The 2014 Presidential and Provincial Council Elections in Afghanistan
NATIONAL DEMOCRATIC INSTITUTE

THE 2014 PRESIDENTIAL AND PROVINCIAL COUNCIL ELECTIONS IN AFGHANISTAN

FINAL REPORT
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.

Since its founding in 1983, NDI and its local partners have worked to support and strengthen democratic institutions and practices by strengthening political parties, civic organizations and parliaments, safeguarding elections, and promoting citizen participation, openness and accountability in government.

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. NDI’s multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

The Institute’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. For more information about NDI, please visit [www.ndi.org](http://www.ndi.org).
NDI in Afghanistan

NDI established an office in Afghanistan in March 2002 and has since worked to promote the participation of civic groups, political parties, women and government bodies in the country’s political and electoral processes. This process has taken place in the context of a difficult transition from Taliban rule to new democratic institutions. While political organizations and civil society groups have made some progress in advancing democratic political processes, much more needs to be done to protect gains Afghanistan has made in democratic governance, political pluralism and the protection of human rights, especially the rights of women. Security, political stability and democratic governance are closely linked, and the legitimacy of Afghanistan’s government hinges on credible elections.

Political Party Support

NDI was the first organization to work with political parties in Afghanistan in 2002. The Institute provided significant support in the early stages of transition, introducing the role of political parties and civil society in democratic systems and holding focus groups to determine citizen priorities. In 2003, NDI assisted emerging parties with fundamental organizational and planning principles such as the registration process. The Institute consulted with parties interested in forming coalitions and organized seminars for candidates and campaign supporters to learn about the new political process. For each of Afghanistan’s national elections, including the upcoming parliamentary elections, NDI has conducted national training seminars and workshops for registered parties on party development, campaigning and electoral processes.

Since 2009, NDI has been helping Afghan political parties develop their ability to reach out to members, strengthen their party bases and build campaign skills. As the country prepared for the 2014 presidential and provincial council elections, NDI helped registered candidates from across the political spectrum learn about electoral laws and regulations so they can run for office legally and effectively. Training sessions covered roles and responsibilities of candidates, with special emphasis on ways to identify and combat election fraud and misuse of state resources. NDI also conducted campaign schools for women candidates and polling agent training in election procedures, as well as assisted political entities in conducting outreach and advocacy.

NDI maintains a comprehensive resource center with hundreds of materials on political campaigns, coalition building, electoral processes, women’s political participation, legislative skills, public outreach and communications. These resources, made available in Dari, Pashto and English, have been used by to inform electoral campaigns and political activities.

NDI has conducted and published comprehensive party assessments to track the development of Afghan political parties. In 2009, NDI issued a public report on the country’s political situation leading up to the 2009 elections and individual assessments of 26 political parties with elected representatives. In 2011, NDI published an assessment report on the state of Afghan political parties after the 2009 and 2010 elections. The reports evaluated party identity, formal and informal party regulations and procedures, party performance, outside influences on the parties and the relationships between parties.
and other political actors. The reports found that despite significant internal and external challenges, political parties in Afghanistan have shown improvement in strategy and performance in the 2009 and 2010 elections. Afghanistan’s electoral system – the Single Non Transferable Vote – favors independent candidates and highly organized political parties. In the 2005 parliamentary elections, only 14 percent of the 2,835 candidates identified their party affiliation. However, in 2009, over 30 parties fielded candidates in the provincial council elections and successful candidates in the 2010 parliamentary elections represented 21 different political parties.

**Promoting Women’s Political Participation**

In 2009, 2010 and 2014, the Institute organized Campaign Schools for women candidates, with curricula tailored to address challenges particular to Afghan women, such as how to build key campaign skills and broaden their knowledge of the electoral framework. NDI will also conduct campaign schools for candidates in advance of the upcoming parliamentary elections.

Following the 2009, 2010, and 2014 elections, NDI conducted orientation programs for newly elected women parliamentarians and provincial councilors that were designed to help them overcome challenges they would face in their new roles, such as engaging with male-dominated civic and government entities and identifying issues of interest to vulnerable constituencies. NDI will also conduct an orientation program for newly elected female parliamentarians following the upcoming parliamentary elections. Following the orientation program in 2010, the members suggested forming a network to address the priorities of Afghan women. Since March 2011, NDI has hosted the Women Parliamentarians Forum, a monthly event to promote information sharing and cooperation on issues of mutual interest among women MPs of all parties.

In September 2013, NDI convened a two-day conference in Kabul for 200 women parliamentarians, political party officials, provincial council members, and young and emerging leaders, drawn from every province of Afghanistan. This conference provided an open forum for women active in political life across Afghanistan to meet, network and share best practices for continuing to engage in the government of their country.

**Supporting the Electoral Process**

NDI provided technical and financial support to the Free and Fair Elections Foundation of Afghanistan (FEFA), the country’s principal citizen monitoring network. The Institute assisted with preparations for the 2009 and 2010 polls, including the training of district-level staff, observation of the voter and candidate registration periods and the mobilization of monitors on election day. FEFA deployed 7,000 observers across the country. For the 2014 presidential and provincial council elections, NDI supported three citizen monitoring organizations, which collectively covered all 34 provinces on election day. NDI will assist additional citizen monitoring groups in advance of the upcoming parliamentary elections.

The Institute has organized international election monitoring missions for each of Afghanistan’s national elections since 2005, as well as of the comprehensive election audit in 2014. The missions found that the security situation affected every aspect of the
election process and there were significant flaws that need to be addressed before the next elections. Despite these shortcomings, millions of Afghans turned out to vote, demonstrating a desire to participate in Afghanistan’s developing political system.

In 2009, NDI launched www.afghanistanelectiondata.org, featuring an online mapping tool that helps analyze data from each of Afghanistan’s elections along with using demographic, ethnographic, topographic and security information.

In the period following the 2010 polls, NDI engaged representatives from political parties, human rights organizations, electoral management bodies and community councils across Afghanistan to identify lessons learned from previous elections and recommend reforms. In partnership with FEFA, NDI then convened a two-day conference in Kabul in September 2011 for key actors involved in the electoral reform process. At the conference, the findings of provincial level consultations were presented and discussed, and concrete next steps were identified for carrying out a comprehensive process of reform. FEFA, NDI and the participants organized post-conference meetings to follow up on the application of the reform plan, observe the implementation of short-term recommendations and track measures taken to introduce longer-term reforms.

**Strengthening Local and National Governance**
Since their establishment in 2005, Afghanistan’s provincial councils - local government bodies that work with civil society to administer state funds and laws - have faced challenges in fulfilling their mandates to represent their constituents at the local level. NDI’s program has worked with councilors in all 34 provinces to guide them through the process of development planning and oversight. Through targeted training and technical assistance, the Institute has helped councilors acquire skills to assess the goals and long term plans of provincial development and to help the councils grow to better represent their constituents.

NDI has also worked extensively with the National Assembly. Beginning in 2005, the Institute provided assistance and professional development to MPs and their staff; coordinated a parliamentary internship program; supported the development of a women’s legislative network; provided technical guidance to parliamentary leaders in legislative rules of procedure and comparative examples of electoral systems to the Electoral Law Commission; and published directories of the upper and lower houses of Afghanistan’s National Assembly in 2012 and 2013.

**Funding**
NDI’s current programming in Afghanistan is funded by the United States Agency for International Development (USAID) and the Canadian Department of Foreign Affairs, Trade and Development (DFATD). Previous donors include the British Foreign Commonwealth Office, the United Nations Development Programme (UNDP) and the governments of Canada, Denmark, and Sweden.
Acknowledgments

The National Democratic Institute is grateful for the welcome and cooperation it received from Afghan voters and election officials, candidates and their supporters, political party leaders members, domestic election observers and civic activists.

More than 140 Afghan and international analysts and observers dedicated their time and expertise to the Institute’s 2014 election monitoring effort. The mission’s reports, election updates and statements, issued throughout the 2014 electoral process in Dari, Pashtu and English, were based on information gathered by mission participants deployed across Afghanistan. The data contained on afghanistanelectiondata.org website was also produced through the coordinated activities of all concerned.

Several analysts and observers contributed to this report, which was prepared by Lauren E. Loveland, NDI Program Manager for Afghanistan. The mission and its final report were completed under the supervision of Peter Manikas, NDI Director of Asia Programs, and Raissa Tatad-Hazell, NDI Deputy Regional Director for Asia Programs. Jared Ferrie coordinated reporting for observation of the April and June elections.

NDI’s 2014 election observation mission and this report were made possible by the generous support of the American people through the United States Agency for International Development (USAID) under Cooperative Agreement No. AID-306-A-14-00005. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of USAID or the United States Government.
Remembering Luis Maria Duarte

NDI remembers Luis Maria Duarte, a member of the Institute’s Afghanistan election observation mission, who was among those killed on March 20, 2014, during a terrorist attack on the Serena Hotel in Kabul. Beloved as a colleague and friend by so many across the globe, his death was a tremendous loss to the elections community worldwide.

Luis, of Asunción, Paraguay, was a long-time member of NDI’s global community and had been part of the Institute’s election missions in several countries, such as Afghanistan, Bangladesh, Lebanon, Pakistan and Peru. He had also observed elections with the Organization of American States in Ecuador and Bolivia. Luis was a respected academic, political advisor and diplomat who was admired for his professionalism and beloved by friends and colleagues alike.

Luis was an accomplished individual, and he often spoke of how his experiences in Paraguay shaped his life’s work of supporting democracy and human rights inside and outside his country. He was a professor at the National University of Asuncion and the Diplomatic Academy of the Paraguayan Foreign Ministry. He had been a program coordinator for the United Nations Office on Drugs and Crime in Paraguay. Previously, he had served as an advisor to the Foreign Affairs Committee of the Paraguayan Senate and as diplomatic advisor to the vice president of the Republic of Paraguay. He also had been a chief with the Paraguayan Ministry of Foreign Affairs.

Luis was deeply committed to Afghanistan and the aspirations of its people for a better life. Last year’s mission had been his third to the country. With each of his visits, he grew to be admired by Afghan political party leaders, civic activists, local and national officials, and NDI staff members from across the country. To this day, he is remembered as a respected diplomat and political expert - a brilliant young man who helped numerous Afghans learn about political realities beyond their borders, discover the culture of Paraguay and South America, and gain new purpose to build a better Afghanistan.

