



**QUARTERLY PROJECT REPORT [QUARTER 3, 2007]**

**United Nations Development Programme  
Afghanistan**

**Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)  
01-10-2006 to 01-10-2008**

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**Project ID: 00050324**  
**Duration: 2 years (01/10/06 – 01/10/08)**  
**Component (MYFF): Goal 2 / Service line 2.1**  
**Total Budget: 4,907,593 USD**  
**Unfunded: 1,829,713 USD**  
**Implementing Partners/Responsible parties:**  
**Independent Election Commission of Afghanistan**

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## I. Implementation progress

Considerable progress was made during Quarter 3 of 2007, especially in the implementation of activities under Output 1, institutional capacity building of the IEC, and Output 3, conduct of the civil and voter registration pilot project.

### **OUTPUT 1: IEC'S INSTITUTIONAL CAPACITY FURTHER BUILT TO CARRY OUT ITS MANDATE AS AN INDEPENDENT CONSTITUTIONAL BODY**

#### **1.1. Lessons Learned Exercise**

A three-day seminar covering lessons learned from the 2003-2005 electoral cycle took place in Kabul on May 27-29. The seminar report has been translated and is with the IEC for review.

#### **1.2.1 Development of a Transitional Knowledge-Based Retention Policy programme**

The Asia Foundation, with funding from USAID, continued to work with the IEC on training Commission personnel using specialized BRIDGE Training course materials. With the IEC's ongoing budgetary issues, the implementation of the CVR Pilot Project, and the back and forth on the election law, this activity was not a major focus of the ELECT Project during Quarter 3 of 2007. Indeed, this particular activity and related issues have been, to a large degree, overtaken by events as the IEC works with the civil service commission to recruit and hire staff in accordance with overall Government of Afghanistan policies and procedures.

#### **1.2.2 Extensive assessment of the organizational structure.**

The implementation of the CVR Pilot Project has prompted a discussion of the need for an office or department specifically charged with supporting the voter registration functions of the Commission. Such a specialized office or department will be needed regardless of whether voter registration is conducted as part of a joint civil and voter registration or as a separate voter registration activity. Further actions regarding the organizational structure await the pending findings of the internal and external reviews of the CVR Pilot. The larger question of the IEC's overall structure is also on hold for the moment as draft legislation on the structure and function of the Commission is pending while the draft election law passes through the various steps in the legislative process.

#### **1.2.5 Developing a policy on gender aimed at enhancing women's participation in the election process**

The IEC recruited and hired a Gender Focal Point during the reporting period. She has participated in staff orientation and taken-up her duties. In addition, it has been agreed that the IEC, through the ELECT Project, will participate in a gender mainstreaming exercise which is part of UNDP Afghanistan's Gender Mainstreaming initiative. Implementation is planned to start in Quarter 4 of 2007.

#### **1.3.1. Conduct an assessment and identify economical printing facilities in-country**

No action was taken on this issue during the reporting period as ELECT and the IEC were occupied with a number of more pressing issues. It is anticipated that work on this activity will begin in Quarter 1 of the New Year.

#### **1.3.3 Conduct an assessment and identify a ballot box design for use in future elections**

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See 1.3.1.

#### **1.3.4 Identify the sources for procurement of ballot boxes**

See 1.3.1.

#### **1.3.5 Develop a coherent operational plan for the upcoming elections**

Work on the implementation of the CVR Pilot consumed much of the project and the IEC's attention during the reporting period. The planned internal and external reviews of the pilot will yield considerable lessons for operational planning in regards to both elections and voter registration. These reports will be completed during Quarter 4.

Since voter registration necessarily occurs prior to the elections, operational planning for voter registration – whether combined with civil registration or as a stand-alone event -- will begin in Quarter 4.

#### **1.3.6 Develop a database for election personal needed in upcoming elections**

No action was taken on this issue during the reporting period. This will be incorporated into planning for voter registration and elections.

#### **1.3.7 Support the IEC in assessing the physical conditions and possibilities in the provinces**

Discussions regarding the design of support to the IEC's regional offices began during the reporting period. ELECT received specific requests from the IEC to assist with the design, procurement, installation, and operation of data communication (internet connectivity) facilities for these offices. Further actions are planned for Quarter 4.

#### **1.3.8 Support the IEC in assessing the communication and IT possibilities and needs in the Provinces**

See 1.3.7

#### **1.3.9 Support the IEC in establishing a basic office infrastructure to enable headquarters to communicate with the provinces**

See 1.3.7 and 1.3.8 in regards to work in the provincial offices of the IEC.

