



**PRELIMINARY STATEMENT
OF THE NATIONAL DEMOCRATIC INSTITUTE'S ELECTION MISSION FOR
AFGHANISTAN'S 2014 PRESIDENTIAL AND PROVINCIAL COUNCIL ELECTIONS**

*Kabul and Washington DC
April 7, 2014*

This statement is offered by the National Democratic Institute's election mission for Afghanistan's 2014 polls. On election day, 101 NDI Afghan staff observers visited 327 polling stations in 26 provinces. Many of these observers had served as trainers in an NDI program that helped prepare 46,000 candidate and political party polling agents in the lead up to the elections. Many of these staff members were an integral part of the Institute's observer missions for the 2009 and 2010 Afghan elections and have worked with provincial councils, youth leaders and women's groups across the country over the past decade. As in past elections, security constraints prevented international observers and NDI Afghanistan staff observers from deploying to all parts of the country and from observing in some areas of the provinces where they were deployed. This statement is preliminary and limited by those constraints.¹

NDI's election assessment program also included a pre-election delegation that visited Afghanistan in early December 2013. The delegation issued a statement on December 9 that included 16 recommendations for reform. (See [NDI Afghanistan Pre-Election Assessment Mission Statement, December 2013](#)). The program also included 15 international long-term observers who worked in tandem with national staff counterparts, analyzed developments in the electoral process and released periodic reports. They arrived on February 22 and were withdrawn from the country following the March 20 attack on the Kabul Serena Hotel in which NDI observer Luis Maria Duarte of Paraguay was killed along with eight other people. This mission is dedicated to Luis and all who have lost their lives defending the hopes and democratic aspirations of the Afghan people.

Other NDI programs in the pre-election period included a candidate orientation program for 1,715 (or over 60 percent of all) provincial council candidates and campaign schools for 281 of the 299 women provincial council candidates. NDI also provided assistance to five Afghan election monitoring organizations that mobilized thousands of citizen monitors across Afghanistan on April 5.

¹ *Due to security constraints confronted in these elections, it was not possible to conduct election observation missions in full conformance with the Declaration of Principles for International Election Observation. Nonetheless, NDI's election assessment has been conducted in the spirit of the Declaration and is strictly based on professionalism in data collection, accuracy of analysis and impartiality of findings.*

Overview

On April 5, approximately seven million Afghan voters cast ballots in stark defiance of the threat of violence by terrorist groups. Voters throughout the country demonstrated their determination to move the country's fragile democratic process forward and support the peaceful transfer of political power. Although violent attacks designed to disrupt the polling marred the pre-election period, Afghan voters – men and women – formed long lines at many polling stations. Unexpectedly high turnout led to some polling stations running out of ballots and to polling hours being extended nationwide to permit those waiting in line to cast their votes. While election day experienced fewer violent incidents than in 2009, several attacks occurred around the country, and 205 polling centers did not open due to security concerns, in addition to those previously closed for security reasons. In those areas and locations where turnout was limited, terrorist actions caused disenfranchisement – though the significantly increased participation over the last elections defeated extremist attempts to derail these polls.

Voters faced a wide range of ballot choices. While there were originally 11 candidates on the presidential ballot, three candidates withdrew prior to the election. The remaining presidential tickets included a broad range of perspectives and ethnic representation, and two included women vice-presidential candidates. At the provincial level, 2,595 candidates contested 458 seats across 34 provinces. Despite escalating violence in the lead up to the elections, the major candidates conducted vigorous campaigns, sometimes drawing large crowds to their rallies. Televised debates for the presidential candidates were viewed throughout the country, generating broad interest in the candidates and their platforms.

While there have been several improvements over past elections – such as enhanced indelible ink, the use of unique serial numbers for individual ballots and ballot packs, and the use of tamper-evident tape applied to results sheets – it is too early to evaluate the effects of these anti-fraud measures and make a final assessment of the electoral process. The counting of the ballots is still ongoing. Allegations of fraud have been raised by some candidates, and 1,268 election-day related complaints have been filed with electoral authorities.

Since the margins among the contestants may be slim and a small number of votes could affect the outcome of the presidential and provincial council races, observers should follow the tallying and complaints process closely to help ensure the integrity of the continuing electoral process. Only after the electoral institutions have completed their activities can a final assessment be made. It will ultimately be the Afghan people who determine the credibility of these elections.