Luis’ friends and family established the Luis María Duarte Foundation in Paraguay to open space for political discourse and to develop connections between Paraguayan and international organizations to continue Luis’s life work. We remember and thank Luis for his service to Afghanistan and for his legacy of supporting democratic governance throughout the world.
# List of Acronyms

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<thead>
<tr>
<th>Acronym</th>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>Afghanistan Independent Human Rights Commission</td>
<td>AIHRC</td>
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<td>Afghan National Army</td>
<td>ANA</td>
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<td>Afghanistan National Participation Organization</td>
<td>ANPO</td>
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<td>Afghan National Security Forces</td>
<td>ANSF</td>
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<td>Afghan Transitional Administration</td>
<td>ATA</td>
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<td>Afghanistan Youth National and Social Organization</td>
<td>AYNSEO</td>
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<td>District Field Coordinator</td>
<td>DFC</td>
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<td>Electoral Security Commission</td>
<td>ESC</td>
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<td>Election Watch Afghanistan</td>
<td>EWA</td>
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<td>European Union</td>
<td>EU</td>
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<td>Free and Fair Elections Forum of Afghanistan</td>
<td>FEFA</td>
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<td>Independent Election Commission</td>
<td>IEC</td>
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<td>Independent Election Complaints Commission</td>
<td>IECC</td>
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<td>International Security Assistance Force</td>
<td>ISAF</td>
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<td>Joint Electoral Management Body</td>
<td>JEMB</td>
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<td>Media Commission</td>
<td>MC</td>
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<td>Ministry of Justice</td>
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<td>Memorandum of Understanding</td>
<td>MoU</td>
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<td>National Directorate of Security</td>
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<td>Ministry of Interior</td>
<td>MoI</td>
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<td>National Tally Center</td>
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<td>National Unity Government</td>
<td>NUG</td>
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<td>Out-of-Country Voting</td>
<td>OCV</td>
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<td>Office of Political Party Registration</td>
<td>OPPR</td>
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<td>Provincial Independent Election Commission office</td>
<td>PIEC</td>
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<td>Provincial Independent Electoral Complaints Commission office</td>
<td>PIECC</td>
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<td>Similarly Marked Ballots</td>
<td>SMBs</td>
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<td>Single Non Transferable Vote</td>
<td>SNTV</td>
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<td>Temper Evident Bag</td>
<td>TEB</td>
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<td>Transparent Election Foundation of Afghanistan</td>
<td>TEFA</td>
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<td>United Nations</td>
<td>UN</td>
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<td>United Nations Assistance Mission for Afghanistan</td>
<td>UNAMA</td>
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<td>Organization</td>
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<td>United Nations Development Programme</td>
<td>UNDP</td>
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THE 2014 PRESIDENTIAL AND PROVINCIAL COUNCIL ELECTIONS IN AFGHANISTAN

FINAL REPORT

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EXECUTIVE SUMMARY

The 2014 presidential and provincial council elections were a milestone in Afghanistan’s political transition as these presidential polls were the first peaceful transfer of political power in the country’s history. Constitutional term limits precluded President Hamid Karzai from being a candidate, and these elections featured a new political contest. As previous elections were marred by widespread fraud, political leaders and civic groups worked with electoral authorities well in advance of the polls to implement key reforms and improve the electoral process. Laws were passed that established a new legal framework and enabled Afghan parliamentarians and civil society to participate in selecting nominees to head electoral bodies. Measures were introduced to strengthen security planning between election authorities and security agencies, and the development of fraud mitigation plans was initiated more than a year before the April 2014 polls. These and other reforms generated a guarded optimism among many political and civic actors that the 2014 polls would be an improvement over earlier elections.

The April 5 elections were the fifth national polls since the fall of the Taliban and the only presidential elections to be held according to the constitutionally established electoral schedule. The period leading up to these polls saw vigorous campaigns by presidential and provincial council candidates, a robust media covering the activities of election authorities, and initiatives to engage young men and women as voters, monitors and election personnel. More than triple the number of domestic monitoring groups applied for accreditation in 2014 compared to the last presidential election, and these groups deployed more than 12,000 monitors.

As with previous polls, the 2014 election was affected by security incidents, including attacks on candidates, campaign staff and electoral workers. There were several large-scale attacks in the run-up to election day, including major assaults on the Kabul headquarters of the Independent Election Commission (IEC) and an attack on the Serena Hotel, in which NDI observer Luis Maria Duarte of Paraguay was killed along with eight other people.

Although violent attacks designed to disrupt the polling marred the pre-election period, over six million voters participated in the April 5 polls. 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 the last presidential and provincial council elections in 2009, attacks occurred in parts of the country and 205 of the 6,423 polling centers did not open due to security concerns. In 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.

As no presidential candidate secured over 50 percent of the vote, a second round of voting was held on June 14. This runoff was hotly contested by former foreign minister Dr. Abdullah Abdullah, who secured 45 percent in the first round; and economist and security transition chief Dr. Ashraf Ghani Ahmadzai, who had 32 percent of the vote. The results of this round fueled a political and electoral crisis – controversy concerning voter turnout, allegations of widespread fraud, and the release of phone recordings of
conversations involving election officials conspiring to rig the polls propelled an electoral impasse. Three weeks after the runoff, the IEC announced preliminary results: of a turnout of 8.1 million votes, Ghani obtained 56.4 percent while Abdullah had 43.6 percent. Abdullah rejected these results, and pro-Abdullah demonstrations took place in Kabul and other parts of the country.

To help resolve the electoral gridlock, U.S. Secretary of State John Kerry brokered talks with the candidates and facilitated an agreement. Kerry and the candidates announced on July 12 that a comprehensive audit of all 8.1 million ballots from the runoff would be conducted in the presence of international and domestic observers, candidate agents, the media and United Nations (UN) election advisers. This type of comprehensive audit had no historical precedent. Both candidates committed to respect the results of a credible audit and share power through the formation of a national unity government.

The audit began on July 17 and ran for nearly two months. More than 22,800 ballot boxes were transported to the IEC’s headquarters in Kabul, in the presence of nonpartisan monitors and candidate agents. Hundreds of international observers and UN personnel from around the world were mobilized to take part in this process. Complications in establishing audit procedures and reaching an agreement among the candidates on ballot invalidation criteria led to multiple changes and extensions to the audit’s timeline.

On September 21, the IEC announced that the audit was completed and that Ghani had won the runoff. The actual audit findings were not publicly disclosed. Ghani and Abdullah entered into a political agreement for a national unity government, whose framework includes a plan for a special commission on electoral reform. The work of this body is urgent and vital, as the country prepares for upcoming parliamentary – and possibly district council – elections.

The 2014 electoral cycle tested reforms that were earlier implemented, strained public confidence in the electoral process, and highlighted known and new challenges that need to be addressed before credible elections can be held in the future. If broadly viewed by the Afghan people as inclusive and transparent, elections can play a pivotal role in advancing stability and democratic development in the country. A deeply flawed election, however, can exacerbate political tensions and impair the ability of Afghanistan’s government to lead and address formidable economic, security and national reconciliation challenges.

RECOMMENDATIONS

NDI and other observation groups made several recommendations in previous election years, and many have been adopted in advance of the 2014 polls. These have generated improvements in electoral planning and conduct. However, as demonstrated in the 2014 election process, there are continuing challenges that need to be addressed. The following recommendations are offered in the spirit of international cooperation:

The government of Afghanistan should investigate election-related corruption and violence and prosecute those found to be responsible. Impunity for misconduct continues to plague the electoral system and an unambiguous message should be sent indicating that this wrongdoing will not be tolerated.
A comprehensive review of the electoral process should be conducted. Comprehensive reform, that is Afghan-led and engages all key stakeholders, is critical to rebuilding public confidence in the electoral process. The special commission on electoral reform should examine the root causes of the serious flaws in the electoral process and recommend remedial measures, including legislative, operational and institutional reforms as well as accountability mechanisms. Its review of the 2014 electoral process should include a thorough inquiry into the vulnerabilities that allowed fraud to take place. This review should include an examination of the numerous recommendations made by domestic election monitoring groups and international organizations during past elections. The commission’s work should involve a broad range of electoral participants, including civil society groups and political parties.

Election data should be made public. In addition to reforms needed to prevent the recurrence of abuses in future elections, the Afghan people deserve a full and public account of the 2014 electoral process, including the IEC’s release of all data related to the runoff audit.

Adequate resources should be allocated to implement electoral reforms. Ahead of the parliamentary polls, the national unity government has an opportunity to restore public confidence in the electoral process and democratic institutions. Government leaders should work in cooperation to carry out the reforms put forward by the special commission and electoral stakeholders.

Alternatives to the SNTV system should be reviewed. The Single Non-Transferable Vote (SNTV) system, which tends to produce large numbers of independent candidates, has the advantage of being relatively easy to administer and is a system easily understood by voters. However, as witnessed in past provincial council and legislative elections in Afghanistan, it has disadvantages: candidates can obtain a seat with a very low number of votes, and the system discourages the formal participation of political parties, which could offer voters more distinct policy choices.

An accurate voter registry should be prepared. The existence of a massive number of duplicate or false voter cards has plagued past elections and continues to undermine public confidence in the electoral process. Before another election is held in Afghanistan, substantial reform to the voter list is required to mitigate electoral fraud.

A national census should be conducted as soon as practicable. Accurate population figures are needed to properly allocate seats in legislative assemblies and local councils, assist in the planning of development programs and help in electoral preparations. Despite the mandate in the Bonn Agreement for the United Nations (UN) to conduct a census of the population, no census has taken place. The conduct of a census continues to be impeded by a lack of security in several areas of the country, and by fears that it could exacerbate ethnic tensions. The absence of a census creates unequal access to polling stations for different groups in Afghan society.

The use of re-polling should be considered. For the upcoming or future elections, electoral bodies should consider the use of re-polling to ensure the integrity of the vote,
DOMESTIC MONITORING GROUPS SHOULD REVIEW THE ACTIVITIES THEY CONDUCTED FOR THE 2014 ELECTIONS AND DRAW LESSONS TO IMPROVE PREPARATIONS AND PLANS FOR FUTURE ELECTIONS. For the 2014 polls, citizen monitoring groups mobilized observers in great numbers across the country. There were significant improvements in several aspects of the work of monitoring organizations, including mobilization planning, observer preparation, communications and coordination with other monitoring organizations. In advance of the parliamentary polls, domestic monitoring groups could examine ways to strengthen their operations, including their systems and processes for data collection and reporting.

GREATER SECURITY FOR FEMALE CANDIDATES IS NEEDED. The Ministry of Interior (MoI) is responsible for providing security for candidates. Many female provincial council candidates, who were subject to threats of violence and intimidation, requested security yet none was provided. Greater efforts are needed to ensure the protection of female candidates and enable them to participate fully in the electoral process.

EFFORTS SHOULD CONTINUE TO ENSURE EQUAL AND MEANINGFUL PARTICIPATION OF WOMEN IN THE ELECTORAL AND POLITICAL PROCESS. Electoral bodies, government authorities, civil society organizations, media and political parties should continue and deepen campaigns to generate public support for women’s participation in political life. Civic and voter education efforts should emphasize how women and men can participate equally in society, how women and men can be equally capable and deserving of political leadership, and how women and men can work together to develop solutions and address the country’s problems.

POLITICAL PARTIES AND COALITIONS SHOULD TAKE ACTIVE MEASURES TO RECRUIT AND NOMINATE MORE WOMEN AND YOUTH AS CANDIDATES IN FUTURE ELECTIONS. Given the broad interest of Afghan women and young people to be part their country’s electoral and political processes, parties and coalitions need to expand space within their structures to engage women and young people, and prepare them to be candidates.

VOTER EDUCATION PROGRAMS SHOULD INCORPORATE TAILORED APPROACHES TO COMMUNICATE WITH YOUNG VOTERS. Election authorities, civil society groups, media and political parties should actively encourage youth participation in elections, including through initiatives to educate young voters about the process. Approaches should include outreach measures for urban and rural voters, and the use of traditional and new media.

