structures and we need to introduce new structures to the party leaders…It should be the followers who determine the leaders, not the leaders telling everyone what to do. Parties need to learn more about how to run their party and the international community can empower them in this way. (party representative, Kabul)

This sentiment of discontent with current or 'old' structures within the party was echoed by a number of respondents at the regional level who described the way in which decisions were made at the top and did not concern them. Interestingly, the respondent cited above suggests that international actors intervene to help parties learn about alternative structures so that the balance of power within parties might change in the future.

Parties in Afghanistan are personality-based not merely as a result of the way in which decisions are made but also due to the individual personas (and reputations) of the leaders themselves. These figures – particularly those leading the ex-*Jihadi* parties – command considerable public support within their own constituencies, in spite of being labeled warlords by other segments of the population. This presents a problem for parties in elections, for example, in which many people vote for the party leaders themselves rather than spreading votes strategically across party candidates. The situation is likely to change for some parties sooner than others: *Jamiat* party, for example, is in the process of ratifying a new leader (most likely Ahmad Zia Masoud) to replace Burhanaddin Rabbani, who has led the party since its inception. While the new leader will present a different image for the party, it remains to be seen whether its power hierarchy will change significantly.

3. Party Procedures and Activities

Procedures within parties signify a degree of organization – in that their presence testifies to the way in which formulaic systems have been designed to deal with regular activities or occurrences. Parties in established democracies, for example, follow procedures for internal elections, the nominations for leadership positions within the party, conflict resolution within the party, and for policy initiation. These procedures are written and made public in order to generate transparency within the party. In Afghanistan, very few parties have written or formalized procedures, partly as a result of the way in which activities between elections are often minimal. Activities often occur on an ad hoc basis and not according to a procedural format. The following table summarizes the procedures that Afghan parties have currently, both for elections and in between elections. It distinguishes between procedures and regular activities, which are also listed.

Procedure/activity type	For elections	Between elections
Strategy	**Procedures:** Little/none **Activities:** Division of provinces into zones; attempt to reduce candidates to one per zone, but often unsuccessful; greater numbers of candidate agents employed	**Procedures:** Little/none **Activities:** Primary focus on next elections, little else in terms of party activities or outreach. Possible exception of activities surrounding re-registration – strategy involved increasing numbers of offices in different provinces.
Fund raising	**Procedures:** None **Activities:** Reliance on diaspora members of the party living abroad; reliance on businessmen/ wealthy patrons/leaders; richer candidates help pay for the campaigns of poorer ones; very little sourced from membership fees	**Procedures:** None **Activities:** Reliance on diaspora members of the party living abroad; reliance on businessmen/ wealthy patrons/leaders; richer candidates help pay for the campaigns of poorer ones; very little sourced from membership fees
Party officials election	**Procedures:** None specifically for elections; party officials selected or elected at congress rather than systematically in the months before an election campaign starts	**Procedures:** Some parties have written specifications that officials are to be elected or selected in party congress every three to five years with no change specifically for elections. **Activities:** Most officials are elected or selected according to procedure at party congress, although whether or not a congress is held on time is largely dependent on party funding.
Policy input and contribution	**Procedures:** Little/none **Activities:** Largely based on the discussions of the leadership council, not an open process. Some party leaders are more receptive to the input of external, international trainers as a result of training received in advance of the elections.	**Procedures:** Little/none **Activities:** As for elections, largely based on the discussions of the leadership council, not an open process, dictated from above: as an example, 'The members do not have access to the policy-making process, they just receive instructions' (party representative, Kunduz).
Policy decision making	**Procedures:** None **Activities:** As above, central leadership makes decisions, especially concerning which and how candidates will be selected for the party in elections.	**Procedures:** None **Activities:** Very little involvement of any members below the leadership council: as an example, 'When the policy is finalized, members have access to the policy papers' (party representative, Kabul).
Communication	**Procedures:** Little/none **Activities:** Usually more than between elections: leaders visit different areas personally; provincial staff in regular contact with the center. More effort made to communicate with general public through TV and radio.	**Procedures:** Little/none **Activities:** Some gatherings/meetings organized, especially around key issues/events; publications produced although these are often infrequent due to a lack of funds. *Hezb-e-Islami*'s newspaper appears to be the most regularly produced.
Accountability – financial	**Procedures:** None **Activities:** Very little financial accountability during elections. Money given to candidates for campaigns (between $2,000 to $10,000 per candidate) but no way of	**Procedures:** None **Activities:** Very little financial accountability between. No communication within the party as to the status of party funds, most

	ensuring their loyalty once elected. Funds coming largely from the party leader/ wealthy patrons rather than from party bank account.	coming from leaders' personal accounts. Mid-level heads of committees have no financial autonomy or knowledge of party finances (but are vocal in their complaints on this issue).
Accountability – policy	**Procedures:** None **Activities:** None. Elections are not conducted around policy debates. Pledges made during elections center around service provision and ideas for changing the way government functions but do not include policy pledges. Parties and candidates do not account for their policy performance under their last elected term.	**Procedures:** None **Activities:** None. Leaders are not held accountable for their positions on policy, very few policy positions are determined or publicly communicated. No press conferences are held, no other procedures for policy reporting to the public are performed (some conferences and/or rallies held but no policy content in general).
Party candidate nomination	**Procedures:** Different procedures among parties: party members apply in person or in writing to provincial level office, applications then submitted to the central level for approval. Some parties have written documents explaining these procedures, others communicate party decisions on this by word of mouth to candidates. **Activities:** Those with written procedures tend to follow those described above; other parties are even more centralized with the party leader traveling to the provinces to make decisions without a set procedure to follow. According to one party respondent, 'if a party member does not follow the procedure, they will be relegated from the party'. Whether, exactly how or on what grounds this relegation occurs is not described in written procedures.	N/A

Essentially, very few procedures exist through which parties regulate their activities. Of those that exist, most relate to the selection of leadership within the party or candidates for elections – indicating perhaps that these are areas carrying the most potential for dispute. Some parties make an effort to clarify these positions in writing and are made widely available to party members, whereas others appear to design and share the few procedures they have only within higher levels of leadership. The extent to which procedures are followed largely depends on the leadership and their personal authority within the party. Selective implementation appears to be common across all parties, and very few consequences exist for those who do not follow procedure.

Procedures remain few and far between partly because regular party activities themselves are infrequent, particularly between elections. As described by the information in the table above, party activities and procedures tend to be more coherent and/or established during elections or for party congress meetings. As one party respondent stated, in response to a question about his party's strategy between elections, 'our party is putting all its efforts into having a candidate for the next presidential election. For this reason, we are working on this issue and are opening party

offices in different provinces.' (party representative, Kabul). There appears to be little in the way of activities or procedures to regulate these activities in between electoral years. A notable exception was the activity generated by the need to re-register parties under the 2009 Parties Law. This events-focused approach could however be harnessed in the promotion of party involvement at other key times, such as the preparation for the 'Bonn 2' conference scheduled for December 2011.

In general, the picture presented by this summary of party procedures is one of limited institutional capacity – but not of complete inactivity or lack of process. It describes some accountability by party leaders to their members, and some movement toward greater communication of party messages. These are developments which have occurred since the NDI party assessment in 2009.

Section on Institutional Frameworks: Conclusions

- Parties have not updated their party constitution before or in between elections.
- No party appears to have developed party legal framework into members' manuals that are user-friendly.
- Parties seem to have fairly well-developed structures at the national level and partly at provincial level. The presence of staff within administration and offices at the provincial level varies greatly across parties.
- Vertical structures for communication, consultation and reporting remain rudimentary in most parties and there is considerable space for improvement in these areas.
- The description presented by the summary of party procedures is one of limited institutional capacity – some party activities take place but are largely unregulated or are not based on procedure. The procedures that exist for most parties focus on the selection of party officials and electoral candidates. Parties should be encouraged to formalize these procedures and communicate them more widely across the party, while considering ways in which procedures for other activities could be developed.

C. Party Performance

Party performance in recent years could be measured by a number of different indicators. This assessment favors a comparison of participation and representation, as opposed to a focus only on seats gained in elections. These are also presented and discussed but need to be supplemented by the qualitative analysis that precedes them.

'Participation' is used here to mean the extent to which parties actively encourage public and/or member participation in their political activities, and are themselves as institutions participating in the political affairs of state. It also reflects the extent to which to parties are inclusive of a diversity of views, especially those of women. 'Representation' is used to denote the extent to which parties listen to and promote the views, the interests and the needs of members and the public more broadly in different political arenas. It also reflects the extent to which parties consult with and report back to members and the public at large. Participation and representation are analyzed in this section first on the basis of parties' performance in general, and second on their performance during elections.

This assessment is based on the self-assessments of parties themselves combined with the perspectives of the analysts compiling this report. Parties' own perspectives of how electoral fraud affected their performance in the polls are also included in this section.

1. Party Performance - General

There is a great deal lacking in parties' day-to-day performance according to the 'participation' factor. For the most part, parties at the national level do not participate in political affairs of state as institutions, or in a pro-active manner. Some demonstrations are conducted, but these are often reactive and focus on ethnically divisive issues. Many occur on the basis of a leader's prompt rather than as a result of collective party decision. National level offices, however, had been actively participating in the re-registration process during 2010 and called on the support of different party departments at the national and provincial levels to undertake this effort.

Many parties do not have mechanisms in place to encourage women's greater participation. A few have female members in senior positions in the party, while others (such as those with conservative religious viewpoints) reject the notion of women in leadership.

At the provincial level, the level of party participation often involves the organization of demonstrations; in comparison to those organized at the national level, the issues raised are highly localized (for example, in one case, a party in Herat demonstrated specifically on issues related to border concerns). Similar to national-level demonstrations, events at the provincial level involve certain prominent individuals (as opposed to parties as institutions) leading the activity. Provincial level party participation often depends on the relationship between party office staff and the provincial governor – in one case, a provincial party office is almost completely dependent financially on donations from the governor and determines activities based on available funds. During the re-registration process, staff members of provincial offices were active participants in collecting ID cards and membership details, collating these and sending them back to head offices in Kabul. In terms of minority participation, generally there is much less inclusion of women at the provincial level than at the national level; but in cities in which state universities are present, parties often provide dormitories for students and encourage their political participation through regular meetings and seminars.

Many parties in this assessment expressed the need to connect with local *shuras* and elders as a means to increase party membership at the local level. *Paiwand-e-Milli*, for example, has an extensive network of connections within Ismaili communities, for example, and the same can be said for *Hezb-e-Islami* and *Afghan Millat* in the south and east of the country within communities of their own respective support groups. In general, these connections are not based directly on party membership and are more a means to extend influence among local elites in these areas.

There are gaps in the parties' general day-to-day performance in interest representation. At the national level, party leaders or party MPs do not publicly talk about the interests of the party as a collective institution, but instead raise issues relating to geographical constituencies or ethnic groups. These overlap with party interests in some cases, especially in those concerning the more ethnically homogenous parties, but no one party represents the interests of an entire ethnic group.[44] Party documents and policy positions (if they exist) are rarely referred to, and there are few if any mechanisms for members to report on party performance.

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[44] Olivier Roy (2003), 'Afghanistan: Internal Politics and Socio-Economic Dynamics and Groupings'. Writenet Paper no. 14/2002. Paris: CNRS, p7.

At the provincial level, party offices function as sub-national representatives of the national level headquarters – and more specifically, as representatives of the leadership. Very little in terms of the representation of provincial members' interests occurs, and thus parties at this level rarely serve as conduits of provincial concerns to party headquarters. According to respondents at the provincial level from a number of different parties, they are not consulted in party decision-making and are generally excluded from policy-making.

This exclusion is even more pronounced at the local level, which is far removed in party hierarchies from the central decision-making bodies. Any local representation that occurs is conducted through meetings with district and village elders, who may or may not have formal party connections. With the exception of *Afghan Millat*, which as indicated above has a specific structure through which local consultations are conducted, meetings with local leaders are usually conducted on an ad hoc basis. Compounding the problem is the way in which, according to party respondents for this study, there is often reluctance among citizens at the local level to associate with parties or affiliate themselves with one party or another.

Summary table:

	National	**Provincial**	**Local**
Participation	• Very little public participation in political affairs at the national level encouraged by parties. • Some demonstrations are organized but are usually reactive not proactive. • Participation increased during the 2009/2010 re-registration process. • Some parties are proactively including women in central committees.	• Parties have conducted some demonstrations at the provincial level. • Parties' provincial level participation depends on personalities involved. • Provincial offices were very involved with the re-registration process. • Much less inclusion of women (with the exception of Kabul province).	• A general concern exists among parties to involve local *shuras* and elders. • Local participation is not directly tied to party membership but is determined by parties' interaction with local leaders. • Little to no inclusion of women in party activities.
Representation	• Interest representation noted in MPs' or party leaders' speeches, but these normally focus on interests of ethnic groups or geographical constituencies. • Parties seldom represent party policy positions by referring to party policy decisions or documents (like the party manifesto). • In policy decision-making, party leadership consult with very few members outside their own circle, if any at all. • There are few mechanisms for reporting on performance.	• Provincial offices represent the party at the sub-national level rather than represent the interests of provincial party members • The efficacy and activities of the office often depend on its relationship with the provincial governor. • As with the national level, parties rarely represent policy positions in reference to decisions or documents. • Party members at the provincial level are not consulted in policy decision-making. • There are no mechanisms for reporting on performance.	• Representation occurs through local elites who may or may not have party connections. • As people are often unwilling to disclose party membership, there is a reluctance to engage with party representatives at the local level. • As with the national level, parties rarely represent policy positions in reference to decisions or documents. • No party members at the local level are consulted in policy decision-making • Mechanisms for reporting on performance do not exist.

2. *Party Performance – Wolesi Jirga Elections*

On the theme of participation, parties' performance in the elections varied greatly by party but in some cases was markedly better in 2010 than 2005. Although turnout across the country was much lower in 2010, parties – particularly those representing ethnic groups such as the Hazara and Uzbek-dominant parties – encouraged significant voter participation by publicly promoting the elections at the provincial level and by selecting a limited number of highly publicized candidates. Much more was spent by parties in general in 2010 than 2005 on campaigns to encourage voters. For the most part, party documentation (such as a manifesto) was not referred to in campaigns, but some older parties used their well-known slogans on their chosen candidates' posters in order to identify them (especially if these candidates had not been registered with the IEC with the party name on the ballot). No parties had national, provincial or local campaigns to encourage voter registration before elections.

In general, provincial level party offices conducted more organized campaigns in 2010, including door-to-door canvassing and rallies or meetings which were organized as a means to introduce party candidates to the public in provincial centers.

At the local level, voter participation in elections was encouraged by some parties in the organization of transport services to and from polling stations, although this was fund-dependent and often linked to individual candidates with the resources to provide this, rather than being available as a service for all party candidates to promise to potential voters. For example, one *Junbish* candidate in a northern province, as a personal initiative, organized tractors (pulling platforms) to take voters to the polls. Very few candidates at the local level referred to the party structure or policy during their campaigns, relying largely on personal connections to generate voter support.