In most places in the world where violence has undermined the integrity of elections, sources of such violence often have been the contesting parties themselves. In the case of Afghanistan however, the contestants, along with the electorate, were the victims of violence. The perpetrators were non-state actors committed to thwarting the elections and democratic progress in the country. This is not unique to Afghanistan. In the 2013 elections in Pakistan, the 2012 elections in Libya and Yemen, and the 2011 elections in the Democratic Republic of Congo, voting was precluded in certain areas and both candidates and citizens were targets of similar violence by extremist actors. In Afghanistan, as in all of these countries, people courageously defied these threats and took part in the electoral process.

OBSERVATIONS AND FINDINGS

Security and Election Violence

On election day, NDI observers and domestic monitoring groups noted that various security-related incidents affected polling in different parts of the country. However, there were fewer incidents compared to 2009 and 2010, and most of these occurred in the north, east and west regions, rather than the south, a part of the country that had been troubled with violence in previous elections. In addition, all observed the remarkable voter turnout across the country despite the determined efforts of extremist groups to disrupt the process and quell participation.

Security impacts every aspect of Afghanistan's electoral process. As in previous elections, violence affected the campaign period as multiple attacks by terrorist groups were directed at candidates, election officials, security bodies, journalists and observers. Many candidates complained that their ability to campaign freely in different parts of the country was restricted by lack of security. Candidates and their campaign workers were threatened, abducted and killed, and campaign offices were attacked. Violence was directed at the campaigns of a number of presidential candidates including Abdullah Abdullah, Ashraf Ghani Ahmadzai, Abdul Rassoul Sayaf and Gul Agha Sherzai.

Election officials reported that from June 1, 2013 to April 3, 2014 they recorded 160 incidents against electoral bodies, including direct attacks on staff and offices, abductions, direct threats and intimidation. Across the country, the highest number of security-related incidents was reported from Herat province. In the week preceding the polls, there were 116 threats recorded from various sources against the polling centers and electoral activities in 25 provinces. Incidents include the attack on a sub-office of the election commission in Kabul on March 25 that killed a provincial candidate, two election officials and two police officers; and the abduction and killing of a provincial council candidate and nine supporters on April 2. A complex attack hit the Independent Election Commission (IEC) headquarters in Kabul on March 29. While no electoral staff members were killed, the five-hour gun battle had the symbolic value of a successful assault on the core of the country's electoral administration system.

Several district officials resigned after receiving threats and the IEC stated that polling staff recruitment, particularly of female staff, was more challenging in insecure areas. IEC officials reported difficulties accessing certain areas and about 10 percent of polling centers were removed from the initial list of planned centers due to high security risk. The IEC also reported that extremist groups used 'night letters' to threaten local communities in several provinces and warn them not to participate in the elections.

Afghan journalists working with domestic media reported being harassed and, in at least two cases, assaulted. Three journalists working for international media were killed during the pre-election day period. A foreign correspondent with Swedish Radio was shot and killed by unknown gunmen on a Kabul street in broad daylight on March 11. An Afghan journalist working with Agence France Presse was shot and killed with his wife and two children during the March 20 attack on the Kabul Serena Hotel, while his son was left in critical condition. A photographer with the Associated Press was killed on April 4 while travelling with a government convoy delivering election materials to a district in Khost. A prominent journalist also was seriously injured in the attack.

Candidates and Campaigns

During the candidate nomination period, from September 16 to October 16, 2013, a total of 27 presidential tickets and 3,056 provincial council candidates submitted their nominations. After reviewing the applications, the IEC announced that 10 presidential and 2,677 provincial council candidates were included in the preliminary list. Following the period for challenges and appeals, the commission approved 11 presidential and 2,713 provincial candidates to contest the polls. The process was criticized for lack of transparency, as individual candidates were not informed about the reasons for their disqualification.

Even after the final list of candidates was published, the Independent Electoral Complaints Commission (IECC) continued to review the eligibility of candidates, while three presidential candidates withdrew. Since the ballots had already been printed, there were concerns that voters would not be aware of which candidates were still standing and which had withdrawn or were disqualified. To address this issue, the IEC announced that it would post the list of disqualified or formally withdrawn candidates in each polling station, next to the already printed 'final list'. Two days before election day, the IEC indicated that eight presidential candidates (all male) and 2,595 provincial candidates (including 299 females) were still in the running.