TO SUPPORT ANALYSIS OF VOTER PARTICIPATION AMONG DEMOGRAPHIC GROUPS, ELECTORAL AUTHORITIES SHOULD ESTABLISH MEASURES TO AGGREGATE AND PUBLICIZE PARTICIPATION DATA. Voter data could provide valuable demographic information, including percentages of voters by age group and gender. The data could be used to better inform voter education efforts and initiatives aimed at increasing political participation among youth, women, minorities and other groups. The data also could be utilized by government bodies, policy makers and political leaders to better address the needs and aspirations of various demographic segments of society, including youth and underrepresented groups.
THE 2014 MISSION

NDI’s election mission provided an impartial assessment of the 2014 elections and demonstrated the international community’s continued support for advancing the democratic process in Afghanistan.

The Declaration of Principles for International Election Observation and the Code of Conduct for International Observers guided this electoral mission. NDI’s methodology for assessing electoral processes was based on the premise that all aspects of the process must be considered. These include: 1) the legal electoral framework; 2) the administrative and logistical framework for electoral management; 3) the security situation before, during, and after elections; 4) the campaign; 5) the voting process; 6) the vote-counting process; 7) the tabulation of results; and 8) the investigation and resolution of complaints.

NDI’s mission included a pre-election delegation; long-term and short-term observers for the both election rounds; and observers for the comprehensive audit process. The mission drew upon NDI’s 12 years of experience in Afghanistan, including election missions in 2009 and 2010, as well as more than 80 comprehensive international election observation missions to 48 countries and over 100 pre-election and post-election delegations.

Due to severe security constraints, it was not possible to conduct the mission in full conformance with the Declaration of Principles for International Election Observation. Nonetheless, the mission was conducted in the spirit of the Declaration and is strictly based on professionalism in data collection, accuracy of analysis and impartiality of findings.

Pre-Election Assessment
In December 2013, NDI engaged an international group of experts to Afghanistan and conducted an assessment of the general pre-election atmosphere, the electoral framework and factors that could affect the integrity of the 2014 electoral process. The delegation met with President Hamid Karzai, Vice President Karim Khalili, Wolesi Jirga speaker Abdul Raouf Ibrahimi, candidates from all presidential and vice-presidential tickets competing in the 2014 race, provincial council candidates, electoral and government authorities, security officials, civil society groups, media, women and youth activists, and international organizations. NDI issued a public statement on December 9, 2013 with its findings, highlighted the significant preparations underway, raised the need for reforms, and offered recommendations to strengthen the electoral process.

April 5 Elections
In February 2014, six weeks before the April election, NDI fielded a long-term observation mission to Afghanistan. This included 15 international long-term observers who worked in tandem with national staff counterparts, analyzed developments in the electoral process and released periodic reports. 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, the Institute’s international observers were withdrawn from the country. This violent attack and other security incidents that struck Kabul and the provinces before polling day led other observer missions, including the European Union (EU) and the
Organization for Security and Cooperation in Europe (OSCE), to reduce or withdraw international personnel and revise deployment plans.

Part of NDI’s observation mission plan included the deployment of its Afghan staff members to 26 of the country’s 34 provinces. Many of these staff members were part of the Institute’s 2009 and 2010 observer missions, had helped prepare over 49,000 candidate and political party polling agents in the lead up to the 2014 elections, and had worked with provincial councils, youth leaders and women’s groups across the country over the past decade. This hybrid approach to election observation, which involves the engagement of both international and national observers, helped address operational challenges in Afghanistan, enabled broader access and more comprehensive coverage, and allowed observation efforts to generate a fuller assessment of the electoral process.

On April 5, NDI’s 101 Afghan staff members visited 327 polling stations in 26 of the country’s 34 provinces. Based on the analyses generated in the pre-election period and the election-day observations of these staff members, NDI issued a preliminary statement on April 7 that highlighted how voters across Afghanistan demonstrated their determination to move the country’s democratic process forward. It described the remarkable turnout as well as the significant participation of election monitors, political parties, women and young people in the electoral process. NDI’s statement also included several recommendations, including the need to prepare for a possible runoff.

**June 15 Election**

NDI employed a similar approach to observe the second round election. On June 14, 100 NDI Afghan staff visited 312 polling stations in 26 provinces. As in previous elections, security issues prevented observers from deploying to all parts of the country and from observing in some areas of the provinces where they were deployed.

Given the findings of its staff members, NDI issued a preliminary statement on June 16. In the immediate post-runoff period, and as the electoral dispute involving allegations of fraud intensified, NDI issued another statement on June 20 that mentioned how unofficial voter turnout estimates – which were obtained from provincial IEC offices – are, in some places, significantly higher than those of the first round election. NDI stated that while these findings do not necessarily indicate misconduct, they require special scrutiny to ensure the integrity of the electoral process.

**Comprehensive Audit**

Following allegations of widespread fraud, and to break the electoral impasse, U.S. Secretary of State John Kerry facilitated talks between the two presidential candidates. On July 12, it was announced that a comprehensive audit of the ballots of the runoff election would be conducted. The U.N. asked NDI and other organizations to participate in this historic audit. NDI mobilized 27 experienced international observers from 15 countries and 40 Afghan staff to monitor and analyze the audit process.

NDI began observing the audit process on July 17. Observers directly monitored activities at the IEC Kabul headquarters: specifically, at the warehouses used for the recount; the data center where all results were tabulated; and at the IEC’s offices. NDI observers monitored 1,947 of the 22,828 ballot boxes audited, including 1,499 ‘normal’

ballot boxes and 448 ‘special scrutiny’ ballot boxes. While the total number of boxes directly observed by NDI was too small to allow for conclusions derived from observation to be extrapolated to the entire audit process, this audit mission enabled NDI observers to monitor and analyze the audit of ballot boxes from every province in Afghanistan, the activities of key electoral actors, and the environment under which the audit took place. NDI’s observations were recorded on standardized reporting forms designed in conformity with IEC audit checklists and procedures to capture data from the inspection of boxes at each audit table, any critical incidents, and assessments of the general environment. NDI maintained the observation mission throughout each step of the audit process, and concluded its activities on September 15.

Data released by the IEC from the two electoral rounds was added to Afghanistanelectiondata.org, NDI’s data mapping website. This site is a repository of data for all Afghan elections since the fall of the Taliban. It features data from the 2004, 2005, 2009 and 2010 elections as well as demographic, ethnographic, topographic, security and other information that can be used to analyze electoral patterns.

AFGHANISTAN’S ELECTORAL HISTORY AND LEGAL FRAMEWORK

A. The Bonn Agreement

The demise of the Taliban provided a new opportunity for Afghans to rebuild their country. While the military offensive continued on the ground, the UN took a lead in the international reconstruction effort in Afghanistan. While promising to leave a “light footprint” in Afghanistan and allow Afghan citizens to rebuild their own country, the UN brought together the leading Afghan groups to Bonn, Germany in November 2001, to discuss plans for a future government in Afghanistan. The groups included the Northern Alliance, which represented the governments driven from power by the Taliban in 1996, under Massoud, Dostum, and Rabbani; the Rome Group, which represented former King Zahir Shah; the Peshawar Group, which represented millions of Afghan refugees in Pakistan; and the Cyprus Group, which represented an Iranian backed group of Afghan exiles. Notably absent were representatives of the Taliban regime, which had fled to Pakistan or remote areas along the Afghanistan-Pakistan border.

The meeting culminated with the signing of the Bonn Agreement, which established a timetable for a two-year transitional period. An Interim Administration was established to govern Afghanistan for the first six months of 2002, and its immediate function was to facilitate the provision and distribution of internal aid in the country. The Interim Administration’s most important function was to convene a Loya Jirga, a council of tribal leaders, in June 2002. King Zahir Shah, who returned to Afghanistan on April 18, was to preside, giving the process legitimacy, but otherwise playing a largely ceremonial role. The Loya Jirga in turn was to elect a Transitional Authority to govern until a representative government was elected by mid-2004.

Hamid Karzai, a Pashtun who broke with the Taliban early and had a long-standing friendship with the former king, Zahir Shah, was appointed Chairman of the Interim
Administration. The interim cabinet had members of the Northern Alliance, including General Mohammed Fahim, Yunus Qanooni, and Dr. Abdullah Abdullah – who are all ethnic Tajiks from the Panjshir Valley, leaders of the Shura Nazar and members of the Northern Alliance. About a third of the cabinet was Pashtun.

On June 9, 2002, the Emergency Loya Jirga was convened. The Loya Jirga brought to Kabul more than 1,700 Afghans from across the country charged with selecting a broad-based, representative government. The attendees included tribal and regional leaders, military and religious figures, and government officials. On June 19, Hamid Karzai was officially sworn in by the Loya Jirga as President of Afghanistan. Ten days later, Karzai appointed a cabinet to lead the newly established Afghan Transitional Administration (ATA). Many of the warlords and tribal leaders successfully influenced the decision-making process for cabinet posts, and acquired almost all high-level positions, as only two civilians with non-military histories gained ministries.

Challenges Faced by the Transitional Administration
The ATA faced the challenge of laying the groundwork for the nation’s first democratic elections in the midst of a precarious security environment. Despite infrastructure improvements, much of the country remained devastated, ravaged by decades of war. Regional warlords continued to exercise their control in Afghanistan’s provinces through force and violence, and as the nation lacked an independent judiciary, there appeared to be little or no recourse for citizens in a government-controlled legal system. Without a significant national army, and with the limited mandate of the International Security Assistance Force (ISAF), President Karzai’s administration struggled to bring the regional commanders under the control of the central government. Resurgences of violence attributed to remnants of the Taliban also made it unsafe for relief workers to operate in several regions of the country, further impeding economic and political reconstruction efforts.

In addition to the precarious security situation, Afghanistan lacked many of the fundamental political and legal structures necessary to hold democratic elections. After the fall of the Taliban, the country operated without a constitution, legal framework or administrative capacity to begin preparations for the elections. The slow pace of financial support by the international community also resulted in significant delays for the voter registration process, jeopardizing the ability of the United Nations Assistance Mission in Afghanistan (UNAMA) to carry out its mandate within the timeframe outlined in the Bonn Agreement. Despite these delays, however, the ATA continued to work towards building the key structures needed to establish a democratic government, including strengthening the Afghan National Army (ANA), developing a political party law, improving the capacity of the government body responsible for managing the election process, and drafting the nation’s new constitution.

B. The Constitution
The Afghan Constitution provides for free, universal, secret, and direct elections, and guarantees freedoms of peaceful assembly, association, expression, and movement.

Under the Bonn Agreement, the Afghan Transitional Administration was responsible for drafting and implementing a new constitution. The constitutional drafting process was
viewed by many political analysts and observers to be problematic, as a number of electoral issues that would be covered in the new constitution—the type of electoral system to govern the country, the role of political parties in the electoral system, and the role of women and minorities in the new government, for example—were designed to be addressed in a public consultative process before the final document was to be ratified. This process was limited, however, by the government’s refusal to release its draft of the constitution at the time of the consultations, preventing citizens from commenting on the actual document.

A constitutional Loya Jirga was convened in December 2003; after three weeks of deliberation, Afghanistan’s new constitution was ratified on January 4, 2004. This Jirga comprised 450 elected delegates, including reserved seats for women, minorities and refugees, and 52 delegates appointed by President Karzai, half of which were women. Many observers reported intimidation and vote buying throughout the election process, enabling warlords and Islamists to make a strong showing at the Jirga.