However, planning for the installation of a power transformer station at IEC headquarters was begun during this reporting period. While the need for this improvement to the Commission's headquarters' operational infrastructure had been discussed for several months, the breakdown of the IEC's 220 KVA electrical generator (the only generator capable of providing power for all needs of the Commission's current premises) during July – August moved these discussions from theoretical to practical.

The cost of the needed repairs to the 220 KVA Volvo generator exacerbated the IEC's ongoing financial problems and ELECT agreed to assume the cost of generator fuel for the Commission. The impact of the generator problems affected all IEC HQ staff's productivity. This was particularly true for the IT Department and the Commission's computing and communication infrastructure, as the need for stable, constant power along with a stable, climate controlled environment for file and email servers, especially during summer months, became something of an issue.

Running on a single generator has meant that the IEC opens its doors at 8:30 am and closes promptly at 4 pm each work day. This is in order to keep the cost of operating the generator standardized and within a "reasonable" cost range. With the increasing price of fuel, these costs

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(excluding regular maintenance and oil) are currently around \$7,000 per month for a 6 day work week.

Construction of the power transformer station will allow the IEC to purchase city electricity at the preferential Government of Afghanistan rate which will have an immediate beneficial effect on their budget, as well as that of ELECT (as per the project document, ELECT provides generator fuel to the IEC in lieu of office rent for international technical staff based at the IEC HQ). In addition, connecting the Commission to city power will allow for longer hours of operation (a must for the implementation of voter registration and election activities), provide for a more stable power source for expensive and sensitive IT equipment, and lower the cost of operating the Jalalabad Road facility.

During the reporting period technical plans were developed, agreements with the Ministry of Mines and Energy and the city power authority were reached, and potential vendors were identified. A pre-bid meeting of potential vendors was conducted and a request for quotations was issued by UNDP on behalf of ELECT and the IEC. A vendor will be selected and work on this important enhancement to the IEC's operational capacity and financial sustainability should be started and, hopefully, completed during Quarter 4.

**OUTPUT 2: EFFECTIVE LEGAL AND INSTITUTIONAL ENVIRONMENT IN PLACE TO ENABLE THE IEC TO EXECUTE ITS RESPONSIBILITIES.**

The IEC draft of the revised Election Law was finalized and forwarded to the Ministry of Justice during the reporting period. A number of discussions were held with the Chief Electoral Advisor regarding various provisions of the draft. The draft must still pass through the Cabinet of Ministers before being considered by the National Assembly. It is hoped that these actions will be completed during the next reporting period.

The IEC has requested support from ELECT in regards to the planning for a proposed Election Complaints Commission (ECC). Assistance has also been requested for the Legal Services Department of the IEC. This assistance will include the provision of legal texts and other materials, equipment and technical assistance. The scope of these activities will be defined during Quarter 4.

**OUTPUT 3: JOINT VOTER AND CIVIL REGISTRATION PILOT PROJECT DESIGNED AND IMPLEMENTED LEADING TO THE DESIGN OF A NATIONAL PROJECT TO ESTABLISH A PERMANENT CIVIL AND VOTER REGISTRY WITH A SINGLE NATIONAL IDENTITY DOCUMENT**

Field operations for the CVR Pilot Project began and ended during Quarter 3. Nearly 25,000 Afghans participated in the tests of two different registration methods. The first test, which took place over 6 weeks, involved computerized data entry along with a digital photo and an iris scan of each person registered. The second test, which took place over two weeks, provided for manual or paper-based data collection paired with a digital photo.

Analysis of the technical, operational, and logistical processes, and the performance of the IEC, Ministries of the Interior and Finance, IFES, and ELECT will be the subject of both internal and external reviews. The internal review was well underway before the end of the quarter. The first part of the external review which looked at the application of technology was also completed by IFES. A final internal review report and the second part of the external review, which will look at procedural, operational, and managerial issues will also be completed during Quarter 4 of 2007.

**3.1.1 Identification and recruitment of International experts to assist and monitor the implementation of the pilot project**

Personnel were in place per the project document.

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### **3.1.2 Extensive assessments of logistical necessities**

These were completed prior to the start of implementation and were reviewed throughout field operations. Logistical needs of the CVR Pilot will be evaluated as part of the internal and external reviews of the CVR Pilot.

### **3.1.3 Intensive training to field formations of IEC on procedures**

The training of trainers for the CVR Pilot Project which took place at IEC Headquarters between June 23 and 29 led to training of registration staff in the field from 3-10 of July. The appropriate structure for future training activities will be analyzed as part of the overall internal and external reviews of the CVR Pilot which will be completed during Quarter 4.