Party performance in terms of representation during and as a result of elections also varied between parties. A number of parties managed to secure greater representation in the *Wolesi Jirga* as a result of the 2010 election – and the representatives who were successful included a greater number of party leaders. Whether or not this increased presence leads to better collective interest representation, however, depends on whether and how party MPs manage to stand as a bloc in plenary votes.

At the provincial level, parties' ability to represent constituent interests depends largely on the extent to which the party support network overlaps with that of particular ethnic or tribal groups and the influence of other authorities (such as local governors or insurgent groups). For example, in elections, the most influential party in Balkh province could promise greater interest representation for supporters as a result of its strong connection to the provincial governor. Business interests, access to resources and state services are all tied to the governor and, (only) by extension, to the party.

At the local level, party candidates tended to promise interest representation on the grounds of their own personal connections rather than on the representational ability of the party as an institution. This, as with campaigning tendencies at the provincial and national levels coincides with the nature of the SNTV system, which encourages individual candidacy and does not require candidates to register a party affiliation or demonstrate an adherence to party policy or platforms. Parties could however capitalize on the way in which the electoral system does not

facilitate individual representation of all districts in a province, leaving some areas marginalized. In theory, with a party connection, these areas could be better represented.

Summary table:

	National	Provincial	Local
Participation	• Turnout was much lower than in 2005 but parties representing minority interests performed better in 2010 in encouraging electoral participation • Parties spent significantly more on campaigns in 2010 than 2005 • Party candidates rarely included party policy positions in campaigns	• More organized campaigning compared to 2005: door-to-door activities and rallies organized to introduce party candidates in provincial centers • Parties did not take a role in encouraging voter registration before elections • As at the national level, party candidates rarely represent party policy positions in campaigns	• Some parties engaged local level communities by organizing transport to the polling stations • Generally little party activity at the local level in elections • Party candidates make no reference to party policy decisions at the local level during campaigns
Representation	• As a result of the election, a number of parties managed to increase the size of their presence in the *Wolesi Jirga.* • The extent to which parties can represent collective interests will depend on their MPs' ability to stand as a bloc in parliament.	• The extent of party representation in elections relies on how much a party's support network overlaps with ethnic group presence/influence and other sources of authority.	• For the elections, party candidates relied primarily on their own personal connections in promising interest representation, rather than referring to the representational abilities of the party.

Although the above findings are very general in terms of their assessment of party performance, there are two aspects of comparison that are clear: first, that parties perform better in elections in general than between elections; and second, that their performance in terms of participation and representation in elections in 2010 showed a marked improvement from that of 2005.

In terms of the first, the incentives for improving performance were regarded by the parties as being more prominent during elections, rather than between them, since better performance could result in a visible increase in a party's share of political power. The current gap of four to five years between elections (depending on whether or not a party fields a presidential candidate) often signifies a period of inactivity for parties because there are few incentives to promote activity. Systematically including re-registered parties in a greater number of nationwide or provincial level events such as provincial development meetings, televised discussions and regional conferences could provide a greater stimulus for increased party activity between elections and better performance more generally.

The second conclusion here denotes an improvement in parties' electoral performance since 2005. Many factors contribute to this, including a greater openness about party affiliation, better organizational skills, and slightly increased institutional coherence. In an election cycle widely marred by fraud and violence, these small improvements represent a considerable achievement.

3. Empirical Outcomes in the Wolesi Jirga Elections

A key difficulties in conducting political, electoral or social analysis in Afghanistan is the lack of reliable statistical information available. In part due to the benefits of maintaining an ambiguous stance with regards to political allegiance, it is difficult to determine how many party candidates actually won seats in the *Wolesi Jirga* and to what extent 'unofficial' or 'supporting' candidates are in fact aligned with the parties who claim them. This is demonstrated by the discrepancy in the table below between the figures produced by NDI and those from other organizations (shown in brackets). Only 34 candidates out of a national total of 2,577 included their party affiliation on the ballot paper for parliamentary elections, although 226 attempted to do this but were prevented as a result of their parties being unregistered by the candidate nomination deadline.[45] Another critical dimension hindering the viability of post-election party figures is that of timing: while many candidates were willing to accept the party name or association during campaigns – perhaps in return for contributions to poster-printing or campaign transport – whether and for how long they remain affiliated to the party after they have secured seats in parliament is another matter.

Initial figures for the number of formal party representatives in parliament are presented here – 'formal' implies that these individuals either competed as party candidates with the party name on the ballot or identified themselves after the election in NDI interviews as party members. These figures do not include those individuals considered as 'affiliated to' or 'supporting' parties.

Table: Party Representatives in WJ and PC [46]

	Party name	Leader	Description	WJ seats 2010	WJ seats 2005	PC seats 2009	Registered 2009 ?
1	Jamiat-e Islami	Burhannadin Rabbani	Ex-*Jihadi* faction, majority Tajik supporters	17 (14)	22 (10)	20	No
2	Wahdat-e Islami Mardum	Mohammad Mohaqqeq	Ex-*Jihadi* faction, majority Hazara supporters	11 (8)	9 (18)	11	Yes
3	Junbish	Sayed Noorullah	Ex-military faction, majority Uzbek supporters	10 (4)	15-33 (20)	25	Yes
4	Jamhori	Engineer Habib	New party, formed in 2006, pro-government	9	N/A	1	No
5	Wahdat-e Islami	Vice President Karim Khalili	Ex-*Jihadi* faction, majority Hazara supporters	7 (5)	3 (<5)	13	Yes
6	Mahaz-e Milli	Pir Gailani	Ex-*Jihadi* faction, Sayed religious leaders, majority Pashtun supporters	6	3 (10)	5	Yes

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[45] Thomas Ruttig, 2010, 'Afghanistan's Election: Political Parties at the Fringes Again'.

[46] The first numbers in each of the columns are NDI statistics. In 2010, these were collected through a thorough process: parties were contacted and asked to supply written lists of party MPs – then MPs were contacted individually to verify party claims on their affiliations. Bracketed numbers for 2010 WJ seats are those produced by the Kabul Center for Strategic Studies (CSS) in 'The New Structure of Afghan House of Representatives', Kabul Center for Strategic Studies, January 2011. The discrepancy between NDI and CSS figures for *Hezb-e Islami* is explained by differences in data collection methods and/or willingness of MPs to disclose allegiance to the party. Figures for WJ 2005 statistics come from NDI's 2006 Parties Assessment, with (bracketed numbers for WJ seats in 2005 come from AREU's analysis in 'A House Divided? Analysing the 2005 Afghan Elections'. Again, discrepancies stem from differences in data collection methods and the inclusion of those affiliated to parties but not strictly categorizing themselves as party members. Although the numbers appear to have decreased for many parties from 2005 to 2010, the figures for 2010 reflect committed, self-proclaimed party members and likely denote a more solid support base for the parties.

7	Afghan Millat	Anwar ul Haq Ahadi	Social Democrat with nationalist approach, largely Pashtun supporters	4 (1)	8 (7)	5	Yes
8	Dawat-e Islami	Abdul Rasul Sayyaf	Ex-*Jihadi* faction, Religious conservative, largely Pashtun supporters	4	9 (7)	3	Yes
9	Paiwand-e Milli	Sayed Mansoor Naderi	Largely Ismaili Shia supporters	4 (4)	1 (2)	3	Yes
10	Harakat-e Islami	Sayed Hussein Anwari	Ex-*Jihadi* faction, majority Hazara supporters	4	1-3 (<5)	1	No
11	Hezb-e Islami	Abdul Hadi Arghandiwal	Party faction that split from Gulbuddin Hekmatyar's Hezb-e-Islami	1 (24)	- (12)	3	Yes
12	Mutahed-e Milli	Noor ul Haq Oloomi	Ex-PDPA turned new democrat	1	8 (<6)	1	Yes
13	Adalat-e Islami	Qazi Mohammad Kabir Marzban	Formed in 2001 as part of the Resistance Council and then Justice Council. Registered as a party in 2004. Its leader is an Uzbek MP for Takhar province.	1	0	1	No
15	Nahzat Hambastagi-e Milli	Sayed Ishaq Gailani	Sayed faction, registered before the 2010 election and fielded one official candidate.	1	3	0	Yes
16	Wahdat-e Islami-e Millat	Qurban Ali Erfani	Shia faction, splinter of Hezb-i Wahdat, largely Hazara supporters	1	-	0	No
17	Eqtedar Milli	Sayed Ali Kazemi	Shia faction, close links to Harakat	1	4-12 (<7)	0	No
18	Niaz Milli	Fatima Nazari	New party formed in 2008, led by female MP Fatima Nazari, largely Hazara support base	1	-	0	No
19	Naween	Yunus Qanooni	Splinter faction from Jamiat-e Islami	1	13 (25)	0	No
20	Musharakat-e Milli	Najibullah Kabuli	Leader known for his anti-Iranian stance, and controversial Emroz TV station (banned in 2010).	1	N/A	0	Yes
21	Jamhorikhwahan	Sibghatullah Sanjar	'New Democratic' party formed under the Taliban regime. Supported Karzai in the 2009 elections.	0	0	1	Yes

For most ex-*Jihadi* parties, then, an increase in party seats can be seen, tentatively. Leftist parties' numbers appear to have declined, with prominent members or left-leaning individuals having failed to win their seats for a second time. In terms of pro- and anti- government (or perhaps pro/anti Karzai would be more appropriate labels), again it is difficult to speculate as a number of groups (such as the *Wahdat* parties and Shia bloc in general) have shifted between the two since the 2009 presidential elections and are unlikely to make a clear commitment one way or the other due to the strategic benefits in sitting on the fence. As one party member described, 'In the presidential elections, the party joined Karzai because the interests of the people were in this at that time… If we join Abdullah tomorrow, again the criteria will be our people's interests, and the democratic process does allow us this opportunity.' Some parties, such as Sayyaf's

Dawat with its pro-government stance have been more consistently committed to one position, but this is unusual in the current environment. Furthermore, other parties, such as *Harakat*, have experienced splits over this issue – *Harakat* (led by Anwari) has now further divided into two sub-parties, one pro-government (a new branch, led by previous party deputy Sayed Ghani Kazimi and one (still headed by Anwari) in opposition since the presidential elections.

As such, the apparent increase in party seats in the new parliament does not symbolize a move toward a more organized legislature. At the time of writing, this had already become clear in the way in which the parliament had failed to elect the positions of first and second deputy speaker after several attempts, and only concluded the process with a political settlement. What it does indicate, however, is the extent to which parties are able to overcome the challenges of SNTV with an organized approach to campaigning and candidate selection. For all the irregularities of the last two elections, some parties managed to do this successfully. Furthermore, the results present a challenge to parties: they will need to create the necessary incentives to keep candidates aligned with the party in internal parliamentary votes if their efforts are to reap rewards.

4. Party Perspectives on Elections: Campaigns and Preparation

In spite of the majority of respondents reporting greater degrees of insecurity and fraud in 2010 than in previous elections, party representatives expressed the view that they were better prepared for elections in 2010 than they had been for the 2005 and 2009 polls. Preparation had improved in the area of campaigning, for example, which saw more diverse activity across the country than in previous elections. Two parties mentioned the production of a CD with the speeches of their leaders recorded on them, and a number of representatives talked about door-to-door campaigns conducted alongside the more typical strategies of meeting with elders:

> We had campaign teams and they were responsible for the campaigns. Sometimes they were arranging meetings with the people, and if that was not possible or cost too much then we also conducted door-to-door campaigns. Also, elders of the districts were invited to the party office in order to talk and to introduce our candidates. (party representative, Nangarhar)

> This time [in 2010] the party had received training which contributed toward their success in the parliament. There was much difference between this year campaign team and last years. In the past, the candidates were sending their campaigners to the field to meeting people, which was not really organized. For example, the teams were doing campaigns whenever they wanted to do them [but not all the time]. The campaign strategy we used in this election was that the candidate was trained by the party to use different methods, like telephone conversations, and categorizing the supporters into relatives, supporters, 'neutral' and non-supporters. The candidates were calling supporters and relatives regularly in order to remind them to vote on Election Day. The candidates were focusing on these people to persuade them to vote. They were not focusing on non-supporters because there was no point. The candidates also had teams of volunteers and used the advertisement tools of business cards, posters and brochures to do their campaign. (party representative, Kabul)

> [Our party] tried to reduce the number of its candidates. For instance, we had one candidate running from Kabul. We adopted this policy in other provinces as well. We have had a considerable improvement in strategy. We do not think of quantity, but of quality. (party representative, Kabul)

Our campaign was conducted in such a way that we were trying to raise the awareness of people [about elections] at the same time. We used some theater productions for the campaigns. Youth played a key role in the campaigns, and we were also using methods like door-to-door visits, sending leaflets everywhere, [and] designing standard posters…In these elections [2009 and 2010] we used many different methods comparing to previous elections. (party representative, Kabul)

Other parties stated that there had been no change in their campaign strategies between the two sets of elections (2005 and 2009/10), possibly in some cases as an attempt to demonstrate the strength of the party. Some parties however described significant differences in their organizational approaches. This was most evident in the attempt to reduce the numbers of candidates in a given area and allocate one candidate per geographical area within a province. This was a strategy noted in analyses of the 2009 provincial council elections, which was not widely used in 2005. In spite of the broad acknowledgement for a reduced number of candidates, few parties were successful in convincing would-be MPs not to run in the electoral race:

During the campaigns the party was facing lots of problems. For example, we wanted to have a very low number of candidates for each province but we had more than we were expecting. Due to this problem we lost 22,000 votes. We only lost them because we had too many candidates. (party representative, Kabul)

The party planned to have two or three candidates from each province but we were not successful. For example, in [a central] province the party wanted to have two candidates, but instead seven members of party nominated themselves which really affected the party negatively. It meant that only one candidate from [this] province won. In [a southern] province we wanted to have only one candidate but unfortunately there were three candidates from party. (party representative, Kabul)

Some parties, however, were able to successfully reduce the number of candidates they put forward under the party name, demonstrating that the attempt to do so could result in a positive electoral outcome:

I myself was also interested to be a candidate and therefore did not run [again] for the provincial council last year [so as to be eligible as a parliamentary candidate the following year] but based on the party leader's decision I withdrew…. We received the most votes in Balkh province. Both the first and second candidates were from our party. Also in provincial council, our candidate ranked second. [We only had one] candidate who did not accept the party leader's decision to withdraw. When the party did not support him, he decided to run independently. (party representative, Balkh).