The new constitution called for a strong presidential system of government, but gave the national assembly — which consists of the Wolesi Jirga (House of the People, lower house of the National Assembly) and the Meshrano Jirga (House of Elders, upper house of the National Assembly) — oversight powers including the right to impeach ministers and approve cabinet appointments. The constitution also stipulated that men and women have equal rights and duties before the law. Although Sharia law is not mentioned in the constitution, it established Afghanistan as an Islamic republic with Islam as its “sacred religion,” mandating that “no law shall contravene the tenets and provisions of the Holy religion of Islam.”1 Two other controversial issues were settled in the Jirga: former king Mohammad Zahir Shah was to be given the title “Father of the Nation” for his lifetime, and Pashto and Dari were named the national languages with other minority languages to be considered official languages in the areas in which they are spoken.

Although the constitution states that “every effort [would] be made” to hold the presidential and parliamentary elections at the same time, slow progress on improving security and registering voters prompted the transitional government to announce that the presidential and parliamentary elections would take place separately, with the presidential election held in October 2004 and the parliamentary election in September 2005.2

C. Electoral History

2004 Presidential and 2005 Parliamentary and Provincial Council Elections

On October 9, 2004, Afghanistan held the first direct presidential election in its history. Over 10 million Afghans registered to vote, with women making up 41 percent of those registered. The Joint Electoral Management Body (JEMB), a hybrid UN-Afghan mission, oversaw election administration. The election was held in three countries – Afghanistan,

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2 Parliamentary elections were originally scheduled for April 2005.
Iran and Pakistan (the latter two due to the sizable communities of Afghan refugees). The International Organization for Migration administered the Out-of-Country Voting (OCV) process.

Despite widely publicized threats to disrupt polling made by remnants of the Taliban regime, 18 candidates campaigned for the presidency and more than 70 percent of registered citizens voted. Interim President Hamid Karzai was elected president with 4.4 million votes, 55 percent of the vote. The other candidates consisted of former officials, politicians with strong ethnic group support, professionals and tribal leaders. Karzai’s strongest opponents were former education minister Younis Qanooni, a Tajik; Mohammed Mohaqiq, a leader of the Hazara ethnic group; and General Abdul Rashid Dostum, a commander during the civil war and a leader of the Uzbek ethnic group. Qanooni received 16 percent, Mohaqiq received 12 percent, and Dostum received 10 percent of the vote.

Immediately after the elections, there were allegations of voting irregularities. The UN created a three-person impartial panel of experts who, along with investigators from the OCV process, undertook the role of what would become, in 2005, the Electoral Complaints Commission (ECC).

On September 18, 2005, the country held its first elections, administered by the JEMB, for representatives of the Wolesi Jirga and provincial councils. The upper house of the Afghan parliament, the Meshrano Jirga, was convened following the results of the provincial council election. The Meshrano Jirga is comprised of 102 members – 34 of whom are elected from among the provincial councils, 34 from the district councils and 34 appointed by the President. In the absence of district councils, which were not established, 68 members were elected from the provincial councils in November 2005. On December 11, 2005, Karzai announced his own 34 appointments to the Meshrano Jirga.

Even as they were taking their seats, provincial council members expressed frustration at the lack of power given to them by the Law of Provincial Councils. Aside from electing members to the Meshrano Jirga, the provincial councils play an advisory role in provincial development plans and have little power to change or censure the decisions of provincial governors. The lack of clarity in the law on how power should be distributed among provincial councils, governors, community development committees and local shuras has hampered sub-national governance development in Afghanistan.

2009 Presidential and Provincial Council Elections

On August 20, 2009 Afghans voted to elect a president and members of provincial councils for the second time in the nation’s history. The elections were the first to be organized primarily by Afghan institutions and preparations for the elections took place amid armed conflict in the southern and eastern regions and sporadic violence in other areas of the country. The polling was marred by widespread fraud particularly in areas most affected by the insurgency. The final provincial council results were delayed for almost four months as electoral complaints were adjudicated and audits as well as recounts were conducted. The IEC announced a runoff election between incumbent
President Hamid Karzai and former foreign minister Dr. Abdullah Abdullah after no single candidate received more than 50 percent of the valid votes cast. Six days before the scheduled runoff, Abdullah announced he would not participate since adequate measures had not been taken to prevent the recurrence of fraud. The IEC cancelled the runoff and declared Karzai the winner of the 2009 presidential election. Karzai was sworn in as president on November 19, 2009.

Security affected every aspect of the 2009 electoral process. As Election Day neared, the Taliban and other anti-government militants attempted to disrupt the polls through calls for a boycott, threats to retaliate against voters and violence directed at candidates and their supporters. Other militant groups also contributed to the overall instability of some locations. Despite the intimidation and violence, candidates campaigned actively and Afghan citizens demonstrated great interest in the electoral process.

The fraud on Election Day was systematic and widespread, and the IEC excluded 18 percent of the votes from the final tally. While fraud was found to affect all the top presidential candidates, 76 percent of the votes removed were marked in Karzai’s favor. In the months following the August 20 polling, the ECC reviewed over 2,000 complaints and examined a sample of suspicious ballot boxes, finding that no presidential candidate passed the 50 percent threshold. Election officials discussed measures to reduce the potential for fraud in the days before the November 2009 runoff, although no major reforms could be carried out.

Allegations of fraud and electoral irregularities also marred the provincial council polls and led to the recount of ballots in a number of provinces. The adjudication of complaints surrounding the provincial council races was delayed due to the extensive fraud in the presidential election, and the final results of the provincial council elections were not certified until late December 2009. The certification process was criticized by Afghanistan’s National Assembly, which further postponed the inauguration of the new provincial councilors and the Meshrano Jirga elections. The newly elected representatives of all 34 councils were seated in late January 2010.

2010 Parliamentary Elections

On September 18, 2010, Afghans went to the polls to vote for representatives to the 249-seat Wolesi Jirga. These were the second parliamentary polls, and the fourth national elections, conducted since the fall of the Taliban in 2001. After the 2009 presidential elections, which local and international observers said was badly skewed by ballot stuffing, authorities promised new procedures to curtail fraud. Campaigning began in late June and continued until September 16. Thirty-six candidates were disqualified due to ties to illegal militias in July; several monitoring organizations, such as the Free and Fair Elections Forum of Afghanistan (FEFA), and Afghanistan Independent Human Rights Commission (AIHRC) reported concerns that possible war criminals were still candidates.

A total of 2,584 candidates across the 34 provinces and a nationwide electorate for the nomadic Kuchi tribe ran for office. In total, 406 of the candidates were women, who were allotted 68 seats in parliament. Security remained an issue during the election, with the Taliban declaring anyone who participated in the election – including candidates, election
workers and voters – targets. Three candidates were killed during the campaign period and violence continued to mar the election process, with 11 people killed on Election Day.

To prevent voter fraud, permanent ink was used to mark the fingers of those who had voted. However, some voters still attempted to stuff the ballot boxes on behalf of their candidates and many officials were accused of taking bribes. Out of 10 million eligible voters, an estimated 3.6 million people voted on September 18. Independent candidates won 157 of the 249 seats in the Wolesi Jirga. For political parties, Hezb-e Jamiat Islami took the most seats with 18, and Hezb-e Wahdat Mardum took the second most with 12 seats. On December 21, 2010, Yunus Qanooni was elected the speaker of the house.

Following the elections, audits and recounts eventually led the IEC to invalidate more than 1.5 million votes, and the ECC investigations resulted in the disqualification of several candidates who were listed as winners based on preliminary results. The IEC approved and released the final election results on November 24, 2010.\(^3\) The Attorney General’s office publicly challenged the results, stated that candidates who may have committed fraud should be investigated, and handed over 232 cases to the Supreme Court. On December 26, 2010 President Hamid Karzai called for the formation of a special tribunal to study the electoral returns and review the cases of losing candidates, countering the IEC’s constitutionally protected mandate. He ordered the postponement of the inauguration of the new parliament to allow the tribunal to review these cases. After a protracted standoff between Karzai and the winning parliamentary candidates declared by the IEC, a new parliament was seated on January 26, 2011.

Although the new Wolesi Jirga had been inaugurated, the special tribunal continued to conduct investigations and provincial recounts. On June 23, 2011, the tribunal declared its findings, disqualifying 62 members – approximately 25 percent of the Wolesi Jirga – and designated candidates to replace those to be unseated. In the uproar that followed, scores of parliamentarians protested and regarded the tribunal as an “illegal body,” the IEC warned of a constitutional crisis,\(^4\) and parliamentary groupings such as the Coalition for the Support of the Rule of Law sprang up with nearly 200 supporters.\(^5\)

To quell this crisis, Karzai nullified the tribunal and decreed that the IEC be the final arbiter for election results. After reviewing the cases, the IEC announced on August 21, 2011 that nine of the 62 sitting members should be disqualified and replaced. Nine replacements were sworn in amid boycotts and protests from several parliamentarians,

\(^{3}\) On November 24, 2010, the IEC released the final election results with the exception of Ghazni, a province comprising Hazara and Pashtun-populated districts. In Ghazni, voter turnout in Pashtun-dominated districts was low, and preliminary results indicated that Hazaras won all 11 parliamentary seats for the province. Pashtun candidates complained that their supporters had been disenfranchised, and President Karzai called for a new election for the province. In response, the IEC argued that Article 61 of the constitution confers authority to the IEC, not the president, for election administration and finalization of election results. A protracted exchange between election officials and the President delayed the announcement of final results for Ghazni. Ultimately, the preliminary results were retained as the final results for that province.


which carried on for several weeks. Mediation facilitated by provincial council leaders and other political actors ultimately led the parliamentarians to return to the Wolesi Jirga and resume their seats on October 8, 2011.

D. Current Electoral Framework

The legal framework that governs Afghanistan’s elections consists of the country’s constitution, the 2013 Electoral Law, the 2013 Law on the Structure, Duties and Authorities of the Independent Election Commission and the Independent Electoral Complaints Commission (Structure Law), the 2009 Political Parties Law, IEC rules and regulations, and Presidential Decrees on Codes of Conduct for Security Forces and Government Officials. A significant number of issues – including candidate registration, replacement of vice presidential candidates, voter registration, voting and counting procedures, audit and investigation, election campaign period, and campaign finance – are governed by the legally-binding IEC regulations and procedures.

Article 61 of the Afghanistan Constitution provides for the election of the president every five years.6 The presidential term expired 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. The president is directly elected by popular vote by an absolute majority of votes. According to the constitution7 and the current electoral framework, if none of the candidates for president receive 50 percent of the votes cast in the first round, a subsequent runoff election is held between the two candidates who received the largest percentage of votes in the first round 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, by a plurality, 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. The number of seats on provincial councils is determined on the basis of the population in the given province, as provided in the 2013 Election Law, although collection of population data continues to be problematic.

Afghanistan uses the SNTV system for provincial council and legislative elections, in which each voter may vote for one candidate in a multi-member constituency.8 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 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; for instance, over 400 candidates competed for the 33 provincial council seats in Kabul. Candidates have difficulty distinguishing themselves

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7 Ibid.

8 SNTV is uncommon in modern democratic systems, and is used only in Vanuatu, the Pitcarin Islands and Jordan, as well as the elections for the upper house in Indonesia.
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. The 2013 Electoral Law left the SNTV system intact.