The official campaign for the presidency commenced on February 2, while the campaigns for provincial councils started on March 5. All campaign activities were legally required to be discontinued 48 hours before the start of polling.

While candidates and political parties were widely assumed to draw support from ethnic blocs and communities, candidates focused mainly on messages that reflected the general concerns of Afghans regardless of ethnicity. These platforms were publicized through various means, including televised candidate debates.

Despite security concerns and direct attacks on their campaign staff and offices, many presidential candidates held large campaign gatherings across the country. These activities, however, were mostly confined to provincial capitals as many districts were deemed insecure. Other methods of campaigning involved the use of traditional and social media to convey messages to the voters, posters and billboards, and negotiations with tribal and religious leaders and local powerbrokers for their support.

Both presidential and provincial council candidates were subject to limits on campaign spending, and many of them complained that the limits were too low to bear necessary expenditures such as advertising. Presidential candidates were limited to 10,000,000 afghanis (about USD \$175,000) while provincial candidates were allowed to spend 500,000 afghanis (about USD \$8,700). There was a widespread perception that candidates were exceeding those limits, but the IEC and IECC had almost no ability to monitor candidate compliance of these regulations. At one point in the campaign period, the IEC called on civil society and the general public to report any overspending by the candidates.

Women's Participation

Women played a more prominent role in political discourse than in previous elections. While there were no female presidential contenders, women were chosen by three presidential candidates (of the original 11 tickets) for vice presidential positions. Presidential candidates also spoke about women's rights, and two – during speeches around International Women's Day – specifically

spoke about the need to enforce the law combatting violence against women. Provincial council candidates also raised issues related to women's participation in Afghan public life.

Despite their more active involvement in the political process, women continue to suffer discrimination, threats and harassment and this affects their participation in elections. After disqualifications, only 12 percent of the 2,595 provincial council candidates were women. While the overall percentage of women who took part in the voter registration process in 2014 was 34.5 percent, the number was significantly lower in more conservative and less secure provinces. Women also are more vulnerable to identity fraud, as their voter registration cards do not require a photograph. In addition, the quota for female representation in provincial councils was lowered from 25 percent to 20 percent in 2014.

Both the IEC and IECC had difficulty meeting their targets for recruiting female personnel across the country. The IEC, in particular, invested significant resources toward hiring women as election personnel and searchers. However, it encountered challenges in hiring eligible female polling staff due to several factors, including a lack of educated women, competition with political parties and civil society groups from the same pool of eligible candidates, and security threats.

Electoral regulations require that provincial council candidates have at least the equivalent of a high school education degree. According to the Afghanistan Independent Human Rights Commission (AIHRC), the IECC used a literacy test to determine candidates' eligibility when investigating complaints about their educational credentials. While it is unclear how many women were disqualified based on their educational background, many criticized this requirement as marginalizing a significant number of potential female candidates since women have had less access to education than men.

During the campaign period, threats of violence and intimidation affected female candidates and their ability to campaign. Several women candidates reported incidents of interference and intimidation. Incidents ranged from verbal abuse and the tearing down of campaign posters to threats of physical violence. The security situation caused several women candidates to curtail their campaign activities.

On election day, domestic monitors and NDI observers noted the high participation of women voters in various parts of the country. At the end of polling day, the IEC held a press conference and reported an estimated voter turnout of seven million, of which 35 percent were female voters.

Youth Participation

NDI observers noted that young people were active in the pre-election period and on election day. While the IEC has not publicized data on the number of youth voters or new registrants, it reported that about 70 percent of this year's provincial council candidates are between the ages of 25 and 35. This represents an extraordinary achievement in a country where cultural values see age as a precondition for access to political power. Many of the young candidates running for provincial council elections did not define themselves as proponents of any one political group or policy, but emphasized the need to replace the current political elites with newer and younger players.

Youth were more active in the electoral debate, especially through social media, than ever before. Their overall outlook on the elections was positive and large numbers of them turned out to vote. Some of the presidential candidates' policy platforms spoke to issues identified by youth as

particularly important to them such as employment and education. During campaign events, these candidates pledged broader youth involvement in policy development and decision making. Presidential and provincial candidates recognized that youth are a decisive actor in these elections.

Youth appeared to be the forerunner in making effective use of new technologies to participate in the electoral process. Young people had more opportunities to network and engage politically in these elections through social media, internet access and SMS. Compared to former elections, the use of online social media networks has seen a significant increase, particularly among urban young people who are engaging in online discussions over policy platforms and seeking a voice in the Afghan elections.