A final point on electoral preparation mentioned by several party respondents referred to the significant improvement in polling agent training prior to the 2010 elections as compared with previous years:

We did not have trained agents in the previous election while we had trained agents in the 2010 election. (party representative, Kabul)

Although there were problems in the last election, still we observed positive changes compared to 2005...When we have received training about observation methods, we trained our agents who could record and carefully observe the election process. (party representative, Kabul)

Our party had about 360 polling agents and we situated them in all city center polling stations. We see a huge difference between this year's polling agents and last year's polling agents, because this year our agents were more prepared and knew better how to observe and look for fraud and irregularities. They did a fantastic job this year and they were better equipped with good training and knowledge. It also worth mentioning that this year, our agents brought us the final result from each station which did not happen last year. (party representative, Herat)

In general, party perspectives on electoral preparations and campaigns reflected a clear sense of parties' increased familiarity with the system, even if this did not lead directly to electoral success for the candidates. Furthermore, in a context in which 'the system' is often perceived by the general public to be ambiguous and tainted by fraud, the fact that some parties actually managed to gain seats on the basis of clear strategic decisions is noteworthy.

5. *Party Perspectives on Fraud Affecting Electoral Performance*

A common narrative throughout respondents' description of the 2010 elections was that of fraud. As might be expected, the parties that were more successful in the elections as a whole tended to talk less about fraud as a debilitating obstacle and more as a nuisance that should be dealt with in the long term. These were also the parties that reported some positive results of complaints submitted to the ECC:

Fraud exists everywhere but in Afghanistan we have the highest level of fraud. To work against it, we need more than political parties' efforts - we need decisive government action. We just submitted our complaints and put in lots of effort, and as a result we managed to get some of our votes back. In fact, the first time that we submitted the complaint, the ECC asked us to bring evidence to prove we were telling the truth. They told us to bring a copy of the announced votes of the polling station and then they said they would count all the votes again. We tried hard to get this document and for one polling station, we brought the announced list that said we had 40 votes for our candidate – and in the second list, it was written that we had only four. After that, they listened to us and we succeeded in claiming back some votes. (party representative, Kabul)

One of party candidates in [a northern] province reported to the ECC that his competitor received 1,500 fake votes, and he did this as soon as he found out about them. This caused our candidate to succeed and his competitor to lose as a result of his fraud. We also had a successful complaint from another candidate of our party in [a different northern] province. His competitor was working in Ministry of Defense at the same time that he was running for the election. Our candidate reported this to the ECC and his competitor was disqualified and removed from the IEC list. (party representative, Kabul)

Our complaints did not have any clear outcome. But in personal meetings that [our deputy leader] had with [a member and spokesman of ECC], he was told about six times that he was the winner and therefore he did not need to follow up these complaints. (party representative, Kabul)

> [Some of] my votes were invalidated – 1,000 votes in one area and in another area about 732 votes. We submitted a complaint but when we looked at the election process and saw how many complaints there were, we didn't provoke the issue very much. (party representative, Kabul)

These quotations present a more positive view of the role of Afghan electoral bodies than is generally heard in interviews with other parties, and are not representative of the data as a whole. Nevertheless, they demonstrate that to some extent, the two commissions were taking heed of complaints and responding to them. The third and fourth quotations also point to a prioritization of cases, on the part of the ECC and parties themselves, in which the complaints of outright winners were dismissed in many cases.

The parties who lost seats in certain areas had a less complimentary view on the electoral bodies' ability or willingness to deal with fraud:

> The only thing we could do was the training and recruiting of observers, but this time the methods of fraud had changed, therefore we could not do much to prevent it. For example, armed men entered the polling centre in the Doghabad area of Kabul, and they used all the ballots in favor of their own candidate. (party representative, Kabul)

> We filed complaints with the ECC. They received our complaints but did not take responsibility for acting on them. They did not do anything. We even filed complaints to the ECC central office in Kabul, but again they did nothing. Everything was done in favor of powerful people. (party representative, Laghman)

> We registered complaints with the ECC in the 2009 and 2010 elections. The complaints were about invalid cards, forced votes (gunmen forcing people to vote for their candidates), ineffective ink, campaigns near the polling stations, and not allowing our observers to watch the counting procedure. [But] we did not receive any outcome. We called the ECC many times about the result but they did not give any result. (party representative, Kabul).

> We filed complaints with the ECC, but we didn't hear any positive reply from them. The reason maybe is that either they didn't want to that they were not able to work on them. (party representative, Nangarhar)

> We had some complaints regarding fraud, but these have had no result. For example, in Nangarhar province we argued with the IEC for a second counting of votes, because in the first count, 500 votes of our candidate were not counted. We asked for the final decision of the IEC on this but they came up with no result. And we are sure that the votes of whole districts were not counted properly. (party representative, Kabul)

The general perception among parties losing candidates was that the IEC and ECC failed to act on their complaints, but were active in pursuing those of other candidates. It was also the view of many respondents from losing parties that systematic discrimination occurred. Evidently, discrepancies of this kind could have been the result of differing levels of evidence provided or the reliability of complaints received, and could be used by losing parties as excuses or a means to justify poor performance. Complaints of fraud also serve as attempts to delegitimize winning candidates.[47]

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[47] Noah Coburn and Anna Larson, 'Undermining Representative Governance: Afghanistan's 2010 election and its Alienating impact'. Kabul: AREU, 2011, p13.

Respondents also described party disunity, particularly on the subject of filing complaints, as the following quotation depicts:

> As there was a lot of fraud and irregularity, the party's agents monitored the process and registered complaints with the ECC. The party had lots of candidates; some won and some lost. Those who lost registered their complaints with the ECC. But [our] party did not interfere in these issues, because the party did not want to appear to be supporting some of its candidates over others. (party representative, Balkh)

The lack of intervention on the part of the party as a means to remain 'neutral' in its support of candidates demonstrates the absence of a strategic fielding of candidates in the first place within the party (which is also supported by other interviews). Further, it illustrates the way in which for many candidates, responsibility for promoting their cases with the ECC was their own and was not taken up by the parties they represented, partly because the majority of parties had not officially re-registered before the election. This was the case with a number of parties interviewed for this study.

Section on Party Performance: Conclusions

- In post-2001 Afghanistan, parties seem to focus on elections and do not have regular day-to-day activities in the periods in between elections. Re-registration, however, has proved a motivating factor for the increased consolidation of parties, promoting better communication between the center and the provinces. More systematic incentives for party activity in perspective of the political cycle need to be in place between elections.
- Some parties perform better than others at the local and provincial level. Parties such as *Afghan Millat* and *Hezb-e-Islami* have some structures that involve supporters at the local level, but still tend to work with elites at these levels rather than rank-and-file members. Performance in participation and representation is better across the board for parties during elections than between them.
- Party performance in elections has improved since 2005 with a greater understanding of the system, more preparation, and greater internal cohesion. It is critical, however, that the benefits of this experience are not left to stagnate between elections, and that it is built upon in between elections.
- Empirical results from the recent elections demonstrate that some parties were able to overcome the challenges of SNTV with an organized approach to campaigning and candidate selection, in spite of fraudulent and violent elections.

D. External Factors

Political party development in most contexts is a complex process, but examples in post-conflict countries demonstrate that it is possible to work around and against a challenging political environment. In Afghanistan, the roster of factors external to political parties – such as the electoral system, executive influence, and lack of security – often become justifications in themselves for inactivity. This is not to say that these challenges are insignificant in any way, but that they are not perhaps as insurmountable as they might seem. This section assesses and acknowledges the external, contextual limitations facing parties but treats them as obstacles to be overcome, as opposed to reasons for failure.

1. The 2004 Afghanistan Constitution

Afghanistan's current constitution was drafted and ratified as part of the Bonn Process. Since its creation, it has been the subject of considerable debate among Afghans and internationals alike. It is based on the 1964 Constitution of Zahir Shah, and carries many similarities to the earlier document. Many articles, however, are ambiguous in meaning and some are adhered to more strictly than others; some are regularly violated or ignored.

Article 35 of the Afghan Constitution states that citizens have the right to form parties according to certain restrictions.[48] Parties must not hold programs which oppose Islam or the values of the Constitution; they must make public their organizational structure and financial sources; they must not have military aims; must not have affiliations to foreign political parties; and must not be formed according to ethnicity, language, religious sect or region. If parties comply with these provisions, they cannot be disbanded without the approval of 'an authorized court'.

These provisions carry considerable ambiguity, and what is *not* mentioned is perhaps more interesting than what is. First, they make no reference as to who or what body will judge whether parties are complying with the principles of Islam or the Constitution, and no reference to the registration body in which applications to form parties will be considered. At present, the decision-making body is situated within the Ministry of Justice and thus is under State control – a negative factor perhaps influencing which parties manage to complete the registration process, although signifying room for change without contradicting the Constitution. Second, there is no reference made to the Party Law specifically, although it is generally the case that for each article in the Constitution, there is corresponding legislation determined by the parliament. This contributes to the way in which there is no constitutional requirement concerning the internal functioning or regulation of parties in Afghanistan. While the minimalist nature of constitutional reference to parties is not unusual, and is similar in the constitutions of other young democracies, the lack of reference to party legislation or internal regulation in the Afghan Constitution differs on this account.[49] This contributes to a considerable ambiguity which could be addressed in the addition of more substantive clauses in the Party Law.

Many party respondents talk about the shortcomings of the Constitution not in terms of its provisions for parties but in the powers assigned to the President. In Chapter 3, the Constitution states that '[t]he President is the head of state of the Islamic Republic of Afghanistan, and conducts authority in executive, legislative and judicial branches in accordance with the provisions of this Constitution'.[50] The document dictates a strong Presidential system in which the formal separation of powers remains unclear. In the last two years, interventions of the President – for example, in changing the electoral law by decree – have angered many parliamentarians and party members, and have demonstrated the effects of such a system.

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[48] Constitution of Afghanistan, Chapter 2, Article 35.
[49] For example, the Kenyan Constitution contains little in itself about the formation of parties but makes direct reference to the formation of a Political Parties Act which regulates the formation and activities of parties. Constitution of Kenya (2010), Articles 91 and 92, accessed March 2011 at http://www.kenyalaw.org/klr/fileadmin/pdfdownloads/Constitution_of_Kenya__2010.pdf . In the Ugandan Constitution no reference is made to party legislation but article 2 (v) states that 'All political and civic associations aspiring to manage and direct public affairs shall conform to democratic principles in their internal organizations and practices'. Constitution of Uganda (1995), 'National Objectives and Directive Principles of State Policy', Article 2 (v). Accessed March 2011 at http://www.ugandaonlinelawlibrary.com/files/constitution/constitution_1995.pdf
[50] Constitution of Afghanistan, Chapter 3. Article 60.

Having said this, the opposition that such actions have generated may lead to a platform for change, albeit dispersed across different interest groups and currently fragmented.

2. *Political Party Law*

In 2009, a new Party Law was introduced, replacing the initial law of 2003 that had granted parties the right to exist as formal institutions for the first time in Afghanistan's history. The new law required that parties re-register according to a different set of rules, including the requirement for the membership papers of 10,000 members (from a minimum of 22 provinces) to be collated and submitted to the Social Organizations and Political Parties Coordination, Review and Registration Office in the Ministry of Justice. This law was passed in September 2009, setting a six-month deadline for parties to re-register.[51] This allowed very little time for parties to complete the registration process in advance of the planned parliamentary elections in 2010. Furthermore, the official gazette publishing the Registration Regulations corresponding to the new Party Law was published in June 2010, and the specific rules of registration were not publicly available for parties wishing to re-register on time. At the time of writing, 38 parties had completed the registration process.[52]

Respondents for this assessment were less forthcoming in their criticism of the Party Law than of the Electoral Law, which the majority saw as fundamentally hindering party activities. Many were not familiar with the content of the Party Law, other than being aware of the need to re-register with 10,000 members. This demonstrates the extent to which parties are elections-focused and do not generally (as yet) consider significant the legislation that governs organizational details. This section deals with the Party Law first as a means to promote its significance in terms of party development.

Party representatives who talked about the Party Law in interviews shared a range of perspectives, but largely focused on whether their party had managed to register. Registration was presented as a status symbol, with many representatives talking about being the second, the third or the fourth party to register as a demonstration of their organizational strength. In general, these parties were content with the process, citing it as a necessary step to reduce the number of parties in Afghanistan. Others, however, complained bitterly about the process, citing fraud in the Ministry of Justice and an unequal treatment of parties by the registration department:

> On the process of the party registration, I should say that we were witnesses to the fact that that the party registration department earns 100USD in bribes from any one party in order to complete the registration. When we submitted our list of required members, somehow 500 members' names from the top of our list disappeared, and we didn't know what had happened to them. We had to go and find 500 different signatures to register the party. If there is no corruption, how is it possible that a party could submit a list of 10,000 members in one day? …I think Hamid Karzai is trying to undermine political parties in Afghanistan because he himself has no interest in powerful political parties in the country. However, we did our best and registered our political party so that we could put our party name on our candidates' ballot papers. (party representative, Kabul)

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[51] This was later moved to from March 2010 to June 2010 due to 'technical difficulties'. Thomas Ruttig, 'Afghanistan's elections: political parties at the fringes again'.
[52] Department of Parties Registration, pers.com

The party registration with Ministry of Justice was a complicated process. We wish there was a TV station that could video the whole process. [It] was very difficult. [Our party] was the first party to submit all the necessary documents to the ministry. But the process took a long time. The Ministry of Justice said that they need 10,000 forms with copies of members' national identity card and voting cards… [We] created an office which was responsible for the registration process follow-up. Fifteen thousand (15,000) national identity cards were scanned. The scanned forms were copied on to CDs, and hard copies filed. All these files were organized with serial numbers. [Then]…the ministry has to send a letter to the United Nations [UNAMA] to confirm that our party had gone through DDR. We thought this was particularly funny because the ministry was not sending these confirmation letters for the big *Jihadi* parties…Finally, in the face of lots of difficulties and problems, our party registration was completed. (party representative, Kabul)

The ongoing registration process is not better than previous one. There is no verification of the 10,000 members required. Political parties can collect the ID numbers of people but there is no policy in place by the Ministry of Justice to verify those signatures. (party representative, Kabul)

The Government is not implementing the law, because we can still see discrimination among political parties being conducted by the Ministry of Justice. The ministry is issuing registration certificates to those parties who have not met the requirements of law. (party representative, Kabul)

The Ministry of Justice has little power or autonomy to verify the claims of parties on their membership numbers or declared assets, and does not have the authority to de-register or prosecute a party if it provides false documentation. In light of this, there is little incentive for parties to complete their registration forms transparently. Although the Regulation on the Establishment and Registration of Political Parties specifies that an official certificate of registration will expire after five years and will not be renewed if a party is considered to have violated the provisions of the Constitution and Party Law concerning their conduct, there is no reference to any process to determine whether or not a party should be disallowed from re-registering, or to the body of authority who would make this decision.[53]

When asked whether the new party law had affected their electoral performance, parties again had differing responses. A number of party representatives talked about the process in a positive light in spite of the difficulties experienced, citing an increase in activity during the process as a sign of party development and institutionalization. The widespread attempt to collect membership papers in the lead up to elections served as a PR tool and a means to increase awareness of the party's activities and candidates. On the other hand, however, the new requirements for registration added an extra strain on party resources (requiring the set-up of temporary offices in several provinces) at a critical time during which, especially for smaller parties, these resources were scarce and needed for campaigns. As party performance varied significantly between parties, however – and between those who had completed and had not completed the registration process – there appears to be no direct correlation between the process and the outcome of elections.