Electoral Law and IEC Structural Law

The adoption of two key laws in 2013 is widely seen as a major step forward, given that past elections were organized by presidential decree. Unlike the framework of previous Afghan previous elections, the new electoral law and the Structure Law were developed by the National Assembly rather than issued through presidential decree. These new laws evolved from a lengthy, complex yet consultative process that engaged political parties and civil society organizations. Legislative drafting commenced in 2011 and involved several consultative sessions and discussions with various stakeholder groups. Subsequently, the two chambers of parliament established a Joint Commission to resolve remaining disputes and finalize the draft of the law. The Election Law and the Structure Law were passed by the parliament in mid-2013 after a prolonged debate in both chambers and were signed by President Karzai on July 17 and July 20, 2013, respectively.

Some of the notable changes in the legislation include the following:

Selection Committee
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.

Advocates for greater transparency and a more level playing field pushed for the introduction of a selection committee for the IEC and ECC commissioners. The task of the selection committee is to draw up shortlists of suitable candidates for the President to nominate: 27 for the nine IEC seats and 15 for the five ECC seats. The actual decision of who to appoint remains with the President, but the committee vets the candidates and ensures that the list is balanced.

Relationship between the IEC and IECC
The new legislation preserved the ECC as an independent body and defined the relationship between the IEC and the ECC in detail. It reiterates that the IEC is responsible for the official announcement of the primary and final results of the elections, that the final results are to be based on the ECC’s findings, and that the final results are unchangeable.9 It also states that the ECC’s decisions are “ultimate and unalterable”;10 and that, while the IEC can object to ECC decisions, the ECC is the ultimate forum for decisions.11

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Allocated Seats to Women
The constitution stipulates that on average two women are to be elected to the Wolesi Jirga from each province.\footnote{Afghan. Const, art. 83.} Previous electoral decrees required that at least one quarter of the seats in each provincial council was to be reserved for women. In 2013, the Wolesi Jirga quietly removed the designated provincial council seats for women from the draft law; the Meshrano Jirga later reinserted it, but reduced the quota to “at least 20 percent of the seats of each provincial council.”\footnote{Afghan. Election Law, art. 30.2.} The law is unspecific on what should be done if there are not enough women candidates to allocated seats on provincial councils. With respect to the Wolesi Jirga seats, the law states that the “Commission shall, in accordance with a special procedure take such measures to ensure that the seats allocated to women do not remain vacant,”\footnote{Ibid., art. 25.3.} but does not make explicit that the vacant seat will be taken by a woman.

The new election law reduced the number of reserved seats for women in the provincial councils, from 25 to 20 percent, which has a negative effect on women’s participation in these institutions.

Allocated Seats to Kuchis
For the ten allocated Kuchi (nomadic Afghans) seats in the Wolesi Jirga, this new system designates both male and female seats: one male seat per zone and three female seats for the whole country.\footnote{Ibid., art. 23.} In addition, the new law now introduces seven electoral zones for voting, thereby restricting enfranchisement.

Candidate Criteria
According to the constitution, presidential candidates should possess the following qualifications: be a citizen of Afghanistan, Muslim, and born of Afghan parents, and should not have the citizenship of another country.\footnote{Afghan. Const., art. 62.} A commission led by the Afghan foreign ministry – with members from the Ministry of Interior (MoI) and Ministry of Justice (MoJ), Supreme Court, and National Directorate of Security (NDS) – checks this requirement.

While the candidate registration requirements set by the new Election Law are generally in line with the 2010 presidential decree, there are considerable changes when compared to the 2005 decree that governed the 2009 presidential vote. The criteria to run for president are now considerably stricter: candidates now have to present a list of 100,000 names, voter card numbers and fingerprints from at least 20 provinces, with at least two percent from each province, up from 10,000 voter cards in 2005;\footnote{In the 2009 presidential election, 44 men and women registered their candidacy; several applicants withdrew before finalization of the candidate list. Only three candidates won more than 10 percent of the vote.} and they have to file a deposit of AFN one million
(approximately $17,500 USD), up from AFN 50,000 in 2005 and 2009. The deposit will be refunded to those who receive at least 10 percent of the total votes. These new requirements significantly limit who can run for president.

Candidate requirements include nationality, age, education, as well as no conviction of crimes against humanity, a felony, or deprived of civil rights by court. In addition, the law does not preclude those commanding an unofficial armed group from running for office.

**Election Monitoring and Fraud Mitigation**

Article 59.5 of the Election Law provides that a candidate receiving more than 80 percent of all votes in a polling center is, on its own, an insufficient trigger to declare fraud. This provision could be interpreted to mean that it would trigger investigation, not automatic invalidation.

Article 59.2 of the Election Law appears to preempt public discourse on legitimacy of the elections: “A low turnout in some of the electoral constituencies or polling centers does not jeopardize the principles of freeness and universality of the elections.” In addition, observers should “avoid making rumors and creating tensions.” Including the provisions could have the effect of enabling measures to silence critical observer groups and censor reporting.

Other provisions include restrictions on the right of citizen observers to file complaints on voting, counting, and tabulation.

**E. Independent Election Commission**

**The IEC from 2005 to 2010**

After the 2005 parliamentary and provincial council elections, the Afghan government established the IEC and charged it with assuming responsibility for electoral administration from the JEMB. Under the initial legal framework, the IEC consists of nine members appointed by the president; of these nine members, the president names a chairman and deputy chairman. In February 2009, the Wolesi Jirga passed a law requiring parliamentary approval of election commissioners, but President Karzai vetoed the legislation.

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18 Afghan. Election Law, art. 45; see also, Independent Election Commission of Afghanistan, *Regulation on the Registration of Candidates*, (adopted on July 23, 2013), accessed on Feb. 1, 2015, [http://www.iec.org.af/pdf/legalframework/2013-regulations/eng/reg_candidate_registration_eng.pdf](http://www.iec.org.af/pdf/legalframework/2013-regulations/eng/reg_candidate_registration_eng.pdf). The registration requirements pertaining to lists of supporters – with names, voter card numbers and fingerprints – and financial deposits for other elections include: a list of 1,000 supporters, from the relevant electoral constituency, and AFN 30,000 for the Wolesi Jirga; a list of 1,000 supporters for Kuchi seats in the Wolesi Jirga; a list of 200 to 600 supporters, depending on the province’s population, and AFN 20,000 for the provincial council; a list of 100 to 300 supporters, depending on the district’s population, and AFN 10,000 for the district council; a list of 10 supporters and AFN 5,000 for the village council; a list of 250 to 2000 supporters and from AFN 12,500 to 100,000 for a mayoral candidate, depending on the grade of province; and a list of 125 to 1,000 supporters and from AFN 2,500 to 20,000 for the municipal council, depending on the grade of municipality.

19 Afghan. Election Law, art. 45.

20 Ibid., arts. 3-8.

21 Ibid., art. 55.
The IEC faced a number of challenges in the lead up to the 2009 elections. It was plagued by the perception that it is not sufficiently independent and impartial. The then chairman of the IEC, Dr. Azizullah Ludin, had made numerous public statements revealing his personal opinions of various candidates and had been criticized as demonstrating partisanship toward President Karzai. In addition, the IEC faced budget shortfalls and struggled to hire and train the hundreds of thousands of qualified staff needed for the elections. Many of its best staff left after the 2005 elections for more lucrative employment opportunities. The commission’s staffing needs were even more difficult to fulfill in light of deteriorating security in many parts of the country.

**The IEC in 2014**

**Legal Reform**

The elections were administered under the legal framework of two electoral laws passed by Parliament and signed by President Karzai in July 2013: the Election Law and the Structure Law. The Election Law outlines qualifications and obligations for voters and election observers; qualifications and obligations for candidates in presidential and mayoral elections, as well as candidates for the National Assembly and provincial, district, and village councils; size and composition of legislative bodies; electoral systems and constituencies for each type of election; rules for allocating seats for female candidates; basic frameworks for the voter list, electoral calendar and campaign schedule; authorities of the IEC, IECC, and Media Commission (MC); guidelines for vote counting and results certification as well as electoral security, integrity, and dispute resolution.22

The Structure Law details: the structure, duties, and authorities of the IEC and IECC; qualifications and appointment procedures for IEC and IECC commissioners; immunity from prosecution, barring gross negligence, and grounds for dismissal; rules for recruitment of Secretariat staff and application of civil service regulations.23 As outlined in the Structure Law, the IEC’s responsibilities and authorities include: managing voter registration; certifying final lists of candidates and voters; establishing the calendar for the electoral cycle; developing and implementing the budget and operational plans for elections; recruiting and training electoral officials and staff; conducting voter education and public outreach; accrediting domestic and international election observers and monitors; establishing voter registration centers, polling centers and stations, and counting stations; implementing elections on election day; announcing preliminary election results as well as certifying the final results following the completion of adjudication by the IECC.24

The passage of these laws mark the first time an election in Afghanistan has been conducted under a legal framework established by the legislative process rather than presidential decree. It also was the first election in which both IEC and the IECC are permanent electoral management bodies.

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22 Afghan. Election Law, arts. 5 – 76.
23 Afghan. Structure Law, arts. 2-32.
24 Ibid., arts. 14 – 18.
The adopted laws needed to be supplemented by regulations and decisions by the electoral management bodies to provide needed clarity. The IEC adopted regulations and decisions regarding such issues as candidate registration and replacement of vice presidential candidates, voter registration, recruitment of temporary election staff, voting and counting procedures, and campaign finance. Once adopted by the IEC, regulations and decisions were published on its website, which was a positive step toward a transparent legal framework.25

Structure of the IEC
The IEC has offices in all 34 provinces, and is administered at a local level by District Field Coordinators (DFCs) and Polling Station Committees.

New procedures for selecting and appointing election officials were established in the Structure Law, providing for a more transparent process. Under the new law, a selection committee – comprising Chairpersons of both the Wolesi Jirga and Meshrano Jirga, the head of the Independent Commission for Oversight of the Implementation of the Constitution, and head of the AIHRC, the Chief Justice of the Supreme Court, and one representative selected from elections-related civil society organizations – gives the President a shortlist of candidates. Some analysts argue that although this new procedure is more transparent, it also introduces a layer of political jockeying, as evidenced by pressure on the selection committee on whom to introduce and a battle over the single position of civil society representative.26 Despite the legal requirement, a civil society representative did not take part in the selection committee.

The president must then appoint the nine IEC commissioners, at least two of who must be female. The ultimate discretion to appoint the commissioner remains with the president, and some electoral stakeholders expressed concern about the independent of appointed commissioners. The new commissioners were appointed on July 29, 2013.

Commissioners are appointed for six-year terms and are immune from prosecution regarding their work, barring flagrant public offenses. The IEC and IECC are responsible for recruiting and training central and provincial staff members. Each commission is supported by a Secretariat, which is responsible for legal, financial, administrative, training, public outreach and operational work of its respective commission.