On election day, NDI observers across the country noted how young people lined up for hours at polling stations to cast their vote. Observers also noted the high number of young people who served as election personnel, candidate agents and domestic monitors.

Observers

In the lead up to the 2014 elections, candidates, election authorities and security officials highlighted the importance of nonpartisan monitors in observing, deterring and reporting electoral fraud.

Compared to 2009, more than triple the number of domestic monitoring groups applied for IEC accreditation this year. In the 2009 elections, the IEC accredited 21 observer groups and 9,228 domestic observers. In 2014, the IEC accredited 67 domestic election monitoring groups and issued 11,357 accreditation cards (of this number, 3,528 were issued to women). This represented coverage in all 34 provinces; notably, in the provinces of Farah and Paktika, no female identification cards were issued.

Major domestic monitoring groups active in this electoral process include the Free and Fair Election Forum of Afghanistan (FEFA), the Transparent Election Foundation of Afghanistan (TEFA), the Afghanistan Youth National and Social Organization (AYNSO), Afghanistan National Participation Organization (ANPO), and the New Line Organization (NLO). In the lead up to polling day, these organizations coordinated deployment plans to enable nationwide coverage. On April 3, the five groups signed a *Declaration of Joint Principles of National Election Observation Institutions in 2014 Elections* that involves mechanisms for enhanced cooperation and coordination. Specifically, the declaration calls for adherence to international standards for election monitoring, increased coordination and communication with electoral bodies and other stakeholders, and collective efforts toward effective changes in the electoral law. The signing of such a declaration in Afghanistan is unprecedented.

On April 5, despite various security incidents, observers were able to deploy and observe as planned. Collectively, these five groups deployed more than 10,000 observers and covered all 34 provinces.

ANPO, AYNSO and NLO operated a joint call center on election day and coordinated the public release of joint statements. TEFA also issued statements during the course of polling day. These as well as media interviews with FEFA representatives featured reports on high voter turnout across several provinces and the extension of voting hours. The organizations also described various security-related incidents in parts of the country and the closure of certain polling

centers, the shortage of ballot papers, incidents of intimidation, election irregularities, and reports on domestic observers not being allowed to monitor the opening of polls in certain stations.

The AIHRC deployed 327 observers in 30 provinces. Supplementing this and larger nationwide efforts, there were dozens of province-based organizations that observed polling centers on election day.

The IEC accredited 17 international observer groups and issued 417 cards (111 were issued to female international observers). These groups included long-term and election day observers as well as members of the diplomatic community present in Afghanistan. In addition to NDI, the Asian Network for Free Elections (ANFREL), Democracy International (DI), the European Union, and the Organization for Security and Cooperation in Europe (OSCE) organized election assessment and observer delegations. All these organizations revised their original deployment in the wake of violent attacks that struck Kabul and the provinces before polling day.

The IEC accredited 80,645 polling agents for presidential candidates; 246,740 polling agents for provincial council candidates; 18,330 polling agents for political parties. NDI observers and domestic monitoring groups noted the presence of candidate agents in many polling centers across the country on election day.

Media

According to the IEC, representatives of 71 domestic and 45 international media organizations were accredited to cover the elections. In general, the media played a constructive role throughout the campaign period and on election day.

Unlike previous elections, social media was used extensively throughout the campaign period, with many candidates making active use of social media platforms such as Facebook and Twitter. Candidates used social media to share their messages and organize campaign events, effectively changing the nature of political campaigning in Afghanistan. Voters also used social media to discuss the candidates themselves, with many Afghans speculating about the private lives of the leading contenders – a topic generally avoided by traditional media. The unprecedented use of social media even sparked a debate about how such platforms should be regulated, particularly in instances of personal attacks on candidates.

While campaigns largely adhered to silent period regulations requiring candidates to end their campaigns 48 hours prior to the start of polling, some reports of illegal campaigning surfaced before the election and on election day. On April 4, the IECC reported that SMS messages were sent on behalf of certain presidential candidates encouraging voters to support their campaigns. On election day, some television channels, including Khorshid TV and TV1, broadcast interviews with presidential candidates, despite the fact that candidate interviews are explicitly banned during this period.