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[53] Ministry of Justice, Islamic Republic of Afghanistan (2010), 'Regulation on Establishment and Registration of Political Parties'. Official Gazette, Special Edition, Issue No. 1026, 6 June 2010. Article12, Paragraph 3.

Finally, as with the Afghanistan Constitution, it is interesting to note what is not mentioned in the Party Law. Party legislation exists to regulate political parties, spelling out their rights and their responsibilities. These often begin with registration requirements and include guidance on internal structures and procedures, from membership recruitment to conflict resolution mechanisms and de-registration criteria. Party legislation also needs a certain level of detail which then must be further developed into rules and regulations for compliance, enforcement and sanctions. At present, the Party Law and its corresponding Registration Regulation contain very little detail of this sort. It is of important that they identify the institution(s) to perform these roles and responsibilities in a non-partisan manner.

3. Electoral Law

Since the drafting of Afghanistan's 2004 Constitution, party members – along with political analysts and academics – have argued that the SNTV system outlined in the Electoral Law has a negative effect on parties' ability to compete effectively in elections.[54] In interviews for this study, which were conducted following 2010's parliamentary elections, this argument was still being put forward frequently by parties, many of whom were not able to overcome the organizational challenges created by the system:

> With the current SNTV system parties cannot play a good role in politics. Our party demand is for party system elections, so that parties could share their received votes among their MPs. (party representative, Kabul)

> The elections should be partisan [party-based] in order that parties can compete in the elections. If the government accepts a position for parties or a role in politics for parties, then the country will move towards political constancy. The government system of presidency should be changed to parliamentary system. This is for benefit of people and country. (party representative, Kabul)

> In the last election, there was no role for parties to play and political parties had no chance to run for their nominees. From my perspective, it would be good to change the SNTV electoral system to PR or a mixed system in which parties could have candidates to run in the election, which would lead to the encouragement of talented and motivated PCs and MPs in Afghanistan. (party representative, Herat).

Under SNTV, there are no incentives within the system for individual candidates to run as a declared party nominee. Voters cast ballots for individuals rather than political parties, in a one-person-one-vote system. The number of seats won by any party depends on whether individual candidates within the party have performed well, and not on whether the party wins the majority of the vote. Multi-member constituencies mean that any number of candidates can run in a given province, resulting in a huge number of 'wasted votes' cast for candidates who do not win – and tiny margins between winners and losers.[55]

Even if a candidate accepts party funding towards their campaign, the decision to remain 'independent' on the ballot is strategic as it provides a means to deny party allegiance in future

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[54] Anna Larson, 2009 'Afghanistan's New Democratic Parties', p10; Andrew Reynolds and Andrew Wilder, 2004, 'Free, Fair or Flawed'.

[55] At present, SNTV is used only in Jordan, Vanuatu, the Pitcairn Islands and (partially) in Taiwan. For more information see Andrew Reynolds and Andrew Wilder, *Free, Fair or Flawed: Challenges for Legitimate Elections. in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2004), 12-16.

should this be considered more expedient. This was reported to be the case with a female candidate for one of the smaller parties, who according to the party leader campaigned with the support of the party and on winning her seat promptly declared herself independent (party representative, Kabul). In the words of one member of civil society, 'the current situation encourages candidates to run as independents because it is easier for people to make deals this way.' One party representative explained something of the greater flexibility that standing as 'independent' affords electoral candidates:

> There were two reasons for not electing themselves by the party name like security and competition. If they run as candidates by the party name, they would not receive votes in the province where the party does not have support or the party is not accepted by the people. They were not interested in being elected through the party. For example, we had a candidate in Badghis but he did not elect himself in the name of the party. (party representative, Kabul)

Conversely, the ambiguity of allegiance epitomized by the 'independent' stance also allows individuals who have not been officially selected by parties as their formal candidates to claim party affiliation in areas in which public support for a given party is strong. In this way the electoral system emphasizes the informal nature of politicking in Afghanistan and does not contribute towards the greater institutionalization of electoral procedures.

Although many respondents complained about the SNTV in interviews, there was a lack of debate on alternative systems that could replace it. Some respondents talked vaguely about Proportional Representation or a 'mixed system', but few could elaborate on the specifics of these alternatives or on why they would present a more satisfactory option. Furthermore, in previous studies conducted on parties, it has been noted that party representatives' complaints about the system tend to be used as a way in which to explain or justify poor organizational or electoral performance, without considering contributing factors internal to the party.[56]

As aforementioned, the data gathered for this study indicate that some parties were able to use the electoral system to their greater advantage in 2010 than in 2005. This was particularly true of those parties with more clearly distinguished voter support bases, such as *Wahdat-e-Islami*, and *Wahdat-e-Islami Mardum*, whose networks of support lie primarily within the Hazara communities across the country. One respondent emphasized the way in which her party had taken advantage of the SNTV system:

> As a whole in the elections, people vote mostly for those who are influential and have a famous personality. If the electoral law was changed from SNTV to Proportional Representation, then due to the lack of trust that our people have in political parties, the parties won't get enough votes. For instance, in the last election, I got votes from party and non-party voters. This is because I am familiar among people and people know me very well. Our party has used the SNTV system well and has no comments regarding its change. Because in this way (and using this system) the party can gain more successful candidates in the election. (party representative, Kabul)

In mobilizing voters around candidates who were already well-known in their respective communities – and by dividing candidates strategically between these communities – the party was able to field several successful candidates. The other party competing for votes among

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[56] Anna Larson, 'Afghanistan's New Democratic Parties', p10.

largely the same target group adopted a similar strategy and was able to match and exceed its opponent's electoral success. As one member of civil society described,

> [The party leader] divided parts of Kabul so that each different area would vote for a different candidate. He was very clever in this strategy. This also created competition between his party and other Hazara parties, who then did the same but weren't quite as successful. There wasn't a combined Hazara strategy but the different groups adopted similar, separate strategies. They divided their votes by location. Now the candidates and parties are more familiar with the flaws and loopholes of SNTV, and they are organizing themselves to make sure they get as many MPs elected as possible per province. (civil society representative, Kabul)

Some parties, then, were able to use the system to their distinct advantage, having organized successfully around the constraints of the system. The attempt to organize in this way was not limited to Hazara parties, however, and was reflected – albeit less successfully – across the board in parties' strategic division of constituencies and allocation of candidates. Many party representatives in regions outside of Kabul talked about dividing their province into zones and attempting to allocate one candidate per zone for both the provincial council (2009) and parliamentary (2010) elections. Although in most cases unsuccessful, due to an inability to reduce numbers of candidates, and the perception of widespread fraud, this attempt by a considerable number of the major parties represents a shift from the 2005 elections. In the previous parliamentary elections, very few parties were planning their approach in an organized fashion to make the most of the electoral system.

There are exceptions to the norm in terms of parties' general complaints about SNTV, and not all party representatives interviewed for this study wanted to see the system changed. There is also, however, a distinct lack of a public, consistent position taken on this subject by key party leaders – while many are willing to talk in interviews about the need to change SNTV, there have been few if any public statements made about the issue from the leaders themselves. According to one civil society organization, leaders intentionally blocked attempts to change SNTV in 2008 when the issue was raised in parliament, due to the fear that their own power as leaders would disintegrate as a result.

Another aspect of the electoral law of concern to party representatives is the size of electoral constituencies. For both provincial council and parliamentary elections, constituencies are province-wide and are not subdivided further. Thus, an unlimited number of candidates can stand per province with no formal allocation to any smaller geographical or social unit, typically producing long lists of candidates on ballots of several pages. While this system has been in place since the drafting of the 2004 Constitution, and with a full term of parliament complete and another started, the effects of instituting such large constituencies are now becoming increasingly clear to political parties. As one party representative from Nangarhar explained, this not only contributes to a number of wasted votes but also limits the accountability of MPs to constituents:

> There are deficiencies in the electoral framework – for instance, a constituency covers a whole province, which I think is a negative factor. In our province, it prevented many voters from using their votes for their ideal candidate. Through this system, they were not able to choose candidates who could really represent them. (party representative, Nangarhar)

This point is frequently mentioned by older respondents whose memory of the electoral system under Zahir Shah provides a direct comparison with the current division of constituencies. At that time, areas were divided into a *loqa dari*, an area generally comparable with the size a district in Afghanistan in the current administrative divisions – in which citizens were allowed to choose between only two candidates for election. Given a smaller area of responsibility, each successful MP was well-known in the community and had the potential to be more accountable. In those times, however, there were no registered parties and the system had a number of its own flaws. Smaller official constituencies also would risk even greater ethnicization of elections and representation more generally. In part due to the political nature of determining administrative divisions, as has been evident in the delay in confirming district boundaries, there is little likelihood that the current allocation of electoral constituencies will change. This then leaves the challenge of creating sub-divisions and enforcing disciplined adherence to these with the parties themselves. In theory, parties could provide a way to bridge representational gaps – for example, if an MP from a certain district is not elected to the parliament, a person living in that district could feel equally well-represented by his party as by the individual MP – if parties were able to rise to the challenge of listening to and promoting constituent interests across district boundaries.

The perceived selective enforcement of the electoral law in recent elections was also considered a significant problem by parties. Although views of fraud differed between respondents, and examples were given of positive action taken by the EEC against fraudulent activity in some cases, one common thread throughout interview data was that levels of fraud had increased in 2010 as compared with 2005. In some cases, this comparison was also extended to 2009 – indicating higher levels of fraud in the parliamentary polls than in the presidential and provincial council elections. According to one respondent, 'fraud was immature [in 2005] and now it has become mature, and has spread from the polling stations to the highest levels'. This perception signifies a worrying trend, along with the corresponding passivity expressed by party representatives toward it. For them, there is little to be done to prevent fraud if there is no political will at the highest levels to do likewise.

4. Party Funding

Perhaps the most debilitating of all administrative obstacles facing parties and their potential institutionalization is the lack of a sustainable or reliable source of funding. Moreover, and perhaps more importantly, the absence of a transparent system of managing funds is a significant hindrance to their internal cohesion and organizational development. While Article 35 of the Constitution specifies that parties 'make public their financial sources', in reality very few parties comply with this requirement and no mechanism exists at present to enforce this provision.

Most of the ex-military/factional parties are reliant entirely on funds sourced and invested by their leaders during the war years, which remain in the personal bank accounts of these leaders and the details of which remain inaccessible to other members of the party. The following respondents explained this situation further:

> *Jihadi* parties have money from the Jihad period and some of these parties have invested the money, for instance on a running a hotel, which is to some extent, meeting the party's financial needs. As far as I know, [the party leader] has also invested some of the party funding on economic activities. The party is not receiving any foreign assistance and during the Jihad and communist period, most of the party funding for guerrillas was provided from the donations by

people. The party was relying on people's donations. But most of the party funding was invested by [the previous party leader] on religious schools. [This leader has since left the party and at this point the interviewer asked whether the party funds had been discussed before he left]… No, no-one dares to talk to him and we fear that if we discuss this issue with him, he will issue a decree against the party. (party representative, Kabul)

Parties should be funded through transparent resources, not like the leadership of current parties that obtain funding through illegitimate means and the people [party members and the public] do not know how these funds are spent. This leads to a distance between people and the leadership of the party. People must know what the financial resources are and where they are spent… If there is financial assistance provided to our party, it goes to the leader and other members do not know about it. (party representative, Kabul)

We do not have a specific system for fundraising, but we have not started begging yet! Usually some businessmen are taking the responsibility of supporting our party meetings. (party representative, Kabul)

[Our party] has not received a single penny from any international organization. We supported the campaigns [in recent elections] through membership fees. And the Provincial Governor also donates to the party from his personal budget because he owns businesses. In fact all the assistance [for election campaigns] was provided by the Governor. (party representative, Balkh)

The reliance on top leaders for the majority of party funding is related to a lack of options in terms of funding sources for parties, and in particular the widespread inability and unwillingness on the part of parties across the board to collect membership fees (which have not been used as a systematic party funding mechanism since the 1960s). As a result of parties' role providing armed protection and services in refugee camps during the civil war, they have developed a reputation as patrons rather than organizations to which the public would actively and financially subscribe. One civil society representative described this situation:

In the 1960s and 70s, we had a degree of enthusiasm amongst the youth for political parties, they were happy to spend their time and pay membership fees. But during the war this changed and people only joined to receive something – money, weapons or protection. Once Khalq took power, membership in the party became a way of getting a promotion for example. Now you have to convince people that they should be giving something to a party, not gaining from it. (civil society representative, Kabul)

Although most party representatives talk about membership fees in interviews, the amounts (10-20 Afghanis per month) are very small, and the extent to which they are systematically collected or recorded is minimal. Thus, without official government funding for parties, or legitimate means of sourcing financial assistance from other souces, the reliance on party leadership for funding is intensified. It contributes significantly to the patron-client relations between the leadership and party members, essentially dictating a hierarchy of decision-making in which all information, resources and responsibility for strategic relationship-building remains at the top of the party. This is also true of some of the newer parties whose organizational structure is likewise biased toward decision-making at the top and whose funding comes primarily from the connections of the leadership.

Relatedly, there is no mechanism in place for the disclosure of party funds. Alongside there being limited information available to party members concerning the financial status, income and

revenue generation of parties as organizations, there is no method of making this information public on a regular basis.

Incentives to change this situation remain minimal among the parties' leadership, as might be expected – since the less information shared about the sources of party finances, the more control the leaders are able to wield over party activities in general. There appears to be a growing dissatisfaction among mid-ranking party intellectuals with the limited information disclosed by their leaders. This points to a potential catalyst for change – but one which needs to be approached with caution lest leaders react negatively to what may be seen as (and what in fact is) a potential challenge to their authority.

One means through which financial management and transparency has been encouraged in other young democracies (such as Uganda) has been through the introduction of state funding to parties. Mechanisms have been built into the development budget whereby donors have allocated funds specifically for party assistance, and criteria designed through which parties can access funds if meeting the stated requirements. These requirements have included, for instance, the written documentation of resources held by the party, and the regular public disclosure of party finances. In spite of initial donor misgivings this has been proven a successful means of encouraging financial accountability elsewhere. Considering a state-funding mechanism for the Afghan context could lead to a useful debate among stakeholders on the merits and potential problems with this kind of approach.

5. Party Space and Security

A critical factor for parties in any context is the space in which to make their views known without the threat of violent reactions from opposition groups or the State. In light of recent events in the Middle East, this space appears to be increasingly valuable at present. In Afghanistan, since 2001, public demonstrations have generally been peaceful and have not generated significant opposition.