The chairperson, deputy, and a secretary of the IEC were elected from among IEC staff. The IEC is supported by a secretariat, which is responsible for operations under the policy direction of the commission. The Secretariat is headed by the Chief Executive Officer (CEO), who is appointed by the President for a four-year term from among professionals recommended by the IEC. The executive structure also includes provincial

25 See http://iec.org.af/2012-06-21-06-19-20/regulations-procedures for a full list of the regulations and decisions adopted by the IEC.
26 Determining which organization would occupy the single seat in the selection committee reserved for civil society was a contentious process. Originally, the two largest electoral observation bodies, FEFA and TEFA, were requested to present candidates. When TEFA failed to do so, the selection committee chose FEFA’s candidate, Nader Naderi, on July 21, 2013. TEFA complained about this decision and claimed that the selection process was flawed. As a result of this controversy, no civil society representative was selected to the selection committee.
electoral, through which the secretariat maintains a permanent presence in all provinces. The management of the secretariat includes two deputies in administration and operational affairs, who have responsibility of day-to-day management and coordination of departments.

F. The Independent Electoral Complaints Commission

The ECC from 2005 to 2010

The Electoral Complaints Commission (ECC) was originally established as a temporary body, charged with vetting candidates for compliance with legal qualifications to stand for election and adjudicating allegations of election violations and appeals. This commission was constituted 120 days before an election and dissolved shortly after the announcement of final election results. As noted by domestic and international groups that observed previous Afghan elections, the complaints commission had been hindered by not being a permanent entity; it often lacked the time to prepare provincial operations and implement effective public outreach, and it was unable to retain institutional knowledge.

During the candidate vetting period in May and June 2009, the ECC disqualified three presidential and vice presidential candidates and 54 provincial council candidates. The latter individuals were largely ruled out for having ties to armed groups, though the actual number with such links is believed to be much higher. During the 2010 parliamentary elections, the IEC invalidated over 1.3 million votes, and ECC investigations resulted in the disqualification of 25 percent of Wolesi Jirga members who were listed as winners based on preliminary results. After a prolonged battle with President Karzai, these parliamentarians were later seated. Like the IEC, the ECC struggled to recruit and train sufficient numbers of personnel, particularly outside the capital.

The IECC in 2014

The Independent Electoral Complaints Commission (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.

The 2013 Structure Law established the IECC as a permanent institution, headed by five Commissioners, at least one of who must be female, and supported by a Secretariat. Karzai appointed five commissioners to the IECC from among the 15 nominees proposed by the selection committee that also included a civil society representative.

As envisioned in the Structure Law, the newly established IECC has a broad mandate with extensive decision-making authorities. It is tasked with adjudicating electoral disputes, including challenges regarding the preliminary lists of candidates; the conduct of campaigns; and alleged fraud and malpractice during the voting and counting period.

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27 Afghan. Structure Law, art. 20.
The 34 provincial IECCs have primary jurisdiction to address alleged violations of election laws. Each provincial IECC has a secretariat with legal, financial, and administrative staff to assist in processing complaints. In exceptional circumstances, the central IECC may decide as the primary authority. The legal department at the IECC with primary jurisdiction receives, registers, categorizes and conducts an initial assessment of the complaint and related evidence, followed by formal legal opinion by a senior lawyer, before a recommendation is drafted and submitted to the Commissioners.

Any person who has full legal competence may file a complaint or challenge, either in person or through a legally authorized representative: voters can file complaints on the preliminary list of candidates; candidates can file complaints against disqualification; voters can file against campaign period or election day violations; candidates, political parties and their agents can also file complaints for specific violations; and candidates can file against preliminary election results. Domestic observer groups do not have the right to file official complaints, but to submit reports of their findings; international observer groups can file complaints. In addition, the IECC can initiate cases in the absence of a complaint, and at its own discretion, if it is informed of alleged infringements of law, or occurrence of fraud or misconduct. The Election Law provides for specific penalties, and enables the right to appeal to the central IECC against provincial IECC decisions.

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. The delayed formation of the IECC was problematic, given the importance of the task it faced, the high volume of complaints. Hampered by lack of adequate funding, the IECC was slow to set up provincial offices and staff worked without being paid for four months. By the end of March 2014, four Provincial Independent Electoral Complaints Commission offices (PIECCs) were not operational; in addition, in 30 of the 34 provinces, IECC offices were co-located with the IEC, raising concerns about the commission’s ability to function independently. 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, 2014.

There are several contradictory provisions within the legal framework regarding the relationship between the IEC and IECC. For instance, the Election Law, the IEC Regulation on Candidate Registration, and the IECC Procedure on Filing and Adjudicating Electoral Challenges and Complaints regulate candidate registration; however, each provide for different deadlines for the submission of complaints. In addition, the memorandum of understanding (MoU) between the IEC and IECC, which is

28 The Election Law provides for 48 hours to file complaints; the IECC Regulation on Candidate Registration allows for eight days period; and IECC Procedure on Filing and Adjudicating Electoral Challenges and Complaints provides for two weeks.
intended to strengthen coordination amongst the election bodies, was not executed until April 4, 2014, right before election day. This signifies the need for the IEC and IECC to coordinate in drafting regulations and procedures.

The legal framework is not clear as to which body – the IEC or IECC – has final authority on challenges to the preliminary list of registered candidates, as well as preliminary and final results. According to the Election Law and the Structure Law, the IECC’s decisions are final and not subject to appeal.29 Yet, the Election Law and the MoU allow the IEC to challenge an IECC decision on final election results.

THE ROLE OF POLITICAL PARTIES AND COALITIONS IN AFGHAN ELECTORAL PROCESSES

A. Legal Framework for Political Parties

A Political Parties Law was approved in September 2003. Under this Law, parties were obliged to register with the Ministry of Justice (MoJ) — under the Office of Political Party Registration (OPPR) — and must meet the following criteria: parties must not pursue objectives contrary to Islam; use force; incite violence; disrupt public order; have military organizations or affiliations with armed forces; have been convicted of human rights violations; or receive funds from foreign sources. Parties are also required to have a constitution and were required to have a minimum of 700 members in order to be registered.

A revised Political Party Law, approved by parliament in 2008, increased the number of required members to 10,000; President Karzai vetoed the legislation in late 2008, objecting to a provision that allowed parties to maintain offices outside Afghanistan. However, following the August 2009 presidential elections, the revised Party Law was approved. In November 2009, the MoJ sent notifications to all registered parties to re-register according to the new requirements.

The OPPR agreed to register many parties that emerged from the armed groups of the anti-Soviet and civil war despite objections that they are led by former military commanders who maintain links to armed elements or who are seen as having committed human rights violations. In total, 86 parties were registered ahead of the 2005 national assembly elections and 108 parties were registered prior to the 2009 presidential and provincial council elections. However, only about 12 percent of registered provincial council candidates and seven of the 41 presidential candidates in 2009 claimed a party affiliation.30

In April 2013, the MoJ criticized the registered parties for failing to maintain a presence in at least 20 provinces across the country as required under a by-law to the Political Parties Law. No party – except, possibly, Hezb-e-Islami – currently maintains such a

29 Afghan. Election Law, art. 66.5; Afghan. Structure Law, art. 26.12.
widespread presence, and feedback from party representatives indicated that doing so would be prohibitively expensive for most political parties. Following a protest by political parties, the MoJ appears to have let the issue drop. However, the bylaw remains in effect.

B. Voting System

Afghanistan’s election law established the SNTV system as the country’s electoral system for the Wolesi Jirga and provincial councils. Under SNTV, each elector has one vote in a multiple-member constituency. For the Wolesi Jirga, each province constitutes a constituency; for the provincial councils, each district is a constituency. Candidates with the highest vote totals are awarded the seats assigned to each province or district. The same process is used to elect women to reserved seats. Proposals have been put forth to split some of the more populous provinces into two separate constituencies, but not have been adopted by parliament.

Political parties face great challenges in competing in elections under SNTV. The system theoretically favors large, highly organized, and sophisticated political parties, few of which exist in Afghanistan. For parties to be successful under SNTV, they must first have an accurate estimate of their potential support in a certain constituency. Operating on this estimate, they must field the number of candidates that will maximize the seats they can win based on their projected support base. If a party fields too many candidates, it risks splitting its voter base among their candidates, reducing the chances that any will win seats. If a party can correctly estimate the number of candidates to put forward, it must have the organizational capacity to instruct and discipline its supporters to divide their votes among its candidates to maximize each candidate’s potential of winning a seat.

Many members of the international community and domestic political actors questioned the retention of SNTV for use in these elections on the grounds that it would create a fragmented legislature. SNTV proponents—including President Karzai and electoral authorities—unofficially provided a number of additional reasons for choosing SNTV: ease of voter education and of voting; promotion of women by encouraging them to run as independents; and decreasing the power of parties dominated by warlords. Most of the suggested merits of voting under SNTV proved inaccurate:

- SNTV made voter education more difficult as the ballot was very lengthy in many provinces, and the lack of party symbols (and the addition of generic symbols) made voters spend longer periods in the polling booth to search for their candidate among 100 to 400 different names.
- Women ran as independents, only to encounter major difficulties in identifying the resources—volunteers, financing, and mobility—to run adequate campaigns. As a result, many women actually ran as party candidates while claiming to be independents.
- While many newly established political parties faced greater challenges under SNTV, the larger warlord-led regional parties proved that they could thrive under SNTV, employing the necessary discipline to mobilize their support base to vote strategically. It was the smaller, moderate democratic parties that suffered most under SNTV, as they lacked the organizational capacity to succeed under this
system; almost all of these newer parties were consequently defeated during the elections.

From an administrative standpoint, the disadvantages of SNTV — in particular the large number of candidates the system produced — were also apparent throughout the electoral process. Heavily populated provinces had to print oversized, multi-page ballots to list all registered candidates. With almost 6,000 individual campaigns, campaign finance regulations could not be implemented and enforced, and candidate vetting had to continue throughout the campaign period and up to election day. Finally, extensive planning had to be undertaken to allow equal access to over 240,000 candidate agents to the polling and counting centers on election day and during the prolonged counting process.

Despite acknowledgment of these challenges, the 2013 Electoral Law left the SNTV system intact.

**KEY ASPECTS OF APRIL 2014 PRESIDENTIAL AND PROVINCIAL COUNCIL ELECTIONS**

On April 5, nearly seven million Afghan voters cast ballots in defiance of the threat of violence by armed opposition 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, 2,590 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

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31 According to the IEC, the total number of voters was 6,892,816, of which 36 percent were females.
32 There are a total of 458 seats on provincial councils throughout the country, with councils varying in size between nine and 33 depending on the population.
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 difficult to evaluate the
effects of these anti-fraud measures, given subsequent electoral processes. Candidates
raised allegations of fraud, and 1,269 election-day related complaints were filed with
electoral authorities.

Following the complaints process, the IEC announced final results for the presidential
election on May 15, 2014: Abdullah in the lead, with 45 percent of the vote; and Ghani,
with 32 percent of the vote.

A. Security

Security was the main challenge during the entire electoral process. It affected electoral
preparations as well as candidates’ campaigns, and the personal security of their
campaign teams.

Security Planning

In contrast to previous elections, the Afghan National Security Forces (ANSF) exercised
sole responsibility security for the 2014 elections. The ANSF encompass the Afghan
National Army and the Afghan National Police. The International Security Assistance
Forces (ISAF) supported the ANSF where specifically requested. The MoI, in close
cooperation with the IEC and the NDS, was in charge of security arrangements. Per
presidential decree, the MoI established the Election Security Commission (ESC) to
supervise election security and coordinate national and international stakeholders. The
decree directed security personnel to maintain security and stay impartial during the
election process. Led by Lt. Gen. Mohammad Salim Ihsas, the commission consisted of
11 members, including nine high-level officials from the MoI and two from the NDS. In
coordination with the IEC, the panel oversaw security personnel's conduct and
performance during the process, and prosecution of misconduct. In July 2013, the MoI
shared its security plan with the IEC for finalization.