### **3.1.4 Public Outreach Campaign**

These activities were ongoing and concluded during the reporting period. Their efficacy and impact will be analyzed as part of the overall CVR Pilot internal and external review process which will be completed during the next reporting period.

### **3.1.5 Joint Civil and Voter Registration Pilot project team established**

In May 2007, the Ministry of Interior, the Ministry of Finance, the IEC, IFES and UNDP signed an agreement after nearly six months of preparation and discussion. This agreement established a coordination committee to oversee the pilot project implementation as well as the preparation of the national project.

### **3.1.6 Launch the pilot project in three selected districts**

See 3.1.1 through 3.1.5.

### **3.1.7 Lessons Learned Exercise (from CVR pilot)**

Due to operational issues, this occurred in late September. The findings will be incorporated into the internal review of the CVR Pilot which is currently being written.

## **II. Project implementation challenges**

The Independent Election Commission (IEC) and the ELECT Project continue to encounter a variety of challenges and risks in the implementation of the project. Chief among these uncertainties, all of which are discussed in further detail below, are:

- The generally slow drafting process regarding the election law and the resulting lack of clarity on the system of representation to be used for the Wolesi Jirga elections;
  - Continuing uncertainty regarding the schedule and timing of elections (see below);
  - A lack of clarification whether voter registration will be part of a joint civil and voter registration or a stand-alone process; and
  - The IEC's ongoing budgetary and staffing problems.
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## *Updated project risks and actions*

### **Revision of the Election Law:**

After considerable review and discussion, the IEC submitted its final draft of the election law to the Taqin (technical office) of the Ministry of Justice in early August. The expectation was that the draft would be forwarded for review by the Cabinet and then on to the National Assembly by the end of the month. This tentative schedule proved overly ambitious and the draft was still with the Taqin at the end of the reporting period. With the Holy Month of Ramazan occurring from mid-September to mid-October, and the schedule of the Assembly growing ever more crowded, it is not clear when the government bill, based on the IEC draft, will make it to the Assembly for consideration.

The risk presented by this uncertainty is that a new election law may not be finalized by the end of March 2008 which is the deadline for amending the law in order to comply with the Constitutional requirement that such changes not be made within 12 months of an election – as the next election, unless other action is taken, should occur in April of 2009 (see Constitutional Provisions Regarding the Schedule and Timing of Elections below).

For both the IEC and the ELECT Project, this means an ongoing level of uncertainty which impacts planning for elections and the follow-on personnel and procurement actions. It also provides an ongoing drain on Commission human resources as key IEC personnel, needed for operational planning, are also needed to move the draft election law forward in the legislative process.

### **Actions:**

The IEC continued, throughout Quarter 3, to support the draft election legislation as it moved through the Ministry of Justice towards the Cabinet. This involved revisions to the draft, responding to a variety of inquiries in writing, and participation in a number of meetings at various levels. As of the end of the Quarter, the draft was moving towards the Cabinet. IEC leadership will continue their efforts to support the decision-making process in the Cabinet and, eventually, in the National Assembly.

As new legislation moves slowly forward, advance planning has started based on the current election law.

### **Constitutional Provisions Regarding the Schedule and Timing of Elections:**

The question of the schedule and timing of the upcoming elections was not answered during the reporting period although discussions at various levels intensified. The IEC provided technical expertise and information to many of these discussions as did the ELECT Project. The backdrop of much of the discussion concerned the cost and sustainability of the electoral process under the Constitutional provisions. Questions of how these issues could be resolved given the practical implications on the financial resources of Afghanistan and the donor community on one hand and the Constitutional provisions regarding elections on the other hand, were studied and discussed in various forums.

The risk to the ELECT Project involves the degree of uncertainty this ongoing issue poses to the planning and preparations for voter registration and elections. Key decisions, especially involving voter registration, must be taken as soon as possible in order to have a viable register for use in the elections. The lack of a clear way forward means that the IEC must plan for the dates in the Constitution which include Presidential Elections in March/April 2009 (with a possible run-off),

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Provincial Council Elections in the late summer or early fall of 2009, and Wolesi Jirga elections in May/June of 2010.

This would be a daunting electoral calendar for even the best organized and resourced election management body. For the IEC, which is still a relatively new organization faced with a variety of financial, human, and material resource challenges, it is a virtually impossible schedule. Donors have also expressed their concern regarding the ability of the IEC to effectively manage this process, their own ability to support such a costly effort, and the overall financial sustainability of Afghanistan's constitutionally-mandated electoral process.