A number of small parties, generally with more liberal agendas often consider themselves to be under threat. In 2009, some of these parties produced a statement against the conservative Shia Personal Law but circulated it only within the international community for fear of violent reaction from those promoting the law. Another party in recent years had its office burnt down, and during elections attacks on candidates in general were common (often rumored to be perpetrated by the supporters of other candidates). One party leader was arrested in 2010 for showing anti-Iranian programs on his personal TV station, and had the station closed by government officials for several months. While some political space is available for parties – and considerably more than in previous regimes – there is nevertheless a sense of having to tread cautiously for fear of inciting reaction. This problem also extends to civil society more generally, and described by one respondent for this study as a waiting game, in which the government uses ambiguous rules to shut down organizations if they are considering to be stepping out of line.

A glance back to the recent history of Afghanistan suggests that parties are wise in their cautious approach. Executive backlash to party activity has been frequent and bloody, especially in times of transition. This being the case, working within the rules appears to be an appropriate strategy, albeit pushing for clarification and amendment where necessary.

6. Political Party Standing/Perception

> Political parties played a military role during the Jihad era. Every Afghan knows what the Leftists did here. The Mujahideen also made mistakes, especially during the civil war. All parties have killed many Afghans. That is why people think negatively about parties. Parties should accept their mistakes and they should work to improve their capacity for tolerance and criticism. If we work on this then all parties can play a good role in Afghan politics. (party representative, Nangarhar).

A common argument against the promotion of Afghan parties – heard among Afghans and internationals is that of the public distaste for parties as a result of their violent history. This is generally substantiated by research conducted on the subject[57], but is not a case simply of 'Afghans-in-general' dismissing parties altogether. Among respondents for a study of perceptions of democracy in Afghanistan, a considerable number of people talked about the merits of parties in other contexts or in an ideal scenario, but considered Afghan parties the problem as a result of their reputations.[58] Evidently, the context also presents a case of 'one man's [militia] is another man's [party]' – whereby party leaders are military heroes in the eyes of some and terrorists in the perspectives of others.

This presents a considerable challenge for parties that must work to reclaim the word 'party' as a positive and non-violent organization for social change. This would arguably not be as difficult if political will at the highest levels in parties could be harnessed to spearhead the task. Ex-*Jihadi* party leaders still benefit however from their military reputations and use these (along with simplistic ethnic arguments) as a way in which to generate mass political capital quickly.

Section on External Factors: Conclusions

- When talking about the party law, respondents focused only on the re-registration article and were not familiar with other articles or changes. This demonstrates a key characteristic of parties as events-focused rather than activity- or process-oriented.
- The Parties Registration office should function as a regulatory body providing concrete and detailed guidelines and sanctions for parties' day-to-day activity.
- Parties need incentives to be more financially accountable.
- There is a greater influence of so-called 'opposition' groups in the new parliament, most of which are strongly in favor of promoting a parliamentary system.
- While some political space is available for parties – and considerably more than in previous regimes – there is nevertheless a sense of having to tread cautiously for fear of inciting negative reaction from government and the broader public.
- Public perceptions of parties are not unchangeable but there needs to be political will at the highest levels to provoke substantive image-change.

E. Party Relations with Other Political Actors

Having situated parties within the external political context of Afghanistan, it is necessary to consider their position in regards to other actors within that context. Parties' relationships with each other have a history of fluidity, shifting allegiance and violence –and while in the post-2001

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[57] Anna Larson, 2009, 'Toward an Afghan Democracy? Exploring Afghan perceptions of Democratisation'. Kabul: AREU p23.
[58] Ibid.

era relations between political parties are peaceful for the most part, there remains a tendency against the formation of lasting alliances. This is problematic given the number of parties (38) registered under the new law. Parties' relationships with other actors are also important, especially following the 2010 election.

1. Inter-Party Relations

Parties in Afghanistan – and most particularly smaller, more recently founded ones – frequently acknowledge the disadvantages in standing as separate political entities, and refer to coalition with other parties as something to be worked on if common ground is identified. This prospect is often vague, however, and efforts to move toward it described in terms of 'discussions' which appear to have been ongoing for many years. The following statement is typical of smaller parties involved in these talks:

> 'According to our bylaws, we are allowed to have connections or coalitions with any political parties who are adhering to political principles. To bring peace and prosperity in the country as well as in the region we are in the process of discussing this with [7] other parties to create a strong coalition' (party representative, Kabul)

The prospect of forming coalitions is a daunting one, not least because it is seen to involve the sharing of leadership positions and the balance of power between different groups. As one smaller party representative said, 'when [other parties] are interested to join the party, they also ask for good positions in the party' (party representative, Kabul). There is also a great deal of suspicion and mistrust among parties as a result of their diverse political backgrounds and the general history of parties reneging on agreed alliances. Larger parties are often concerned about members of other groups joining as double agents or informants, and smaller ones talk about the risk of co-option into larger entities.

Despite these concerns, however, there are a number of key issues of importance to parties which are shared across otherwise very different groups. These 'issues of common interest' are apparent in the interviews for this assessment and reflect a broad spectrum of collective concerns. One party had organized a demonstration in Herat, for example, on the issue of Iran's recent embargo on oil tankers crossing the border. This demonstration was well-organized and peaceful, headed by a prominent member of the party in the region.[59] It was also mentioned in interviews by other members of the same party based in different geographical areas, demonstrating an extent of communication within the party. What was unknown to members interviewed, however, was that another party had also organized a demonstration on the same issue in Kabul. A more widespread example is the issue of making changes to the electoral system. This topic generated extensive complaints from respondents who, as mentioned above were mostly (with the exception of *Wahdat* parties) in favor of a system that allowed greater recognition of parties as political actors. This issue is more complex, however, due to the lack of an agreed alternative among parties, the need to convince prominent leaders of the proposed change, and the

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[59] This member was also a candidate for the election who was disqualified by the ECC, and was in the process of filing complaints with the Special Court. As such, this demonstration probably also functioned as a way in which to demonstrate the extent of the individual's support based in the region. Nevertheless, the fact that other party members talked about the demonstration without being asked, and referred to it as a party event, suggests that this was also a way in which to demonstrate collective party strength, in rallying around a timely and important topic.

potential opposition it would generate from executive powers. Nevertheless, it remains a common interest which could be adopted as a means to promote an issues-based alliance.

The idea of 'coalition' remains daunting and fraught with obstacles. There is certainly interest existing among most parties in the prospect of working with other parties, but to date the mechanism has been lacking through which they might do this:

> We have a very good relationship with parties with similar ideologies to our own…We have a coalition plan in our agenda but we have not achieved any activity in this regard. We have joined with tribal leaders and provincial councils in different provinces but we have not collaborated with other parties. (party representative, Kabul).

> [Our] party tried very hard to have a coalition with other parties, but unfortunately failed. Now we are in the process of restructuring our party and we will build a coalition in future. (party representative, Kabul)

> Officially there is no connection between the political parties but they do not have negative views toward each other. It would be good if the international community could provide the opportunity for parties to meet each other and make a coalition in future. There are unofficial meetings in which parties can meet each other – for example in the NDI trainings the participant from our party was about the meet other parties' members and they got used to each other. In fact, they were talking with each other, exchanging ideas and thoughts. (party representative, Kabul)

In all the quotations (and across the interviews, more generally), respondents refer to 'coalitions', but 'cooperation' – short-term alliances to promote a single issue, perhaps – could be a used to describe a more practical form of encouraging the beginnings of inter-party relationships. In Dari, distinct words exist for these English terms – *Ehtelaf* and *Tahawon* for coalition and cooperation respectively – but a clear distinction was not made between the two terms during interviews for this study (in which *Ehtelaf* was more commonly used). The clarification of the difference between these two terms could be made in training for parties as a way in which to demonstrate that cooperation need not be as daunting a prospect as implied by 'coalition'.

Some initiatives for short-term cooperation already exist among parties. Perhaps the most prominent example is that of the Memorandum of Understanding formed between *Junbish* and *Wahdat-e Mardum* during the 2009 presidential elections, as representatives of both of these parties described:

> We had a memorandum of understanding with *Wahdat* party to support Karzai [in the presidential election] which was strongly implemented…The main purposes of our party are to restore the rights of disadvantaged people and *Wahdat* shares this goal with us. We joined *Wahdat* to meet this goal. (party representative, Balkh)

> We have commitments with *Junbish Milli* because they also suffer from a lack of social justice. We follow common grounds and we have a coalition with *Junbish*. (party representative, Kabul)

While described in different ways, demonstrating a certain interchangeability of terms, this is an example of a short-term alliance based around a key event in which two ethnically different parties had similar interests. There are no questions of leadership disputes or cooptation as these issues are largely irrelevant in a short-term arrangement, and both parties are large and/or

influential enough to avoid feeling threatened by the other. Respondents from both parties also mentioned the prospect of future agreements. Interesting too is the way in which the alliance was unsuccessful in meeting its goals – although the intent was to support Karzai as President in order that he would later reward this support in ways such as appointing cabinet ministers from their respective minority groups, this did not happen and the relationship between these parties and Karzai has since deteriorated. As both parties were disappointed, however, their inter-party alliance appears to have strengthened.

Other initiatives toward issue-based alliances have been made by parties in the regions. Four of the Hazara parties with offices in Herat, for example, (*Wahdat Mardum, Wahdat Islami, Harakat Islami* and *Harakat Mardom*) meet on a regular basis to discuss commonly-shared issues:

> We had one position which we shared about the election and election process with some other parties – *Wahdat, Harakat* and *Harakat Mardum* parties. We struggle to overcome general challenges through consultations with other parties. If our people face a problem that relates to all of us we meet and discuss it. (party representative, Herat) [60]

In Kabul, these parties are quite distinctly divided and certainly in elections are in competition with each other for the same pool of votes. Plans to form a parliamentary group may change this, however, and it is interesting to see cooperation between the parties occurring at the regional level where perhaps their differences are less pronounced.

A formal coalition which has been in different forms of existence since 2003 is the National Democratic Front, which began as the alliance of 13 'new democratic' parties.[61] It has a written constitution and a rotating leadership. Since 2009, three parties have broken away from the group to form their own, separate alliance. Neither the original group nor the smaller break-away group have registered formally with the Ministry of Justice and none of the parties as individual organizations managed to elect an MP. For this reason, they were not targeted as subjects for this assessment. Nevertheless, the alliance of 10 parties continues to meet but has few mechanisms through which to raise issues or to promote public awareness of its existence.

Since 2009 and his unsuccessful campaign for the presidential elections, Dr. Abdullah Abdullah has launched the 'Hope and Change' Coalition with the intention of forming the basis for an opposition to the Karzai government. This coalition has been described both as a coalition and as a political party in its own right but is not registered under the new law and appears to be defining its role as a way to unite opposition-oriented parties and groups. MPs do not primarily associate themselves with Hope and Change; but as members of other parties, some talk about supporting this coalition as a party. For this reason, the Coalition was not selected as one of the 21 parties featured in this study.

Although the parties interviewed often referred to 'coalition' as a way of working together, there was little evidence of a deeper understanding of the different concepts and approaches that this might encompass. None of the parties mentioned the importance of the different steps and phases in party cooperation. There seems therefore to be, building on the expressed interest, great potential to strengthen parties understanding of and skills to be better internally prepared,

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[60] According to NDI staff based in Herat, these parties meet regularly in order to hold these discussions.
[61] Anna Larson, 'Afghanistan's New Democratic Parties', p7.

to negotiate, to launch and to sustain coalitions. Within this same concept of cooperation in political competition exist ways in which to address the high number of political parties and to better represent the diverse people of Afghanistan.

2. Relationship Between Parties and MPs

As outlined in Section D, parties' connection with electoral candidates is not straightforward, particularly when these candidates are successful in winning a seat in parliament. Winning candidates are often claimed by more than one party – and once successful, new MPs frequently deny any ties to political parties. One party leader told the story of having supported a candidate in the election who won a seat but then introduced herself to the parliament as an independent MP (party representative, Kabul). Interestingly, in both cases this appears to be more frequent among women candidates than men, which is likely the result of male candidate' party connections having been well known in the past and thus more difficult to conceal or change.[62]

Maintaining connections with these MPs will now prove to be a difficult task as parties have no formal presence within the parliament. One civil society representative explained the problem in more detail:

> Parties have a lack of stability in maintaining members. They have more support when they can offer something, for example poster-printing in the election – and because of that they claim to have more MPs. This is true to some extent but the bigger question is whether they can maintain them. After they become MPs, MPs have increased status – they have a nice house, an office, a car, a stable income and the ability to make their own deals independently. (civil society representative, Kabul)

The problem here appears again to be about the lack of incentives for MPs to maintain their party connections once in parliament. It could be the case that MPs no longer 'need' the facilities provided by the party in the election and, as described above, the incentives for concealing party allegiance or holding an ambiguous position are very high. Formally, in terms of the way in which the parliament is currently structured, there appear to be few benefits to maintaining party connections since the *Wolesi Jirga* is not officially organized into interest groups. This being the case, parties will need to establish other means of attracting MPs who remain loyal and committed to the party.

In some cases, parties anticipated the problem during elections and tried to put forward candidates who would remain loyal. Many respondents talked about new candidate criteria introduced in 2005, which included an indication of commitment to the party. Some also asked candidates to fill in official forms in writing as internal proof of their party affiliation given the lack of formal, public affiliation that would have appeared on the ballot if they had re-registered with the MOJ before elections. More leaders and deputy leaders of parties have been elected in 2010 (with the notable exceptions of Burhanaddin Rabbani for *Jamiat*; Noor ul Haq Uloomi for *Mutahed-e Milli*; and Sayed Hashem Folad and Faruq Meranai for *Afghan Millat*), which may be a result of this concern about candidates reneging on their stated commitments to parties once in parliament.

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[62] Male candidates tend to be older on average than their female counterparts, largely due to the difficulty in generating respect as a young man in society. The reserved seats system for women in parliament (68 seats are set aside for women) also contributes to the way in which younger female candidates are able to win seats.

Keeping non-leader MPs attached to the party will remain difficult, however, unless parties can find a source of non-material incentive to attract individual MPs to the party. One suggestion could be the provision of training and reliable information on public opinion to party MPs in a way that is not readily available to independent MPs. Information gained through opinion polls or focus groups, for example, could be useful in plenary speeches, and could set party MPs apart in terms of their expertise and factual statements. These would be particularly notable in a parliament in which very little empirical information is available to or used by politicians. Furthermore, as every plenary session is transcribed and translated for international donor agencies, it could be a way in which these agencies could select with greater discernment those MPs for whom trips abroad might be most useful.[63] Obviously, training and information provide little for MPs in comparison to financial rewards, but this would be one way in which parties could begin to build an elite group of representatives with more incentive to stay loyal to party priorities.

3. Relationship Between Parties and Parliamentary Groups (PGs)

Parliamentary groups were established in 2006, included within the parliamentary rules of procedure, as a means to promote the formation of issues-based blocs in both houses of parliament.[64] Originally called 'political groups', they were re-named so as not to indicate a connection with political parties (in spite of the fact that they were originally designed as the forerunners of parties in parliament). Restrictive rules prohibited the formation of these groups along ethnic, regional, linguistic or religious lines and stated that a minimum of 21 members were needed to form a group. Few groups were able to form and maintain members due to leadership struggles and an absence of binding issues or platforms.