SMS messaging was suspended nationwide from 11 pm on April 4 until 4 pm on April 5. According to media reports, the Afghanistan Telecommunications Regulatory Authority enacted this ban in response to an IECC complaint concerning presidential candidates who used SMS messaging to campaign during the silent period. However, the IECC subsequently denied ordering SMS services to be suspended and called for them to be restored. Some speculated that the ban may have been put in place to prevent the Taliban from intimidating voters or using messaging to

otherwise disrupt the election. Election observation groups voiced concerns about the suspension, noting that it made it their work more difficult on election day. NDI's observers reported using voice calls, rather than text messaging, to communicate with each other throughout the day.

Media coverage of election day was widely positive, with most outlets highlighting higher-than-anticipated voter turnout and the absence of any major attacks on voters or polling places. Social media use was even more extensive than it had been in the pre-election period. Discourse on social media was generally positive, including posts from Afghans expressing excitement about the historic election and sharing photos of voters proudly displaying their fingers marked with indelible ink. However, many Afghans also expressed concern about issues affecting their ability to vote, including delays in the opening of polling centers, shortages of ballots, and security threats. Social media was used to share information on electoral violations, including one case in which the Ministry of Interior exchanged information with a BBC correspondent reporting to have information on voter fraud.

As mentioned earlier, security challenges were a serious concern for journalists in the weeks leading up to the election, marked in particular by the killings of a number of journalists in separate incidents. On election day, however, members of the press were largely able to carry out their work without harassment. Exceptions included a Radio Naseem journalist, who was assaulted and escorted out of a polling center in Daikondi Province after IEC staff confronted him about taking photos, and two reporters in Nangarhar who were reportedly briefly detained by Afghan National Army soldiers.

The IEC's media commission subcontracted an organization to provide media monitoring during the election; based on the results of this monitoring, the commission deemed most coverage to be "balanced." However, prior to election day, the commission sent warning letters to different media outlets for their biased coverage of candidates. These included: TV and Radio Rah-e-Farda, owned by Mohammad Mohaqiq, a vice-presidential candidate under Abdullah Abdullah's ticket; Aina TV, owned by General Dostum, a vice-presidential candidate under Ashraf Ghani Ahmadzai's ticket; and Dawat TV, owned by presidential candidate Abdul Rasoul Sayaf. The commission noted that Radio TV Afghanistan (RTA) provided fair and balanced coverage of 2014. In 2009, RTA was accused of favoring the incumbent Hamid Karzai in his presidential bid.

Legal Framework and Election Administration

Electoral Framework

The legal framework that governs Afghanistan's elections consists of the country's constitution, the 2013 Electoral Law, the 2013 IEC and IECC Structure Law, the 2009 Political Parties Law, IEC rules and regulations, Presidential Decrees on Codes of Conduct for Security Forces and Government Officials.

Article 61 of Afghanistan's constitution provides for the election of the president every five years. The presidential term expires on May 22 of the fifth year after the presidential election, and polls to elect a new president must be held within 30 to 60 days prior to the end of the presidential term. If none of the candidates for president receive 50 percent of the votes cast in the first round, a second round must be held within two weeks from the date that election results are announced. The constitution is silent on bridging mechanisms should the conduct of elections fail to meet these timelines.

Article 138 of the constitution provides for the election of the members of provincial councils every four years. Given this provision, provincial council elections should have taken place in 2013. The IEC declared last year that these elections would be held in 2014, alongside the presidential polls, due to logistical challenges and funding issues.

Afghanistan uses the single non-transferable vote (SNTV) system for provincial council and legislative elections, in which each voter may vote for one candidate in a multi-member constituency. While this system has the advantage of providing an opportunity for independent candidates to seek elective office, it also has a number of disadvantages: it results in a low threshold for election (a candidate could win a seat in a provincial constituency with less than one percent of the vote) and discourages the participation of political parties. The system tends to generate a large number of candidates – as an example, over 400 candidates competed for the 33 provincial seats in Kabul. Candidates have difficulty distinguishing themselves and their platforms from those of other candidates, and voters are often unable to find meaningful distinctions among candidates. As a result, ethnicity or personal connections tend to influence voter choices.

Unlike the framework of Afghanistan’s previous elections, the new electoral law and IEC/ IECC structure law – enacted in July 2013 – were developed by the National Assembly rather than being issued by presidential decree. These new laws evolved from a lengthy, complex yet consultative process that engaged political parties and civil society organizations.