**Actions:**

The IEC and ELECT Project are working together to move planning for voter registration and elections forward even in the absence of clarity about the questions detailed above. A substantial amount of planning can and has already begun. Quarter 4 will see substantial developments in voter registration planning which can serve as a foundation for election planning.

**Lack of Clarity on CVR or VR:**

In late June, a Cabinet decision to separate civil registration and the national ID card process from voter registration was announced through the Cabinet Minutes. Since then, the IEC and ELECT have been trying to determine the meaning of this decision in regards to voter registration. Little progress was made in this regard during Quarter 3.

**Actions:**

The Chief and Deputy Chief Electoral Officers of the IEC and the Chief Electoral Advisor of ELECT continue to meet to discuss planning and technical assistance needs. In addition, the close-out of the CVR Pilot, including both an internal and external review of the project's activities, are ongoing and will provide substantial information regarding the prospects for joint CVR implementation.

**The IEC's Ongoing Budgetary and Staffing Problems:**

The IEC's discussions with the Ministry of Finance regarding the level of funding and staffing the Commission believes it needs to implement its Constitutional mandate to manage elections at the national and local levels have been ongoing. The issue became urgent for the IEC in July when its electrical generator broke down and the cost of repairs resulted in a financial crisis. In addition, in August, the Ministry of Finance decided not to provide supplemental funding to the IEC (and Ministry of the Interior) to cover the DSAs for those staff working in the field on data collection for the CVR Pilot Project. On the staffing level, implementation of the CVR Pilot highlighted the fragility of the Commission's staffing, as staff members had to be pulled from their regular duties in order to cover tasks on the CVR Pilot. This resulted in staffing gaps in various areas -- a situation which will likely continue.

**Actions:**

IEC leadership conducted several meetings, including one with UNDP senior management, with the Ministry of Finance in an effort to build a more productive relationship. In mid-October, President Hamid Karzai appointed a Special Study Commission of the Cabinet to look into the financial, staffing, and other "problems" of the IEC. The Special Study Commission met with the IEC and, as Quarter 3 ended, was to report their findings and recommendations to the Cabinet. The IEC will be following-up on this process.

ELECT provided support to the IEC by supplying fuel for the Commission's headquarters office and, on an extraordinary basis, funding the DSA expenses of the IEC staff engaged in the CVR Pilot Project (the MOI was able to cover the DSA expenses of its personnel).

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## II. Financial status and utilization

### Financial status

**Table 1: Contribution overview [start date of the project – end date of project]<sup>1</sup>**

#### RESOURCES

| DONOR NAME   | CONTRIBUTIONS    |                  | CONTRIBUTION BALANCE |
|--------------|------------------|------------------|----------------------|
|              | Committed        | Received         |                      |
| UNDP         | 761,170          | 761,170          | -                    |
| Italy        | 681,376          | 681,376          | -                    |
| Canada/CIDA  | 862,067          | 862,067          |                      |
| UNDEF        | 336,567          | 336,567          | -                    |
| Denmark      | 667,870          | 362,976          | 304,984              |
|              |                  |                  |                      |
| <b>TOTAL</b> | <b>3,309,050</b> | <b>3,004,156</b> | <b>304,984</b>       |

#### Notes:

- The 1<sup>st</sup> tranche of Denmark contribution to ELECT US\$362,976 was received by the end of Q3, and it has been included in the budget early Q4
- UNDP additional contribution to ELECT value US\$231,170 was received end of Q3 and it has been included in the budget early Q4

*Financial utilization*

**Table 2: Quarterly expenditure by activity [1 January 07 – 30 September 07]**

| Activity                          | Budget 2007         | Q1 & Q2 Expenditure | Q3 Expenditures   | Accumulative Expenditures | Balance             | Delivery Rate |
|-----------------------------------|---------------------|---------------------|-------------------|---------------------------|---------------------|---------------|
| Activity 1: Capacity Building     | 545,089.08          | 23,664.13           | 1,843.01          | 25,507.14                 | 519,581.94          | 4.68%         |
| Activity 2: Legal Support         | 260,799.90          | -                   | -                 | -                         | 260,799.90          | 0.00%         |
| Activity 3: CVR Pilot             | 882,305.88          | 327,394.50          | 81,333.44         | 408,727.94                | 466,846.60          | 46.32%        |
| Activity 4: Project running Costs | 1,165,683.46        | 226,041.71          | 354,117.54        | 580,159.25                | 585,524.21          | 49.77%        |
| Total GMS                         | 150,277.68          | 11,637.52           | 14,482.94         | 26,120.46                 | 130,888.56          | 17.38%        |
| <b>Grand Total</b>                | <b>3,004,156.00</b> | <b>588,737.86</b>   | <b>451,776.93</b> | <b>1,040,514.79</b>       | <b>1,963,641.21</b> | <b>34.64%</b> |