In this assessment, some respondents talked about the need to form parliamentary groups once in parliament and stated that efforts were being made to do so. The most forthcoming of these were among the *Mahaz-e Milli* respondents, one of whom described a concrete plan to work on forming a parliamentary group:

> [Our] party's current focus is on its members of parliament and on the parliamentary groups. The party sees its biggest strength and success in parliamentary groups. That is why the party is working to make a strong parliamentary group in the parliament, in order to strengthen its role in politics. The plan will also involve recruiting more MPs in parliament. (party representative, Kabul)

This is likely related to the way in which the son of the leader, Sayed Hamid Gailani, was able to form a very large parliamentary group in the *Meshrano Jirga* (upper house of the National Assembly) during his term. Others were more reluctant to give details about plans for PGs, perhaps due to the uncertainty caused by the Special Court investigations in fraud, and perhaps as a result of wanting to keep this information concealed. A number of parties had no plans, at this stage, as to the establishment of parliamentary groups.

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[63] To date, donors have organized trips to their home countries for MPs based on factors such as their constituency (if it coincides with a province in which that particular donor has military troops stationed), their level of English, and their gender (favoring women). This is a point of contention for many MPs who see the same MPs being sent overseas repeatedly.

[64] Rules 12 and 13, 'Rules of Procedure of the *Wolesi Jirga* (Provisional)', cited in International Crisis Group (ICG), 2006. "Afghanistan's New Legislature: Making Democracy Work." (Asia Report No. 116), p12. Available at www.crisisgroup.org Accessed 11 December 2006.

Given the greater number of party representatives present in the new parliament, however, forming parliamentary groups may be easier than in 2005. MPs and parties alike are now more aware of the attempts by other political actors to disrupt and forestall group formation, and thus may be better prepared to deal with MPs who attempt to retain their independent status. In spite of restrictions limiting the ways in which these groups can form, they provide a potentially useful mechanism through which parties could strengthen their presence in the legislature.

To strengthen the relationship between parties and PGs, it is important to create a win–win situation. Questions that need to be asked include: What can parties contribute to the PG that makes the PG stronger and better functioning? How can parties grow stronger by having better relationship with the PG? Possible areas for further exploring could be the role of parties in policy-initiation, policy research, and policy development, joining with the PG in policy-making and policy decision. This allocation of responsibilities could allow both the party and the PG to be more active and more visible, with both having stronger influence in national agenda-setting and policy formulation.

4. Relationship Between Parties and Parliament

The relationship between Afghan parties and the *Wolesi Jirga* is not direct or formal, and depends on the size or influence of the party, the presence of the party leader as an MP, and the relationship between (other) elected MPs and the party leader. At the beginning of the first post-Taliban parliament, when talk of parties was considered a taboo subject, some MPs were considered by their colleagues to have connections with 'outside parties', but these were deemed separate entities from the workings of parliament and very few would categorize themselves as party representatives.[65] Contributing to this was the way in which in during the 2005 elections, ballot papers did not allow a space for a candidate's party affiliation. As the first parliament continued, however, parties' informal influence became clearer and the connections between parties 'outside' and MPs who supported them more visible. This is not to say that parties grew stronger institutionally, or that MPs became more reliably and openly affiliated to parties, but a gradual assimilation of parties' parliamentary contingent and their outside supporters had occurred.

Another interesting dynamic that became evident was the way in which, once elected, an MP did not necessarily rise in status within the party – as an individual, certainly, but not within party structures (excluding those MPs who were already party leaders). Within a given party's MPs, it was possible to detect a complete spectrum of party authority, from absolute leader to general rank-and-file party member. By early 2010, disgruntled members of the latter category were becoming more and more vocal about the inequalities within the party, especially in reaction to deals made behind closed doors between the party leaders and members of the Executive. The fact that all were elected MPs did not seem to contribute towards to leveling of political authority and resulted in a number of educated former party supporters ready to rescind their party connections.

In the 2010 parliamentary elections, parties were able to field candidates as official representatives of the party on the condition that they had completed the re-registration process as determined in the 2009 Parties Law. Although only five were able to register in time, this move was welcomed by parties and in general party activities were more open and cohesive in campaigns. In all

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[65] Anna Wordsworth, 2007, 'A Matter of Interests: Gender and the Politics of Presence in Afghanistan's *Wolesi Jirga*'. Kabul: AREU, pp 20-21.

interviews, the value of parliamentary seats for party representatives was clearly stated, and by many respondents related directly to power or influence in government. Given the way in which the parliament five years earlier was a relatively weak legislative body seen as incapable of standing against the Executive, the weight of this view should not be overlooked.

5. Relationship Between Parties and the IEC and ECC

As parties do not have a defined or formal role in the electoral system, their role vis-à-vis Afghanistan's two principle electoral institutions remains unclear. Few formal mechanisms exist as ways in which parties and the Independent Election Commission (IEC) or the Electoral Complaints Commission (ECC) can work together to promote electoral processes. In 2010, parties could register party agents and observers by submitting a form available on the IEC website. There was also a published code of conduct for elections available for parties on the site. Formal complaints could be made to the ECC by registered parties. But beyond this, very little collaboration took place during the election or counting period. As described above, many parties' opinions of these bodies is affected by how many seats they won or lost.

There is significant space for further cooperation. Very little international funding or technical support is provided for the electoral bodies in between elections, resulting in significant inactivity and a loss of staff. Parties, however, when aggregated, have a great deal of influence throughout the country and (according to them) many volunteers willing to work for the party interest in their spare time. Utilizing these human resources as a means to promote civic education could be one way of promoting the electoral bodies in between polls but also of encouraging parties to stay active in these interim periods, with the added incentive of encouraging greater public support for their own parties. This could potentially be formalized or incorporated into the new registration process, as a second level to be attained with a corresponding certification. There exists a considerable pool of human resources that could be tapped to promote greater levels of coordination between electoral bodies and parties.

Furthermore, election management bodies (EMBs) such as the IEC are now internationally recognized as having roles and responsibilities within the Electoral Cycle approach – this treats elections not as an event but as a process including critical functions to be performed throughout a four-to-five year cycle. The principal stakeholders within an Electoral Cycle approach are political parties. Liaison mechanisms between EMBs and political parties are now being formed in an increasing number of countries. The formation of such mechanisms was strongly recommended during the international Global Electoral Organization Forum held in Gaborone in March 2011. This could be a model for improving levels of coordination between parties and the IEC in Afghanistan.

6. Relationship Between Parties and the Executive

At present, several parties have a strained relationship with the Executive – or, to be more precise, with the President. The Cabinet is made up of individuals chosen primarily for their strategic connection to different ethnic groups and thus does not exist as a unified, pro-government bloc or party. This in itself causes tensions when members of the cabinet are also party leaders, as is the case currently with Vice President Karim Khalili (leader of *Wahdat-e Islami*), Arghandiwal (leader *of Hezb-e-Islami*) and Ahadi (leader of *Afghan Millat*). Party members interviewed for this

study – even those whose parties have been consistently considered pro-government – were very critical of the executive and of the President in particular:

> The government's weaknesses have undermined the role of political parties. In the beginning [post 2001], the parties had a role to play but after a period of time power was centralized in the hands of [Karzai's] team. Unfortunately now Karzai's government does not treat parties well. (party representative, Kabul)

> As we see in the current presidential system decision-making is the sole responsibility of the President, and because he is only one person he can make mistakes. In a partisan system this could be avoided and every decision could be made on the majority of votes. (party representative, Nangarhar)

> Unfortunately there is a lack of support for parties and a discouragement of parties by the government. The government gave some speeches in opposition to the political parties but in reality, we see that many of the individuals and institutions of government are affiliated with parties. (party representative, Kabul)

While some parties have close relationships with particular members of the Executive, there is a considerable dissatisfaction among all parties interviewed with the government's attitude toward parties, accompanied by a sense of active disenfranchisement on the part of the President. There are some parties which would appear to support Karzai if the opportunity to develop their own voice was to arise. Parties as diverse as *Afghan Millat, Dawat Islami* and the Republican party, for example, have considerable support bases and are not fundamentally opposed to the presidential system. They consider themselves victims of the system, however, and incapable of strong political activity as a result of the perceived constraints imposed upon them by the government.

The leadership of Hazara and Uzbek parties made close alliances with the President in the run-up to the 2009 elections, but these soon cooled as Hazara parties perceived that the President was not committed to delivering on the promises made during the election. Anwari's *Harakat* had decided to support Abdullah instead, and significant voices at the mid-level within Hazara parties had also been fundamentally opposed to the supporting of Karzai, including Sayed Ali Kazimi, a prominent businessman and intellectual. Dealings between the President and parties are likely to become increasingly complex in the new parliament, given the greater number of party representatives in the new parliament.

One formal connection between parties and the Executive exists in the form of the Social Organizations and Political Parties Coordination, Review and Registration Office (or 'Coordination Office') in the Ministry of Justice. The Party Law (and corresponding Registration Regulation) requires that parties register with this office, but as mentioned in Section D, parties do not generally have a favorable opinion of the process it oversees and consider themselves in many cases discriminated against by the State as a result of its position within the Executive.

7. *Relationship Between Parties and Civil Society*

Political parties and civil society have different and distinct roles in democratic societies. In Afghanistan, however, this distinction is not as clear cut due to the relative lack of a formal political role held by parties, as discussed earlier in this report. In spite of many having informal connections to parties themselves, Afghan CSOs attempt to retain a semblance of impartiality and thus do not readily associate with parties.

In many countries, CSOs and parties are interdependent and have a considerable degree of coordination with one another – and to a much greater extent than is currently the case in Afghanistan. One organization with whom greater coordination could be particularly useful for Afghan parties is the Free and Fair Elections Foundation of Afghanistan (FEFA), Afghanistan's principal elections watchdog and the country's largest domestic monitoring organization. According to one FEFA representative, very few parties visited their offices or asked for support during the 2010 elections:

> We were very open, we announced to them that any party that wants information on campaigning, or observation, we will give them support. But no one came and asked us. Once, Hezb-e-Wahdat called during the campaign and said that someone had been tearing down their posters, and they wanted to know what to do. We told them the process they should follow but we couldn't give them more help than this. In 2009, Dr Abdullah's campaign manager came here and we gave him advice. But parties have had no other coordination with CSOs. We targeted them and asked them to participate and they sent some very weak people to some workshops, but that is all.

There could be a number of reasons for this, including a lack of awareness, a disdain for CSOs or the perception that help or advice was not needed. Still, FEFA have produced some useful research on important issues (such as party financing, voter registration process and fraud, for example) in Dari, Pashtu and English.

Mechanisms through which this greater coordination could be achieved could include regular cooperation on agenda-setting, for example, whereby CSOs could contribute valuable information to all parties on their findings on popular concerns from local-level engagement. Producing documents specifically for parties but without specifying which parties in particular could be one way for CSOs to avoid direct association with partisan organizations. Direct coordination between civil society and parties could also take place over issues of monitoring and oversight of the government. This could be realized in a joint party-CSO forum for oversight which could directly inform the parliamentary committee for oversight that exists in the *Wolesi Jirga.*

Section on Party Relations with Other Political Actors: Conclusions

- Parties show interest in the prospect of working together; but to date, there has been no mechanism through which they might do this effectively.
- Keeping non-leader MPs attached to the party will remain difficult unless parties can provide incentives for them to do so. Training on public opinion research and the use of polls or focus groups, for example, could be useful in plenary speeches, and could set apart party MPs in terms of their expertise and factual statements. These would be particularly notable in a parliament in which very little empirical information is available to or used by politicians.
- In spite of the limits in which parliamentary groups can be formed, they provide a potentially useful mechanism through which parties could strengthen their presence in the legislature.
- Becoming an MP does not automatically raise a party member's status within a party (although it does raise their individual status in a given community). A re-shuffling of party titles giving more status to elected MPs could improve incentives for them to stay connected to the party
- In all interviews, the value of parliamentary seats for party representatives was clearly stated, and by many respondents related directly to power or influence in government. Given the way in which the parliament five years earlier was a relatively weak legislative body seen as incapable of standing against the Executive, the weight of this view should not be overlooked.
- A joint party-CSO oversight forum could be created as a mechanism to encourage greater coordination between parties and civil society on a cross-cutting issue.

V. PARTY NEEDS, CONCLUSIONS AND RECOMMENDATIONS

In the final section of this report, party's own needs and requests are put forward, followed by general conclusions made from the findings of the 2011 assessment. Recommendations to parties, the Afghan government, international community and NDI specifically are then given as suggestions for ways forward.

A. Political Party Needs and Requests

In interviews for this assessment, party respondents demonstrated a distinct inability or reluctance to talk about their shortcomings as parties, or about ways in which their party could improve its performance. Some were more candid than others, but many did not answer the question from the point of view of the party but instead pointed to the limitations of the context. One respondent summarized a common response to a question on areas for improvement in saying, 'I think this is very difficult to say. I think except changing the electoral law and party law, there is no way to strengthen parties' role in Afghanistan' (party representative, Kabul). This typical response could have been an attempt to show the party as lacking any weaknesses, or purely an honest statement indicating they did not have an answer the question. Either way, parties are generally lacking in the capacity to assess their own performance or activities.

Having said this, in response to other questions throughout the interview, some respondents identified mistakes made by the party in election strategies, or shortcomings in party structure:

> To be honest, [our] party did not hold an official assessment meeting to talk about our strong and weak points [in the election], although we as provincial members in Herat have held two meetings in which we talked about our weakness and strengths. We found that it was a big mistake to nominate two candidates [in this area]. (party representative, Herat)

> We have 15 or 16 members in the PC but unfortunately as you know we had our leader as a candidate for the presidential election so we put all our attention to him and turned a blind eye to the PC, this was a big mistake.' (party representative, Kabul)

> The party is trying to have its own provincial councils be more active. The existing system in the party should be overhauled so that the party's own provincial councils can work better. (party representative, Kabul)

> Our party wants to have stronger connections with people at the village level, this is our target (party representative, Nangarhar).

> We attach value to the participation of women and youth – and so we need to improve their participation (party representative, Balkh).

As such, there are some indications throughout the data of individuals within the parties taking a critical stance of their party's activities and communicating ways in which they think improvements could be made. In general, this does not extend to the party as a whole and there are no systematic mechanisms in place through which to assess performance critically.

