

The National Democratic Institute (NDI) is conducting an observation mission and analyzing Afghanistan's electoral process before, during and after the April 5 presidential and provincial council elections.

IECC provides final decisions on complaints to IEC

The Independent Electoral Complaints Commission (IECC) stated on May 13 that it had provided its final decisions to the Independent Electoral Commission (IEC), allowing the IEC to finalize the results of the April 5 presidential elections.

IEC spokesman Noor Mohammad Noor said that the final results may not be announced on May 14 as scheduled if the IECC decisions require major changes to the preliminary results. He added that registering the decisions in the IEC database also would take time.

The IECC decisions on fraud could change the final number of votes that each candidate receives in the election. Preliminary results indicated that Abdullah Abdullah received 44.9 percent of the vote while Ashraf Ghani Ahmadzai received 31.5 percent.

The IECC was initially scheduled to forward its decisions on 900 complaints that fell into category "A" – those that could impact the final results – on May 8, but said it extended the deadline because the IEC was two days late in announcing preliminary results.

The IECC had to process more than 2,000 complaints related to both the presidential and provincial council elections. The IECC has now ordered provincial offices to begin investigations into complaints related to the provincial council elections. The IECC also continues to investigate complaints related to the presidential election that would not affect the final results.

The final results also will include votes from 291 polling stations that have been declared valid after an investigation by the IEC into 444 problematic polling stations that were excluded from the preliminary count. IEC commissioners finalized their investigations on May 6 and found that irregularities will prevent 153 polling stations from being counted. Of those, 91 recorded no votes cast, 36 were disqualified due to the results being recorded on regular paper rather than official results forms, and the results

from 26 could not be located (a figure much lower than past elections, according to the IEC).

The IEC shared its decisions on the 444 polling stations with the IECC, which allowed complaints to be registered in relation to those decisions. It received two complaints, which it said would be decided upon without holding a public hearing.

From May 4 to 8, the IECC conducted public hearings on complaints before making final decisions. The first four hearings focused on specific regions while the May 8 hearing covered 112 complaints from all provinces.

Domestic observer groups, including the Free and Fair Election Forum of Afghanistan (FEFA) and the Transparent Election Foundation of Afghanistan (TEFA), have criticized the IECC for making decisions behind closed doors. Muhammad Naeem Asghari, FEFA's Program Manager, told Tolo News that the opaque decision-making process could allow decisions to be influenced by "political pressure and negotiations." The IECC has rejected such claims and said that it does not have the authority to publicize decisions, which are instead published by the IEC.

Brief Updates

- Presidential candidate and former foreign minister Zalmay Rassoul announced that he would support Abdullah Abdullah in a presidential runoff. According to the preliminary results, Rassoul received 11.5 percent of the vote.
- The IEC expects to announce preliminary results for the provincial council elections on or around May 17. Final results are expected June 7.
- On the IEC website (www.iec.org.af), preliminary presidential results can be accessed and organized by candidate, ballot order, province and polling station. It also provides the option to view scanned copies of results sheets.

IEC gives media final deadline to submit financial reports

A showdown is looming between the Independent Electoral Commission's (IEC) Media Commission and media groups who are reluctant to submit financial reports on campaign advertisement spending.

The Media Commission warned that organizations that do not submit reports by May 14 could face fines or have their accreditation to cover the electoral process invalidated.

Abdul Mujeeb Khalvatgar, Executive Director of the media advocacy group NAI, said that the requirement violates Afghanistan's media law, which requires organizations to report only to the Ministry of Finance and Media High Council once a year.

The Commission requires each media group to submit monthly reports on how much each presidential and provincial council candidate spent on advertising. So far, only two media groups – Kabul News and Arman-e-Milli – have submitted reports, according to Hashmatullah Radfar, the Media Commission's Deputy Chairperson. The Commission has extended the deadline for reports multiple times.

Hashmatullah Radfar said that the reports would increase transparency in the electoral process. He denied that the Commission wants financial reports from media because it does not trust those received from the campaigns, but he said changes should be made to the electoral law with regard to financial disclosures by candidates.

During the campaign, the IEC said that it was difficult to verify expenditures, and it called on civil society groups and the public to examine documents and report evidence of overspending.

Presidential candidates are allowed to spend no more than 10,000,000 Afghanis (about \$175,000 USD), while the cap for provincial council candidates is 500,000 Afghanis (about \$8,700 USD). However, provincial council candidates have told NDI that the limit is too low and that anyone mounting a serious campaign would need to exceed the maximum to pay for costly but necessary expenditures such as advertising.

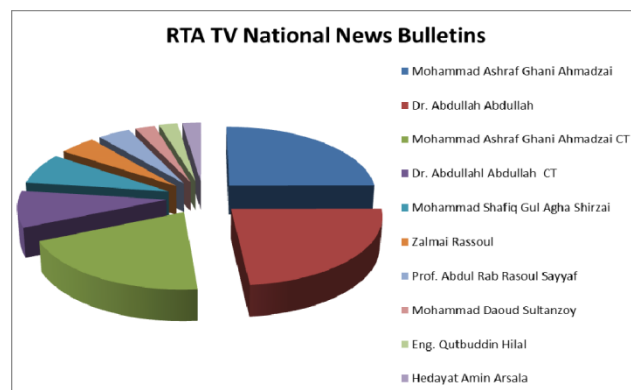
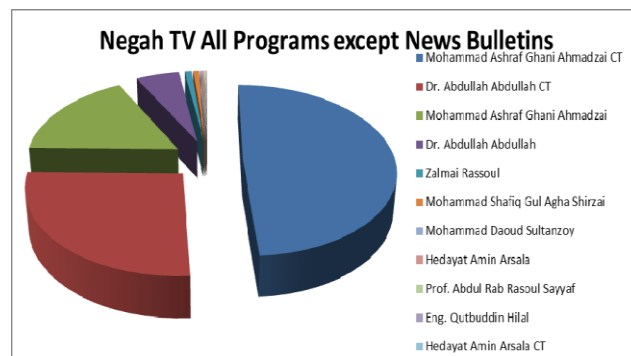
On May 12, the Media Commission asked 14 media groups to pay the fines they had received for breaching the silence period following the official campaign period. The head of the Commission, Farida Nekzadsaid, said in a press conference that the fines would be doubled if the Commission had not received receipts showing that the fines were paid by that evening.

"If the media organizations subject to cash penalties still do not pay the fines, even after they have been doubled, then the matters will be presented to the Prosecutor's office," she said.

So far, only Saba TV and Radio Nawa have paid their fines, while Arezo TV and Negah TV have appealed the Commission's decisions. However, a report by the Commission's media monitoring unit released on May 8 suggests that they were in fact in violation of the regulations.

The report covered the period of April 13 to 25. It indicated that most media respected the ban on reporting unofficial results or opinion polls from sources other than the IEC following a warning by the Media Commission.

Four media outlets demonstrated a "clear bias" and continued to provide "extensive coverage to a single candidate" despite warnings and fines, the monitoring unit found. The state broadcaster, Radio Television Afghanistan (RTA), which was accused of favoring Hamid Karzai during the 2009 presidential elections, was found to have fairly balanced coverage during this year's campaign.



Source: IEC Media Commission, Media Monitoring Project – Weekly Quantitative Report, April 25, 2014; CT refers to "Campaign Team"