Table 3: Quarterly expenditure by donor [1 January 07 – 30 September 07]

| Donor                | Activity                          | Budget 2007         | Q1 & Q2 Expenditure | Q3 Expenditures   | Accumulative Expenditures | Balance             | Delivery Rate |
|----------------------|-----------------------------------|---------------------|---------------------|-------------------|---------------------------|---------------------|---------------|
| UNDP                 | Activity 1: Capacity Building     | 215,910.00          | 21,083.13           | 1,266.39          | 22,349.52                 | 193,560.48          |               |
|                      | Activity 2: LegalSupport          | -                   |                     |                   |                           | -                   |               |
|                      | Activity 3: CVR Pilot             | -                   | 186,000.00          | -                 | 186,000.00                | (186,000.00)        |               |
|                      | Activity 4: Project running Costs | 545,260.00          | 215,404.44          | 243,611.46        | 459,015.90                | 86,244.10           |               |
| GMS 0%               |                                   |                     |                     |                   |                           | -                   |               |
| <b>UNDP Total</b>    |                                   | <b>761,170.00</b>   | <b>422,487.57</b>   | <b>244,877.85</b> | <b>667,365.42</b>         | <b>93,804.58</b>    | <b>87.68%</b> |
| Denmark              | Activity 3: CVR Pilot             | 337,567.68          |                     | -                 | -                         | 337,567.68          |               |
| GMS 7%               |                                   | 25,408.32           |                     |                   |                           | 25,408.32           |               |
| <b>Denmark Total</b> |                                   | <b>362,976.00</b>   | <b>-</b>            | <b>-</b>          | <b>-</b>                  | <b>362,976.00</b>   | <b>0.00%</b>  |
| Italy                | Activity 1: Capacity Building     | 100,679.94          | 2,581.00            | 51.62             | 2,632.62                  | 98,047.32           |               |
|                      | Activity 3: CVR Pilot             | 224,999.55          | 6,135.00            | 1,795.70          | 7,930.70                  | 217,068.85          |               |
|                      | Activity 4: Project running Costs | 308,000.19          | 5,002.27            | 2,865.51          | 7,867.78                  | 300,132.41          |               |
| GMS 7%               |                                   | 47,696.32           | 1,032.56            | 354.73            | 1,385.93                  | 46,310.39           |               |
| <b>Italy Total</b>   |                                   | <b>681,376.00</b>   | <b>14,750.83</b>    | <b>5,067.56</b>   | <b>19,817.03</b>          | <b>661,558.97</b>   | <b>2.91%</b>  |
| CIDA                 | Activity 1: Capacity Building     | 228,499.14          | -                   | 525.00            | 525.00                    | 227,974.14          |               |
|                      | Activity 2: LegalSupport          | 260,799.90          | -                   |                   | -                         | 260,799.90          |               |
|                      | Activity 4: Project running Costs | 312,423.27          | 5,635.00            | 107,640.57        | 113,275.57                | 199,147.70          |               |
| GMS 7%               |                                   | 60,344.69           | 424.14              | 8,141.49          | 8,565.63                  | 51,779.06           |               |
| <b>CIDA Total</b>    |                                   | <b>862,067.00</b>   | <b>6,059.14</b>     | <b>116,307.06</b> | <b>122,366.20</b>         | <b>739,700.80</b>   | <b>14.19%</b> |
| UNDEF                | Activity 3: CVR Pilot             | 319,738.65          | 135,259.50          | 79,537.74         | 214,797.24                | 98,210.07           |               |
| GMS 5%               |                                   | 16,828.35           | 10,180.82           | 5,986.71          | 16,167.53                 | 7,392.16            |               |
| <b>UNDEF Total</b>   |                                   | <b>336,567.00</b>   | <b>145,440.32</b>   | <b>85,524.45</b>  | <b>230,964.77</b>         | <b>105,602.23</b>   | <b>68.62%</b> |
| <b>Grand Total</b>   |                                   | <b>3,004,156.00</b> | <b>588,737.86</b>   | <b>451,776.93</b> | <b>1,040,513.43</b>       | <b>1,963,642.57</b> | <b>34.64%</b> |

## Annexes

### Annual Work Plan