ISAF played a limited role in accordance with the IEC’s Security Plan. Where requested
by the MoI, ISAF were involved in the logistical and operational support, such as
intelligence gathering, transportation of election materials, and planning for evacuation
and in-extremis measures in emergencies. ISAF also provided strategic communication
media broadcast assistance and aided the MoI with election threat assessments. While
ISAF provided support on the delivery of election materials, security experts observed
that joint-efforts and Afghan-led missions indicated the ANSF’s increased capacity to
handle election security.33

election-security-bsa. For instance, the MoI asked ISAF for aerial logistic support to aid in the delivery of
elections management materials to provinces; ISAF and ANSF coordinated completion of several
deliveries, and the ANA and Afghan Air Force completed the remaining deliveries.
The ANSF provided security for all IEC electoral activities, including outreach efforts and movements. International news sources cited that security planning included 350,000 Afghan military and police forces, supported by 53,000 North Atlantic Treaty Organization (NATO) coalition troops. According to the MoD, approximately 195,000 ANSF personnel were deployed for electoral security for the April elections. In addition, the ESC committed to providing 385 security officers to the eleven Presidential candidates and their running mates as of the first day of the campaign period, on February 2, 2014.34

In addition to assisting the IEC in preparing the list of polling centers and stations, the MoI was responsible for securing polling sites on election day. Each voter is required to be searched by security personnel of their gender before being permitted to enter a polling station, and no unauthorized weapon is permitted within 500 meters of a polling station. The MoI devoted special attention to the recruitment and training of female polling staff, including female searchers. The MoI’s initial plan was to recruit 13,690 female searchers, or approximately two female searchers for each polling center.35 However, that ministry faced challenges in recruiting, training, and financing female security personnel. The MoI noted that approximately 1,000 of 12,844 female searchers who had been trained did not report for work in Nangarhar, Helmand and Ghazni on election day.36 Shortage of available female staff in more conservative areas forced the Provincial Independent Election Commission offices (PIEC) to engage and train local male elders to staff female polling stations, as a last resort. As in previous years, the limited number of female soldiers and police officers presented a risk for electoral security, integrity and women’s right to vote. Without female security forces to conduct body searches and provide additional observation, women’s polling stations were more easily vulnerable to attack and fraud.

However, the uneven capacity of national security forces across the country fueled public concern about increased insecurity and the possible return of insurgent control in certain regions of the country after 2014. Nevertheless, NDI’s observers, candidates, political groupings and civil society did note an increase in the ANSF’s skills and competence to perform its duties, compared to their capacity in 2009. ANSF was better organized in terms of providing security and operational activates, like established electoral security commissions consist of ANP, ANA and NDS at the provincial levels.

Although concerns over election security stemming from Taliban threats were reported in March, the Minister of Interior confirmed his confidence in the ANSF’s ability to secure

36 The IEC reported to NDI that 12,390 female searchers were trained; 1,000 of those trained did not report to polls in several provinces on election day.
the April elections. On March 29, 2014, in a hearing on election security at the Wolesi Jirga, the Minister of Defense, General Bismillah Mohammadi, emphasized that security forces were “fully prepared to provide security for the elections.” On March 30, 2014, the IEC announced that security officials completed their final security assessment for the elections.

**Security Incidents During the Campaign Period**

Despite efforts by Afghan security officials to provide for the peaceful conduct of elections, security concerns remained a key feature of the election process, impacting every aspect of the electoral preparations and planning. Threats, intimidation and violent attacks were directed at candidates, election officials, observers, journalists and voters, as well as government and security officials. As in previous years, violence was the overriding factor influencing the campaign period. While election-related violence is difficult to quantify, the attacks during the 2014 campaign period did have a more significant effect than those in previous elections. The deteriorating security conditions also diminished the international election observation groups’ presence and activities; most international organizations pulled out non-essential staff shortly before election day, while other groups significantly reduced their activities due to insecurity.

The Taliban issued statements in advance of the elections, declaring its commitment to disrupt the polls and warning Afghans not to participate in the electoral process, and perpetrated a series of lethal attacks on the candidates’ campaign offices, the IEC headquarters and provincial offices, and government authorities. Mullah Omar’s October 2013 Eid statement denounced the elections as a meaningless “drama” and accused anyone participating in them of betraying their religion and the national interest, as elections held under foreign occupation are illegitimate. Taliban field commanders were issued general guidance to employ any methods necessary to disrupt the elections. In the days preceding the April election, the Taliban warned people to stay inside for their own safety. The IEC also reported that extremist groups used ‘night letters’ in several provinces to threaten local communities in several provinces and warn them not to participate in the elections.

Election officials reported, from June 1, 2013 to April 3, 2014, 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

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40 Ibid.
recorded from various sources against the polling centers and electoral activities in 25 provinces. While no incidents were recorded in this period in Daikundi, the highest number was reported from Herat.\textsuperscript{41} Incidents include the attack on a sub-office of the election commission in Kabul on March 25 that killed a provincial council candidate, two election officials, and two police officers; at least eight people were wounded. A complex attack hit the 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. In addition, a suicide attack on the MoI on April 2 resulted in at least six deaths of Afghan police officers. Throughout the campaign period, 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.

In addition, Taliban control of the roads delayed the delivery of election materials to districts and polling centers within provinces. On April 4, IEC delivery of election materials throughout Paktia was delayed to several districts because of Taliban attacks on the main roads. In one instance, the Taliban targeted an IEC vehicle transporting election material (chairs, tables, ballot boxes, screens); while no casualties were reported, materials were destroyed.

\textbf{Security and Candidate Campaigns}

Security impacted every aspect of Afghanistan’s electoral process. As in previous elections, violence affected activities during the campaign period, from February 2 to April 2, 2014, as multiple attacks by terrorist groups were directed at candidates, election officials, security bodies, journalists and observers. Several members of presidential and PC campaigns were killed during the campaign period and leading up to election day; campaigns also experienced abduction of staff and attacks on offices and convoys.

Many candidates complained that their ability to campaign freely in different parts of the country was restricted by insecurity. Candidates and their campaign workers were threatened, abducted and killed, and campaign offices were attacked leading up to and on election day. Violence was directed at the campaigns of a number of presidential candidates, including: Abdullah, whose team reported that 11 individuals were killed and 12 were injured; Ghani, reporting that one individual was injured; Mohammad Shafiq Gul Agha Sherzai reporting two; and Abdul Rab Rassoul Sayyaf. On February 1, 2014, unidentified gunmen killed two of Abdullah’s aides outside of a campaign office in Herat.\textsuperscript{42} On February 9, 2014, an unidentified gunman killed a tribal elder and an Abdullah campaign team member in Sar-i-Pul.\textsuperscript{43} On February 19, 2014, the Taliban

\textsuperscript{41}NDI observers also noted incidents in Baghlan, Balkh, Faryab, Kapisa and Nangarhar.


attacked Abdullah’s campaign team on the Kabul-Jalalabad highway in Nangarhar; during the incident, three of Abdullah’s guards were killed.\textsuperscript{44} On February 28, an improvised explosive device (IED) detonated against the private vehicle of Abdullah’s provincial campaign head, wounding the local campaign head and his drivers, as well as killing his bodyguard, in Faryab. On March 10, 2014, a bomb directed at Abdullah’s Herat campaign office killed two security officers and injured four election staff.\textsuperscript{45} On March 12, 2014, unknown gunmen killed three elders working on Abdullah’s campaign in Faryab.\textsuperscript{46} On March 5, 2014, unidentified groups unsuccessfully attempted to deploy a bomb at a Ghani campaigning location.\textsuperscript{47} On March 9, 2014, an unknown gunman injured Sherzai’s campaign team members in Helmand.\textsuperscript{48} On March 12, unidentified gunmen killed three elders associated with Abdullah’s campaign in Faryab; they were returning from Vice President Mohammad Qasim Fahim’s funeral ceremony. On April 2, a provincial council candidate and nine supporters were killed after being abducted.\textsuperscript{49} The worsening security environment affected confidence in the capacity of the ANSF to provide adequate security for the electoral process.

The weeks leading up to the elections were marred by numerous incidents including threats to candidates, removal of campaign materials, and violence. A large number of candidates, and mainly women candidates, had their campaigns greatly restricted due to intimidation and violence. NDI observed that the majority of incumbent provincial council candidates had bodyguards for their personal protection, whereas new candidates sought the assistance of the MoI or the police.

The deteriorating security situation of the south and southeastern regions, in particular, affected campaigning. In several provinces, such as Ghazni and Paktika, NDI observers noted that major roads were frequently closed because of Taliban attacks and mines; these closures hindered campaign activity and prevented presidential candidates’ movement.\textsuperscript{50} In addition to a generally deteriorating security situation in Khost, armed groups targeted provincial council candidates and election activities. On March 30, 2014, a provincial

\textsuperscript{44} “Presidential Candidate Survives Taliban Ambush”, Tolo News, \url{http://elections2014.tolonews.com/afghan-presidential-candidate-survives-taliban-ambush}.


\textsuperscript{49} On March 31, armed gunmen abducted provincial council candidate Hussein Nazari and his supporters. Local media reported that several individuals were beheaded. Ghanizada, “Kidnapped Afghan Candidate Executed in Northern Afghanistan”, Khaama Press, (April 2, 2014), \url{http://www.khaama.com/kidnapped-afghan-candidate-executed-in-northern-afghanistan-3527}.

\textsuperscript{50} Ghani visited Jaghoori on March 29; Habiba Sarahi, the 2\textsuperscript{nd} VP candidate for Dr. Zalmai Rassoul came on March 31.
council candidate and three supporters were injured by an IED while en route from a campaign stop in Worza district.\footnote{Aman Wazir Gorbaz; all victims were not seriously injured and had received outpatient treatment.} Despite assurances by security forces during IEC coordination meetings, candidates expressed their concern about whether the ANSF and ANP were willing and able to take appropriate measures to maintain order and ensure security. In Kandahar, provincial council candidates complained that that the police had turned down their applications for protection officers in remote villages.\footnote{A spokesperson for the Helmand Police reported that the police could not provide officers to every candidate in the province; he suggested that candidates “find weapons and register them and then hire guards who will carry these weapons.” He also added that candidates failed to inform the police 24 hours in advance of each gathering, resulted them to have to turn down the application.} One candidate noted that campaigning in many districts was too dangerous without proper protection.

In addition to the deteriorating security environment throughout the country, insurgents launched a series of high profile attacks in Kabul. This included the March 11, 2014 shooting of a foreign correspondent for Swedish Radio. On March 20, 2014, an attack inside Kabul’s Serena hotel killed eight people including an international observer for NDI as well as a popular Afghan journalist and his family. In response to this incident, NDI and several international organizations withdrew its team of international long-term observers. The incident instigated a campaign of the Kabul media to boycott coverage of Taliban attacks during the election period.