In terms of specific needs which could be addressed by the international community, a number of parties talked about material support – financial assistance, computers, or trips overseas – while at

the same time acknowledging the article in the Party Law forbidding parties from receiving foreign funds. Others focused more on the capacity building that international agencies could provide:

> We need to work on building the capacity of the party cadres to a higher level. (party representative, Kabul)

> [In our regional office] we had a gathering before and after the election to discuss how it went but unfortunately there is no mechanism for such important issues, none of the parties know that a consultation gathering before and after the election is important. We suggest that training parties on such important issues in order to make them aware of the beneficial outcome of such gatherings. (party representative, Herat)

> The international community should provide capacity-building programs for party members. Training should include leadership, policy development and other programs which can help our members in order to strengthen our political development in Afghanistan. (party representative, Kabul)

> We suggest that the international community work more on the educational capacity building of political parties. (party representative, Kabul)

> The international community should provide technical support in the form of training and seminars for party members in order to build their capacity. (party representative, Kabul)

Inherent in these suggestions is the notion that 'capacity building' needs to be provided by the international community and that, once provided, parties' members will be fully trained and more effective. There is a distinct absence of acknowledgement of parties' own agency in the capacity building process, and of the effort needed from party members themselves to bring about increased capacity. This is an attitude more generally prevalent across the NGO sector in Afghanistan, resulting from aid-dependency, and is propagated by the way in which donors have implemented projects without asking for the participation or contribution of local communities. The sentiment was expressed well in one party leader's statement on the role of international assistance: 'We don't ask the international community for money: *we want them* to integrate our views and ideas into policy making and defining political, social and economic strategies for the government.' (party representative, Kabul, emphasis added). Encouraging parties' own agency in the development of their parties must be a priority for any assistance provided by the international community.

B. General Conclusions

In the present day, political parties in Afghanistan hardly have a formal or systematic political role. This assessment report suggests that the marginalization of parties in Afghanistan is misguided and unjustified on the grounds of their being weak institutions. Parties in other democracies have faced similar internal and external challenges, and yet have become more credible political players over time. Afghan parties have also shown developments in electoral strategy and performance since they were first allowed to register in 2003. In identifying parties' shortcomings, but in situating these within the Afghan context and suggesting that they are possible to overcome, this assessment attempts to promote the further development of Afghan parties as political actors.

1. Party Identity

Critical to party identity in a democratic state is a sense of holding a political role vis-à-vis other institutions including the executive, the legislative, the judiciary, media and civil society. This is identified consistently by parties as a role they do not have at present. Parties need to be 're-politicized' – consulted as credible players in key international and national conferences, for example, but as institutions rather than individuals. To this end, parties themselves need to build policy and ideological profiles that label them clearly as actors with much to contribute. It will be necessary for parties themselves to take the lead in developing these profiles, but there is room for further support from international party assistance specialists to encourage this process.

2. Institutional Frameworks

In addition to the identification of profile, if parties are to be considered valuable components of a democratic society, they will need to demonstrate more clearly that their internal structures and procedures reflect democratic principles. As there are no guidelines on internal regulatory procedures in the Constitution, this is something parties will need to adopt on their own initiative. Party documents need to be more accessible to members and reflect the changing legislative environment. Means of communication, consultation and reporting need to be established, in order that the top-down hierarchies commanding most party decision-making at present be replaced by democratic structures. Party procedures as they currently stand are limited, but nonetheless demonstrate some downwards accountability and some movement toward greater communication of party messages to provincial offices. These developments have occurred since the NDI's 2009 political party assessment.

3. Party Performance

Parties tend to be event-focused and center their activities around elections. Regular activity in the interim periods between elections is rare and largely disorganized when it does occur. Re-registration, however has proved to be a catalyst for increased party activity and greater coordination within the party between central and provincial levels. More systematic incentives for party activity need to be in place between elections. Parties' electoral performance has notably improved, however, since 2005, with a demonstrated increase in the awareness of the SNTV system and how to mobilize campaigns around it. Parties were better prepared and internally more organized in 2010 than 2005 or 2009. It is critical that parties capitalize on this experience and use it to further their institutional development.

4. External Factors

In terms of party funding, there is a great need to develop mechanisms that will enable (and enforce) parties to be more financially accountable – both internally and to the general public. This will encourage internal cohesiveness, which is critical as there appears to be a growing dissatisfaction amongst mid-ranking party members and heads of committees with the limited financial information shared by party leaders. This could point toward a window for change – but needs to be approached carefully in case leaders react negatively to what may be seen as (and what in fact is) a potential challenge to their authority. With more financial accountability, and

greater transparency, public perceptions of parties could change significantly, given time. Substantive image-change will require the political will of leaders, however, whose incentives to make powerful information public may be minimal.

5. Relationships with Other Political Actors

Parties express interest in working with each other, but lack the mechanisms through which to do this. In focusing on different steps of cooperation, and by focusing on issues one at a time for short time-periods, barriers to forming these mechanisms might be reduced. There seems to be great potential to strengthen parties' understanding of and skills to be better internally prepared, to negotiate, to launch and to sustain party cooperation mechanisms including coalitions.

Maintaining relationships with elected MPs now in parliament will be difficult for parties, but this could be achieved without the provision of material incentives. Training for parties and their MPs, based on the use of information gathered through opinion polls or focus groups, could be useful in plenary speeches and could set party MPs apart in terms of their expertise and factual statements. These would be particularly notable in a parliament in which very little empirical information is available to or used by politicians. The formation of party-connected parliamentary groups could also provide a critical means of keeping MPs loyal to party objectives.

C. Recommendations

In spite of the many barriers that exist, there is space for change and development within parties and within the broader political context in Afghanistan. However, the effective utilization of these openings will require concerted, continued effort on the part of Afghan parties themselves, the Afghan Government, and the international community. The following section puts forward some suggestions as to how these actors could further promote parties as credible political players.

General principles of party assistance in Afghanistan

1. The process of building the capacities of political parties, particularly in a politically volatile environment, takes time and resources. Ideally, this would involve long-term assistance – a minimum of five years, with at least one year past an election.

2. A comprehensive approach to assisting political parties takes into account the function of political parties in between and during elections. Elections should not be regarded as isolated events, and the role of parties in the immediate post-election period as well as the period between elections should be strengthened.

3. To promote synergy and maximize the impact of party assistance, it would be ideal to work with party structures at the national and local levels. In particular, efforts at the grassroots level could focus on more active membership and broader reach with citizens and voters.

4. In the area of political party assistance, best practices reflect that programs focused on process and that involve interactive, "learning by doing" approaches in capacity building have greater impact and more sustainable outcomes.

5. As democratic development assistance programs are primarily conducted in fluid political environments, the design and conduct of programs tailored for political parties need to be

flexible. For such programs to be relevant and effective, program elements should adapt to shifting circumstances.

Internal to parties

6. Democracy assistance providers could continue to assist political parties in developing their party profiles. Parties should be further encouraged to define their political principles, and develop policy agendas and messages that reflect such principles. In this context, parties' capacity as agenda setters and agenda responders could be enhanced.

7. Democracy assistance providers could assist political parties in further deepening and developing a political culture of consensus building in a multi-party context. Training on this subject could include:
   - 'traditional' consensus building among elites versus political consensus building (within an institution)
   - key values and principles in political consensus
   - communication skills and mechanisms
   - consultations skills and mechanisms
   - skills and mechanisms of building compromise
   - the difference between consensus and compromise; and
   - the different phases in consensus building and implementation

8. Democracy assistance providers could assist political parties in developing more comprehensive internal regulations for implementation. These could include but not be limited to:
   - strengthening party constitutions
   - forming rules for the nomination and selection of party leaders and party candidates
   - forming regulations on the responsibilities of party members, policy drafting, monitoring and reporting of party activities, and use of party resources; and
   - establishing mechanisms for conflict resolution, mediation, arbitration and appeal.

Between institutions

9. Democracy assistance providers could assist political parties in strengthening a culture of cooperation within political competition. To initiate this, program implementers could first orient parties on the benefits of cooperation among parties in between and during elections. Implementers could then work with parties on identifying and employing relevant mechanisms to promote cooperation among parties (such as alliances or coalitions) or among institutions (such as between parties and election management bodies).

10. A joint party-CSO consultative forum could be created as a mechanism to promote coordination between parties and civil society on cross-cutting issues.

11. To create greater incentive for party MPs to remain party members after an election, the role of parliamentary groups must be strengthened. The linkages between parliamentary groups and parties could be formalized from a structural and procedural perspective.

12. Democracy assistance providers could provide training for parties on the use of public opinion research. The application of this tool could be useful in plenary speeches, and could set apart party MPs in terms of their expertise and statements. In the future, this could be followed by a program to strengthen capacity within parties for policy research.

13. Becoming an MP does not automatically raise a party member's status within a party. Parties could give more substantial roles to elected MPs in order to improve incentives for them to stay connected to the party.

External factors: legislation and mechanisms

14. The Political Party Law could be revised again to become more comprehensive and tackle areas not addressed in the current law. The revision should be a process inclusive of the political parties. The process could benefit from comparative analyses of countries similar to Afghanistan.

15. The Political Party Law should be further expanded with the measures necessary to enable implementation. This includes regulations and procedures for both the implementing institution (currently the Coordination Office) and the political parties to comply with the different sections of the Law. This would require building the capacity of the implementing institution to enforce the law, and for parties to adhere to the regulations. The expansion should be a process inclusive of the political parties. This process could also benefit from comparative analyses of countries similar to Afghanistan.

16. The Coordination Office (currently located in the Ministry of Justice) should be an independent institution named the Registrar of Political Parties. The mandate of this independent institution should be anchored in the Political Party Law.

17. Democracy assistance providers could assist the Coordination Office in implementing the Political Party Law, strengthening its capacity to fulfill its responsibilities in:
     - developing political party regulations
     - advising and building the capacity of the parties to comply with the Law and its regulations
     - monitoring party activities; and
     - reinforcing reporting requirements.

18. An external mechanism for political party arbitration and conflict resolution could be identified and developed through a consultative process including political parties. The mechanism could be established within the Coordination Office, but would need the autonomy to perform its roles and responsibilities in a non-partisan and professional manner. Alternatively, the institution could be completely independent.

19. Democracy assistance providers could assist in developing a Political Parties Code of Conduct through a consultative process including the political parties and other entities – including the Parties Coordination Office and the IEC. This Code would be applied in between and during elections.

20. A liaison mechanism between political parties and the IEC could be developed by the IEC and all political parties; both sides would need to agree on the roles and responsibilities of this mechanism. The process could benefit from comparative

experiences where these mechanisms already exist. The mechanism could also benefit, for a temporary period and as agreed upon by the parties, from a non-partisan convenor.

21. A liaison mechanism between the parties and the Coordination Office could also be developed; both sides would need to agree on the roles and responsibilities of the mechanism. This process could also benefit from comparative analyses of countries similar to Afghanistan.

22. Mechanisms for political party funding could be explored. Possible elements to consider include:
    - public funding
    - a formal commitment by parties on being transparent about their funding sources, as stated in Chapter 2, Article 35 of the Afghan Constitution
    - clear and strict requirements for accounting, reporting and disclosure; and
    - strong and practical monitoring and enforcement mechanisms.

APPENDICES

Appendix 1:
Interview Guide – NDI 2011 Political Party Assessment in Afghanistan

Political Parties Interview Guide

It will be critical to ensure that the interviews take place in an atmosphere of mutual trust. Please read the following statement to the party leader or member regarding this assessment:

NDI is conducting an assessment of political parties at the national, regional and local levels. The purpose of this assessment is to develop a better sense of the current state of political parties in Afghanistan and to help inform programs of assistance to political parties in the coming years. This interview guide will be used to interview several individuals at various levels of the party organization.

Your answers will not be shared with other political parties or their members. Information and suggestions collected will be compiled in a report which will inform policy makers of how to support parties more effectively. Your name will not be attributed to any quotations used in the report from your interview. If you agree, however, we would like permission to write your name at the back of the report in a list of those interviewed for this study.

We are very grateful for your time and assistance with this research.

ROLE OF AFGHAN PARTIES IN POLITICAL DEVELOPMENT

1. **In your view, what is the current role of political parties in Afghanistan?**
   - Ask what role could political parties play to encourage Afghan political development
   - Ask whether any changes should be made – for example in the electoral or legal framework – that could strengthen the role of political parties in Afghanistan
   - Ask whether their party has an official position on these and if so, what it is

2. **Are there any areas in which your party could improve in order to strengthen its role in Afghan politics?**
   - Ask which specific areas

PARTY LEGISLATIVE PROFILE AND ELECTORAL PERFORMANCE

3. **Tell us about your party's relationship or connection with other parties.**
   - In the last two years, has your party been a member of a coalition with other political parties or movements?
   - If so, ask the respondent to describe this coalition and what their reasons for joining were.

4. **Has your party completed its registration with the Ministry of Justice?**
   - If yes, ask the respondent to describe the process the party followed to register under the new political party law
   - If no, ask why they did not register
   - If they did register, then ask whether the process of registration brought any changes to the party

5. **Did the new Political Party Law and Electoral Law affect your party's ability (positively or negatively) to compete in the 2010 elections?**

- If yes, ask how

6. **How many candidates from your party ran for the provincial council in 2009?**
   - Ask how many were elected
   - Ask what are the names and contact details of those elected
   - Ask whether the candidates included any women, and if so how many

7. **How many candidates from your party ran for the National Assembly in 2010?**
   - Ask how many were elected
   - Ask what are the names and contact details of those elected
   - Ask whether the candidates included any women, and if so how many

8. **Did your party gain or lose seats on the National Assembly or Provincial Councils over the recent elections?**
   - Ask how many seats they gained or lost

9. **For the PC and WJ elections, how were candidates recruited and selected?**
   - Ask what were the party's requirements for its candidates
   - In 2009 and 2010, did the party make any changes to the way they selected candidates in 2004/2005?
   - Ask how women candidates were selected

10. **How were the campaigns run?**
    - Ask if the party provided candidates with campaign teams – if so, what kind and if not, why not
    - Ask if there were any changes to campaigns run by the party in 2009 and 2010 compared to previous elections
    - Ask how voters were contacted
    - Ask who made decisions about campaign strategies and the design of campaign literature
    - Were there any changes in voter outreach and campaign strategies compared to those in previous elections?

11. **What types of assistance were given to the candidates by the party?**
    - Was this different to support given in previous elections?

12. **For the 2009 and 2010 elections, how were funds raised to support campaigns?**

13. **Did the party mobilize polling agents?**
    - If so, in which areas/ provinces?
    - Were there any changes to the party's strategy to use polling agents since the 2005 elections?

14. **Did the party file complaints with the ECC in the 2009 and 2010 elections?**
    - If yes, tell us more about this: what was the outcome of those complaints?

15. **Can you describe any ways that the party tried to minimize fraud in the 2009 and 2010 elections?**

16. **Has the party assessed the results of its performance in the last elections?**

- If so, what are the main findings of that examination?
- In which provinces did the party receive the most votes in the elections?
- Among which groups of people did the party receive the most votes?
- Was this different from in 2005?
- If so, what do you think caused the change?
- Did the party receive votes from unexpected areas or groups of people? Who were the main competitors for the party in these areas?
- Were there areas in which the party expected to receive votes but did not? Who were the main competitors for the party in these areas?

MISSION AND STRATEGY

17. How would you describe the main mission or purpose of your political party?
- At what level/by whom is the party's mission designed?
- How do the documents of the political party reflect the main mission?

18.   What are the party's top three priority issues?
- **How did you decide on these priorities at first?**
- **Have these priorities changed in the last two years? If so, how?**

19. Does the party have a strategy between the elections?
- If yes, ask what it is
- Ask what role or job their elected MPs will have in the parliament.