The new law governing the structure and functioning of the IEC and IECC addresses some of the concerns previously expressed by NDI and other observer groups. While in the past, the IEC and IECC commissioners were appointed by the president, the new mechanism establishes a more consultative process. A selection committee comprised of representatives of the *Wolesi Jirga* and *Meshrano Jirga*, the Supreme Court, AIHRC and civil society groups dealing with elections is tasked with developing a list of nominees.

Election Administration

The IEC is made up of nine commissioners appointed by the president from 27 candidates proposed by the selection committee. While in the past the IEC chairman was also appointed by the President, the new law provides that the leadership of the commission (chairman, deputy and secretary) is elected from among the commissioners. In addition to the commissioners, the IEC is composed of a secretariat and 34 provincial offices.

Assisted by the United Nations Development Program’s (UNDP) Enhancing Legal and Electoral Capacity for Tomorrow (ELECT II) project, the IEC showed an increased ability to prepare for the elections. Early operational planning enabled the IEC to generally complete its tasks in a timely and professional manner. Its main pre-election activities included: the procurement and delivery of election materials; public outreach and civic education activities; recruitment and training of poll workers; coordination with election stakeholders; voter registration; the establishment of polling centers; and the monitoring of candidates’ campaign expenditures.

Voter Registration

A voter registration update or ‘top-up’ exercise ran from May 26, 2013 to April 1, 2014 and provided the opportunity for new voters to register. It also allowed those who lost their cards or moved to a different province to obtain replacement cards. With this exercise, the IEC

announced that 3,808,556 new voter cards were issued, of which 1,320,030 were issued to women. In addition, 29,469 voter registration cards were issued to Kuchi voters, of which 8,130 were women. This brings the total number of voter registration cards issued in the post-Taliban period to about 21 million, since no full voter registry exists and there is no mechanism to eliminate duplicate cards or cards of the deceased. While there is no accurate census data, the IEC estimated that there are approximately 12 million eligible voters in Afghanistan.

Female voters are not required to have their photo taken during the registration process, which makes proxy registration and registration of ‘ghost’ voters possible. Figures indicating a higher number of female registrants in some of the more conservative areas of the country (e.g. 47 percent in Paktika compared to only 33 percent in Kabul) raise questions about the potential for fraud and election irregularities. In addition, there are no safeguards against multiple registrations and voters who may have multiple cards obtained through previous registration drives.

Polling Centers and Stations

Each polling station is designed to accommodate up to 600 voters, and each polling center has up to 12 polling stations, including separate stations for males and females.

From the initially planned 7,168 polling centers, the Ministry of Interior (MOI) and the IEC assessed 748 (or slightly over 10 percent) as too much at risk to keep on the list. Following a security assessment of the proposed polling sites conducted by the MOI, the IEC announced the final list of polling stations on February 18 that included 6,775 polling centers with 21,663 polling stations (12,705 for men and 8,958 for women). On March 30, the IEC informed the public that 352 additional polling centers in 18 provinces would not open on election day due to security concerns, leaving a total of 6,423 active centers with 20,752 stations (12,208 male and 8,544 female) operational.² The most affected provinces include Ghazni (60 centers), Herat (31 centers), Nangarhar (115 centers) and Zabul (32 centers). A number of candidates criticized the IEC decision to open polling sites in areas they consider insecure or inaccessible, expressing fears that fraud would go undetected.

On election day, 205 of the final estimate of 6,423 centers did not open primarily due to security reasons. While these centers were in different parts of the country, most closures were noted in Herat and Nangarhar. In total, approximately 13 percent of the polling centers initially planned for the 2014 elections were not open on April 5.

Anti-Fraud Measures

Based on lessons learned in previous elections, the IEC further enhanced its anti-fraud measures, particularly focusing on the chain of custody of sensitive election materials and procedures for identifying any tampering. These measures included a new tracking system with barcodes unique to each polling station and able to trace the movement of ballot boxes and results forms, and the use of indelible ink with the highest concentration of silver nitrate safe for use on human skin. Ballot boxes were locked with numbered seals. After ballots were counted at polling centers at the end of polling day, the information written on tally forms were secured with tamper-resistant tape and secured in tamper-evident bags for transport to the IEC’s provincial and national offices. At the end of the count, a copy of the results form was posted outside the

² For a map of these polling stations, please visit 2014.afghanistanelectiondata.org

polling station and another one given to candidate agents and observers. Domestic monitors and NDI observers reported that while some polling personnel varied in their conduct of these procedures, many implemented these procedures properly.