POLICY

20. How does your party develop positions on policy?
- In the last two years, how has your party worked internally on policy making?
- Who is involved in the party's policy making process?
- How does the party gather information to inform the policy making?
- Do members have access to this process?
- Are policy documents distributed to and reviewed by members?
- Does your party plan to work on legislative initiatives with MPs? If yes, can you give specific examples?

21. Can you give an example of a recent political issue that your party has taken a position on? Please describe in detail.

ORGANIZATIONAL STRUCTURE

22. In the last two years, have there been changes to the party's constitution?
-    If so, what were the changes, and what brought them about these changes?

23. How are members provided with copies of the party's constitution or by-laws?

24. Who runs the day-to-day operations of the political party?
- In the last two years, have there been changes to the personnel/ staffing who run the day-to-day operations of the party?

- If so, what brought about these changes?
- How many people work for the party full-time? Are they given some financial support?
- How many people work for the party part-time? Are they given any financial support?
- How many volunteers do you have?
- In the last two years, have there been any changes made to the numbers of staff? If yes, why were these changes made?

25. Does the party have a national office? Where is it located?
- Does the party have regional or provincial offices? Where are they located?
- What is the contact information for the regional or provincial offices?
- In the last two years, has the party increased/ decreased its provincial offices and/or the size of its national office?
- If yes, what were the reasons for this?
- How does the national office communicate with the regional office?

26. What does the structural diagram or Tashkeel of the political party look like?
- In the last two years, has the party developed any new departments and if so, why?
- Do you have women's committee/shura ? If yes, who is the head of the department? (provide contact info) . If not, can you give the reasons for this?

27. Has your party had a convention in the last five years?
- If yes, can you describe it?
- When will be the next one?
- If no, are you planning to have one? Please describe.

LEADERSHIP

28. Can you tell us about any changes that have been made in the mid and top levels of the party leadership in the last two years?

29. How are the regional and local directors/leadership within the party chosen?

30. Are there any women in the party leadership?   (If yes please provide names, leadership position and contact info)
- Do any women attend leadership meetings on strategy or policy development and sessions?

MEMBERSHIP

31. Tell us about party membership.
- How many members does the party have?
- In the last two years, have there been changes in the level of party membership? If so, can you describe these?
- What is the main group of people who are members of the political party?
- In the last two years, have there been changes in the regional, gender and age composition of the party members?

32. How does someone become a member of the political party?

- How does the political party track increases and decreases in the party membership?
- Since the new political party law was made, have there been changes in the way the party membership lists are expanded or maintained?
- In the last two years, have there been changes in the development and/ or implementation of a formal membership process?

33. Tell us about the recruitment strategies for reaching out to new members
- Do you have any specific outreach and recruitment strategies targeting groups such as women, youth, the rural population, students, the business community, etc.?
- Are there any ways in which the party encourages political participation of these groups?

COMMUNICATION

34. Tell us about how the party communicates its views to voters and citizens
- Does the party have a press office or party spokesperson? Are there rules and procedures for making public statements?
- Do party offices have computers? Do party leaders and members use e-mail to maintain regular communication?
- Does the party have access to media such as television, radio or newspaper outlets?
- Does the party produce any publications? If so, how often do publications come out?
- Explain how the party uses websites, mobile phone technology or other multimedia based methods to publicize its message?

TRAINING

35. Have members of your party received any training in the last two years? Please describe.
- Who gave this training?
- What were the outcomes of this training, if any?

36. Does the party have its own training unit?
- If yes, when was this established? What kinds of training does it provide, for whom?
- How is this training unit funded?
- Does your party conduct specific training for women? If yes, please give examples.

FUNDING

37. What is the level of funding for the party?
- In the last two years, has the party's level of funding changed?
- How does the party raise funds? In the last two years, have there been any changes in the party's approaches to fundraising?

INTERNATIONAL ASSISTANCE

38. What do you think about international assistance to political parties?
- Are there ways in which international organizations could help parties more effectively? Please provide examples.
-

Appendix 2: List of Political Parties Interviewed

	Party name	Leader	WJ seats 2010	Registered 2009?	Number of interviews	Number of regions in which interviews conducted
1	Jamiyat-e Islami	Burhannadin Rabbani	17	No	7	4
2	Wahdat-e Islami Mardum	Mohammad Mohaqqeq	11	Yes	6	3
3	Junbesh	Abdul Rashid Dostum	10	Yes	4	2
4	Jamhori	Engineer Habib	9	No	1	1
5	Wahdat-e Islami	Vice President Mohammad Karim Khalili	7	Yes	7	1
6	Mahaz-e Milli	Pir Gailani	6	Yes	7	3
7	Afghan Millat	Anwar ul Haq Ahadi	4	Yes	9	4
8	Dawat-e Islami	Abdul Rasul Sayyaf	4	Yes	3	2
9	Paiwand-e Milli	Sayed Mansoor Naderi	4	Yes	6	1
10	Harakat-e Islami	Sayed Hussein Anwari	4	No	6	1
11	Hezb-e Islami	Abdul Hadi Arghandiwal	1	Yes	5	3
12	Mutahed-e Milli	Noor ul Haq Oloomi	1	Yes	2	2
13	Adalat-e Islami	Mohammad Kabir Marzban	1	No	0	0
14	Kangara	Latif Pedram	1	Yes	4	2
15	Nahzat Hambastagi-e Milli	Sayed Ishaq Gailani	1	Yes	1	1
16	Wahdat-e Islami-e Millat	Qurban Ali Erfani	1	No	1	1
17	Eqtedar-e Milli	Sayed Ali Kazemi	1	No	1	1
18	Niaz-e Milli	Fatima Nazari	1	No	0	0
19	Naween	Yunus Qanooni	1	No	2	1
20	Musharakat-e Milli	Najibullah Kabuli	1	Yes	2	1
21	JamhoriKhwahan	Sibghatullah Sanjar	0	Yes	6	2
				TOTAL:	80	

Explanatory notes:
- The number of interviews conducted per party generally reflects the size of the party and its relative influence, although there are some exceptions to this
- The number of regions in which interviews were conducted reflects the range of influence of parties. In each of the three regions (East, West and North – Kabul excluded), 5-6 parties were selected depending on the extent of their influence in the province. Therefore, parties such as Wahdat-e Islami, which has its main influence in Kabul and the central highlands were only interviewed in one region (Kabul).
- Adalat-e Islami and Niaz-e Milli parties were contacted for interview but declined to take part in the study.

Appendix 3:
List of Civil Society Organizations and Government Bodies interviewed

Name	Position	Organization
General Hafizi	Head of Parties' Coordination Office	Ministry of Justice
Shahmahmood Miakhel	Chief of Party	United States Institute for Peace
Niamatullah Ibrahimi	Director	Afghanistan Watch
M. Hassan Wafaey	Research Officer	Afghanistan Research and Evaluation Unit
Yama Torabi	Director	Integrity Watch Afghanistan
Jamdard Spinghar	Director	Free and Fair Elections Foundation of Afghanistan
Mirwais Wardak	Program Director	Center for Peace and Unity
Jamila Omar	Director	Human Rights and Advocacy Afghanistan Consortium
Naim Nazari	Executive Coordinator	Civil Society and Human Rights Network
Timur Hakimyar	Director	Foundation for Culture and Civil Society

Appendix 4: 2009 Political Party Law

Afghanistan's Political Parties Law
In the Name of Allah, the most gracious, the most merciful

Political Parties Law

Chapter one
General Provision

Article 1

This law is adopted pursuant to article 35 of the 2004 Constitution on the establishment, functions, rights, obligations and dissolution of political parties in Afghanistan.

Article 2

In this law "political party" means an organized society consisting of individuals which undertakes activities for attaining its political objectives, locally and/or nationwide, based on the provisions of this law and its own constitution.

Article 3

The political system of the Islamic Republic of Afghanistan is based on the principles of democracy and pluralism of political parties.

Chapter two
Establishment and registration of political parties

Article 4

The citizens of Afghanistan who have attained the age of 25, in accordance with the provisions of law, can freely establish a political party.

Article 5

Political parties can function freely on the basis of the provisions of this law, and have equal rights and obligations before the law.

Article 6

Political parties shall not:
  (1) Pursue the goals which are against the provisions of Islamic religion and the Constitution of Afghanistan
  (2) Use force, or threaten with, or propagate the use of force.
  (3) Incite to ethnic racial, religious or sectional violence.
  (4) Create a real danger to the rights and freedom of individuals or internationally disrupt public order and security.
  (5) Have military organizations or witnessed affiliations with armed forces.
  (6) Receive funds from foreign sources.

Article 7

A political party shall open its office only inside the country, but is allowed to conduct its activities both inside and outside the country. The government shall ensure the security and safety of the political party's office in the capital and districts.

Article 8

  (1) All political parties shall be registered with the Ministry of Justice.
  (2) The procedure for registering shall be regulated by separate regulation.

Article 9

  The Ministry of Justice shall refuse the registration of political parties which:
  (a) do not fulfill the requirement of Article 6

(b) have fewer than 10.000 members at the time of registration.
    (c) Wish to register under the name of a political party that has already been registered.
    (d) Those political parties which have previously been registered with Ministry of Justice are bound to be registered within six months from the publication of this law in the Official Gazette.

Article 10
   If the Ministry of Justice rejects an application of a political party, the applicant shall have the right to appeal to the relevant court.

Article 11
    (1) A political party may officially starts its activities after being registered by the Ministry of Justice.
    (2) The license of activity of a political party is a legal document; content and format of which are designed by Ministry of Justice, and is given to the political party.

Article 12
  A registered political party shall enjoy the following rights:
  (a) Independent political activity.
  (b) Permanent or temporary political alliance or coalition with other political parties.
  (c) Open and free expression of opinions, both in writing and verbally, on political, social, economical and cultural issues, and peaceful assembly.
  (d) Establishing an independent publication organ.
  (e) Access to the media at the expense of the political party.
  (f) Introducing candidates at all elections.
  (g) Other rights in accordance with the aims and duties of a political party as indicated in its constitution.

Article 13
 (1) Afghan citizens who have completed the age of 18 and have the right to vote can acquire membership of a political party.
 (2) A person shall not be member of more than one political party at a time.
 (3) Members of the Supreme Court, the judges, prosecutors, leading cadres of the armed forces, officers, non-commissioned officers, other military personnel, police officers and personnel of national security, members of Independent Commission of Monitoring the Application of the Constitution, Afghanistan Independent Human Rights Commission, Independent Election Commission and Civil Service Commission shall not be member of a political party during their tenure of office.

Chapter three
Financial matters

Article 14
   The funds and expenses of political parties shall be public and transparent.

Article 15
    (1) Political parties may receive income from the following sources:
         (a) Membership contributions.
         (b) Donations by legal persons up to five million Afghanis per year.
         (c) Income from a party's movable and immovable property.
         (d) Subsidies by the government in connection with elections.
         (e) Other contributions by members.

    (2) Political parties shall register all its income and deposit it in a bank account.

Article 16
  (1) The leadership of the political party shall bear financial responsibility during its tenure.
  (2) In order to carry out its financial affairs, the leadership of the political party shall appoint one or more authorized representatives and introduce their signatures to the relevant bank.

(3) The movable and immovable property of political parties shall be registered in the office of the party and in the Ministry of Finance through legalized documents.

Chapter four
Dissolution of a political party

Article 17

The dissolution of a political party shall not be ordered unless:
 (1) The party uses forces, or threatens with the use of force or uses force to overthrow the legal order of the country, or the party has a military organization or affiliations with armed forces.
 (2) The measures mentioned in sub-item 1 of this article are not effective.
 (3) The party acts against the articles of the Constitution or this law.

Article 18

Based on the formal request of the Minister of Justice, the Supreme Court refers the dissolution of a political party to a competent court which, in accordance with provisions of the law, issues the verdict of dissolution of the political party.

Article 19

The Supreme Court shall consider a request for dissolution of the political party as a priority matter and in the shortest possible time. The hearings of the Supreme Court shall be open to the public.

Article 20

 The leader or the authorized representative of the political party shall have the right to request the Council of the Supreme Court to replace the presiding officer or one or more of the judges. If the Council of the Supreme Court considers the request justified, it shall appoint another presiding officer or judge from the members of the Supreme Court.

Article 21

 The leader or authorized representative of the political party shall have the right to be heard and to participate in the hearings of the Supreme Court.

Article 22

 The court shall fully state its reasons when ordering the dissolution of a political party. The order by the final court for the dissolution of the political party shall be definite and final, and shall be published by mass media.

Chapter five
Final provisions

Article 23

  All political parties and political organizations shall register in accordance with the provisions of this law. Political parties shall not enjoy the rights in this law unless they are registered.

Article 24

  Financial and commercial governmental organs, and the responsible officials heading those organs, shall not use their position to favor or to disadvantage any political party.

Article 25

  This law shall be in effect from the date it is published in the Official Gazette. This law shall abolish the political parties law published in the Official Gazette No. **(812),** dated **26/07/1382**

Appendix 5: Author and contributor biographies

Anna Larson
Independent consultant and PhD candidate
Post-war Reconstruction and Development Unit, University of York

Anna Larson is an independent consultant on governance and democratization in Afghanistan. She has been working in Afghanistan on governance and gender issues since 2004. Between 2006 and 2010, she was a researcher with the gender and governance teams at the Kabul-based Afghanistan Research and Evaluation Unit (AREU). Her main areas of research while at AREU included women in parliament, gender mainstreaming in the Afghan administration, political party development, and Afghan perceptions of democratization and elections.

Ms. Larson has a master's degree in violence, conflict and development from the School of Oriental and African Studies of the University of London. Currently, she is a PhD candidate at the Post-war Recovery and Development Unit (PRDU) at York University, where she is studying democratization processes in Afghanistan. Since moving from Kabul back to the United Kingdom in 2010, she has written a number of papers on governance in Afghanistan, including an assessment of democracy assistance in the country for European think tank FRIDE.

Bjarte Tora
Senior Programme Managerp
Political Party, Participation and Representation Programme
International IDEA

Bjarte Tora has more than 30 years of experience in democratic development and political party strengthening. He was an elected official in Norway for 16 years, and was a member of a municipal council, deputy member of a county council and a deputy member of parliament. He also served as international secretary for six years and deputy secretary general for seven years of the Christian Democratic Party (CDP) of Norway. In those capacities, he directed training programs for all levels of the party organization, and organized CDP support for the development and democratization of political parties in countries such as Bosnia-Herzegovina, Estonia, Latvia, Lithuania and Russia. Mr. Tora joined NDI in 2001 and directed the Institute's programs in Kenya. In this capacity, he developed and implemented extensive programs to assist Kenyan political parties. He also extended his expertise to help initiate NDI's political party assistance programs in Somalia and South Sudan.

Since January 2009, Mr. Tora has served as the Head of the Political Party, Participation and Representation Programme at International IDEA based in Stockholm.