The IEC announced that it will be posting the scans of individual results forms on its website, along with regular information about the quarantined or disqualified polling stations, enabling the public to follow the results tabulation process.

Shortage of Ballot Papers

NDI observers noted that of the 327 polling stations across 26 provinces that they visited on election day, 67 (or about 20 percent) had a shortage of ballot papers. Across the country, domestic monitoring groups noted that ballot papers were in short number in 16 provinces, most predominantly in Bamyan, Ghazni, Herat, Kabul and Nangarhar.

On election day, presidential candidates Abdullah Abdullah, Ashraf Ghani Ahmadzai and Zalmay Rassoul held press conferences and raised this issue with the IEC. It was noted that the shortage most affected provinces in the north, central highlands and west regions.

The IEC mentioned that its operational plan included contingency measures to respond to such shortages. In such instances, rather than top off the 600-ballot count of any single station, the IEC would establish a new station in the affected area. On election day, for any requests for additional ballots that came in during the morning, the IEC responded by saying it would take approximately 600 minutes to go through 600 ballots, and that it would not be possible to run out of ballots within the first few hours of polling day. For requests that came in during the afternoon hours of election day, the IEC responded by supplying additional polling stations in the affected areas.

Electoral Complaints

The IECC functioned for the first time in 2014 as a permanent body. Previously, the commission was constituted 120 days before the election and dissolved after the announcement of the final results. Its temporary status meant the complaints commission often lacked time to prepare its provincial operations and public outreach, and was unable to retain institutional knowledge.

While the decision to make the IECC a permanent body was a welcome development, the commission in 2014 suffered from many of the same problems as previous commissions. Hampered by lack of adequate funding, the IECC was slow to set up provincial offices and staff worked without being paid for four months. Some candidates were unhappy with the disqualification process, which continued into the official campaign period, causing uncertainty among candidates and voters. The uncertainty was exacerbated by a lack of transparency at the IECC, which failed to make public in a timely manner the names of disqualified candidates. Ultimately, the IECC posted on its website the list of disqualified candidates on March 31.

Since the beginning of its work, the IECC has adjudicated nearly 4,500 complaints and challenges resulting in numerous fines, warnings, and candidate disqualifications. The IECC reported dealing with around 3,000 complaints during the campaign period, of which 2,212 were investigated on the IECC's initiative, over 600 related to candidate eligibility (age and educational requirements or failure to resign from office), and nearly 200 on criminal offenses. Rulings included the dismissal of about 2,700 cases due to lack of evidence or legal basis, the

disqualification of 110 candidates, the referral of 15 cases to other institutions and four fines for presidential candidates. By election day, there were 159 cases still under investigation. Most of the campaign period complaints were adjudicated directly by the national IECC, as provincial offices of the commission were established late.

On election day, NDI observers noted that the IECC received 1,269 complaints – 1,107 submitted by phone and 162 filed in written form.

RECOMMENDATIONS

NDI plans to issue a comprehensive report on its election mission at the end of the 2014 electoral process. The report will include recommendations to help promote inclusive, transparent and credible elections in Afghanistan. For the immediate post-election period and in advance of a possible presidential runoff, NDI offers the following, in the spirit of international cooperation:

1. Ensuring Transparency in the Electoral Process

Observers should be provided unimpeded access to observe the remaining election processes, including the vote tally and complaints process. This is critical for ensuring continued public confidence in the administration of the polls. The IECC should ensure that citizens can follow the processing of complaints from filing to final disposition on its website. Clear reasons should be stated for the disposition of the complaint.

2. Preparations for a Possible Runoff

Security planning should begin immediately for the possibility that a runoff election will be held. Special attention should be given to ensuring the security of the polling stations that were closed for security reasons in connection with the April 5 elections.

In addition, given the problems experienced on April 5, the IEC should make appropriate preparations to ensure that sufficient ballot papers are supplied to polling stations across the country.

3. Transition Planning

As NDI noted in its pre-election statement in December 2013, the development of a transition plan would help facilitate the smooth transfer of power to the incoming government. This would assist the next government in rapidly assuming responsibility for all aspects of the government and is especially important in the area of security.

NDI is a nonpartisan, nongovernmental organization that supports and strengthens democratic institutions worldwide through citizen participation, openness and accountability in government. For more information about NDI, please visit our website, www.ndi.org.

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