Domestic observers as well reported that serious security concerns were reducing their ability to assess the election process, as many districts were seen as too unsafe to deploy observers, especially women. Deteriorating security situation severely also affected the ability of international observers to operate not only in the most insecure parts of the country, but also in Kabul. On March 20, gunmen entered the Serena Hotel and killed nine people. This attack resulted in the tragic loss of life of a member of NDI’s observation mission, who was staying at the hotel. The attack forced NDI to withdraw its international observers. The OSCE also withdrew observers living and working from the Serena, and re-deployed only half of its 15-member team. Some members of the European Union mission, who were accommodated at the EU embassy, also left Afghanistan following the attack. Following attacks on the IEC and another attack on an NGO office, ANFREL observers decided to cease their activities, while DI observers were withdrawn from the field and remained in Kabul.

These incidents prompted some media outlets to curtail their election coverage. Such caution deepened after 4 April, when an Associated Press photographer was killed and a correspondent wounded by an Afghan police commander in Khost province. Despite international reporting of rising violence in the weeks ahead of the vote, local media reporting of attacks diminished.\footnote{Ghanizada, “Election Related Violence on the Rise in Afghanistan, UN Warns,” (March 18, 2014), accessed on Jan. 25, 2015, http://www.khaama.com/election-related-violence-on-the-rise-in-afghanistan-un-warns-2890} The Afghan press blackout contributed to an impression of relative calm as polls opened on election day.\footnote{Ibid.}
Election Day Security

Electoral Security
Both Afghan stakeholders and the international community commended the performance of the ANSF on election day. As noted above, the Ministry of Defense deployed approximately 195,000 ANSF forces for electoral security for the April elections.\textsuperscript{55} Large numbers of ANP, ANA, and NDS personnel were required on duty for approximately 24 hour from April 4 through the ballot counting on April 5. International news sources reported that the ANSF eliminated threats and prevented several attacks at polling stations; approximately 141 insurgents were killed and 33 injured throughout Afghanistan.\textsuperscript{56}

The security provision relied on the established ‘Ring of Steel’ method, which included concentric rings of security responsibility. Under this mechanism, the ANA, supervised by the NDS, fortified a kilometer radius of the polling center; the ANP supervised by the NDS guarded the polling center perimeter; and, lastly, the ANP and NDS personnel secured polling centers.

Security Incidents
On election day, NDI observers and domestic monitoring groups noted that various security-related incidents affected polling in different parts of the country. While election day experienced fewer violent incidents than in 2009 and 2010, several attacks occurred around the country – particularly, 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. Several incidents occurred near or at polling stations, including a suicide bombing outside a polling station in Khost. The Taliban claimed to have launched more than 1,000 attacks on election day, but the IEC reported 190 security incidents all over Afghanistan on election day, including three IEC staff killed and 11 IEC staff wounded.\textsuperscript{57} US Military data claimed that there were 286 insurgent attacks, with 226 in eastern Afghanistan, 21 in Kandahar, 17 in the west, 14 in the north, seven in Helmand, and one in Kabul. International media sources counted that Afghan forces suffered at least 17 killed and 50 wounded, and at least 10 civilians were killed with more than 40 injured.\textsuperscript{58}

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; the significantly increased participation from past electoral cycles indicates that extremist attempts to derail these polls failed. While impossible to cite to any determining factor affecting voter turnout, NDI notes that the Taliban’s campaign of electoral violence backed by propaganda and intimidation may have reduced voting in Taliban-influenced rural areas of the south, southeast, east, and more broadly in Pashtun areas.\textsuperscript{59} The Taliban’s campaign was perhaps more evident on electoral fraud than on voter turnout, as it led to establishing a category of stations which were difficult to monitor and

\textsuperscript{56} Independent Election Commission, \textit{Field Operation Department, E-Day Report}, April 2014.
\textsuperscript{57} Ibid.
\textsuperscript{58} Ibid.
\textsuperscript{59} Ibid, at 4.
inaccessible to voters and polling agents. Efforts to conduct mass fraud, either by the administration or local power brokers, may have thus focused on these stations.  

### B. Work of the Independent Election Commission

According to Article 41 of the Election Law, the IEC is required to publish the election calendar including the different electoral phases at least 120 days prior to election day. On October 31, 2012, the EIC announced the 2014 presidential and provincial council electoral calendar, setting an election date of April 5, 2014 (16 Hamal 1393). This was the first time since 2001 that the government set an election calendar based on the constitutional time limit on the presidency, as the dates of the previous two presidential elections were postponed.

On October 31, 2012, the IEC set April 5 as the date for presidential and provincial council elections. President Hamid Karzai, first elected in 2004 and re-elected in 2009, could not stand for a third term due to constitutional limitations on terms in office. Provincial council elections were originally due to be held in 2013 but were postponed to 2014 for logistical reasons.

In its press release announcing the election calendar, the IEC noted its general objectives as “to foster an atmosphere of trust, increase the level of national participation and institutionalize regular and credible elections conducted in line with national legislation and international commitments.” The elections are administered by a three-tier election administration comprising the IEC, 34 PIECs, as well as polling station committees. Additionally, the IEC recruited DFCs through its provincial offices.

NDI welcomed the preparations that the IEC made in preparation for the 2014 elections. Since the last elections, the IEC produced a strategic plan that takes into account many recommendations offered by the international community. Operational planning included measures for fraud mitigation: stronger means for ballot protection, each voter having two of their fingers inked, application of the tamper-evident tape on the results protocols, and barring approximately 11,000 people from employment as temporary election staff due to their alleged engagement in misconduct during previous elections.

Assisted by the United Nations Development Programme’s Enhancing Legal and Electoral Capacity for Tomorrow (ELECT II) the IEC showed an increased ability to prepare for the elections. This support enabled the IEC to prepare and implement a Strategic Plan for 2011 to 2016, an Operational Plan, and a Fraud Mitigation Strategy. The strategy envisaged: independent assessments of polling center security; transparent recruitment and enhanced training of officials and staff; strict control of the chain of custody when transporting election materials to and from polling stations; and checks to ensure that

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60 Ibid, at 4.
62 Ibid.
63 The international community provided technical support to the IEC through the UNDP Enhancing Legal and Electoral Capacity for Tomorrow II (UNDP/ELECT II) project, IFES, and the United Nations Office for Project Services (UNOPS).
64 See the IEC website, http://www.iec.org.af/, for these documents.
results forms reported and received at the National Tally Center (NTC) were actually assigned to polling stations. These measures were implemented in advance of the polls.

Early operational planning enabled the IEC to generally complete its tasks in a timely and professional manner. The IEC’s 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. In 2013, the international community extended financial support to cover expenses needed for the conduct of the 2014 elections to supplement the Afghan government’s funding.

Based on lessons learned in previous elections, the IEC 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 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.

**Polling Day Staff: Recruitment and Training**

The IEC recruited and trained 99,934 election staff to staff polling stations nationwide. Where possible, the IEC recruited staff with experience from earlier elections. The IEC also barred approximately 11,000 persons from employment, due to their alleged misconduct in previous elections.

Both the IEC and IECC noted the difficulty in meeting their targets for recruiting female personnel across the country. The IEC was able to recruit women to comprise 21 percent of its 3,200 District Field Coordinators, slightly higher than previous elections but significantly short of its 50 percent target. The IEC also sought to recruit women to make up half of its 1,428 Civic and Voter Educators but reached only 33 percent, with the numbers varying from 40 to 50 percent in northern and western provinces to as little as eight to 19 percent in southern and eastern provinces. The IECC aimed to have women make up 30 percent of its staff. To help its recruitment of female provincial commissioners, the IECC eased the requirement that commissioners be posted outside their home provinces. Nevertheless, only six of the 102 provincial commissioners sworn into office were women.

**Voter Registration**
For the 2014 elections, the IEC reported that 3,808,556 eligible voters had registered; 2,488,526 were men and 1,320,030 were females, and 29,469 Kuchis (male 21339, female 8130).

All citizens of Afghanistan who are 18 or older on election day, registered to vote and “have not been deprived of civil rights by law or an authorized court” are eligible to cast their ballots. As in previous elections, voters are not linked to specific addresses or polling stations. This makes election planning difficult, as there is a risk of stations being under-prepared for a large number of voters, and increases the risk of multiple voting, with the use of indelible ink as the main deterrent.

Afghanistan does not have a voter registry, nor does it have a reliable population figure. The country’s population has never been fully counted, despite the fact that holding a census was mandated in the 2001 Bonn agreement. Population figures released yearly by the Central Statistics Office are estimates based on household listings. The quality of the voter database, which was created during the first voter registration drive in 2004, is poor. Voter registration exercises have been conducted in Afghanistan since the first elections in 2004, but they have not resulted in the development of a comprehensive central voter registry.

In light of the problems from previous registration exercises and taking into consideration a voter registration feasibility study in 2012, the IEC commenced preparations for a new nationwide voter registration exercise in line with the IEC’s strategic plan. However, following feedback from the international community and subsequent decisions by the Afghan government, the IEC abandoned preparations for a stand-alone voter registry. The long-term aim is to establish a voter registry linked to the civil registry database created by the e-tazkira project, and the IEC continues its dialogue with government agencies and ministries continue with this project. To date, however, the e-tazkira project has not resulted in the issuance of electronic identification cards to the population; the lack of political consensus about the legal framework, including a new census, appears to be a major obstacle.

Thus, while consideration was given over the past several years to linking voter and civil registration, in the run up to the 2014 elections, voter registration was updated by issuing voting cards to new eligible voters, with a target of four million new voters. Voter registration cards remained the single accepted valid voter identification for the 2014 elections. Like previous rounds, the IEC conducted a top-up exercise to distribute voter

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66 An official census was conducted in 1979, under Hafizullah Amin’s government. It reported a settled population of 13 million and an estimated 2.5 million nomads, giving a total population of 15.5 million. However, the census study was limited due to ongoing armed conflict throughout the country. This census is still used as the basis for most population figures.

67 On September 17, 2012, the Council of Ministers issued a decision rejecting the IEC plan for a nationwide voter registration. On January 2, 2013, the Office of Administrative Affairs of the Council of Ministers clarified that the IEC was not to conduct an exercise to retrieve and invalidate fraudulent voter cards in circulation.
registration cards to capture new voters and those who had not been covered by previous exercises, such as: the recently arrived (such as refugees returned from Iran or Pakistan), those who recently turned 18, those who lost their voter cards, and those who did not register in the past.\textsuperscript{68}

Voter registration was conducted in three phases. The first phase began on May 26, 2013 with the opening of 41 registration centers (both male and female) in provincial capitals. The second phase was from July 26 to December 10, 2013, with the opening of 386 registration centers in district capitals. The third phase was intended to allow non-registered eligible voters to add their names to the voter list until 72 hours prior to election day. Individuals were required to physically appear at a registration center and provide an identification document in order to obtain a voter card as proof of registration. Photographs on voter cards were not mandatory for women in the 2014 registration process.\textsuperscript{69} Only a few security incidents, none of which were fatal, occurred during the registration exercises. As a result, the IEC nearly met its targets and distributed 3.8 million voter cards.

As of April 2, 2014, 3,808,556 eligible voters had registered; 2,488,526 were men and 1,320,030 were females, and 29,469 Kuchis (male 21,339, female 8,130).\textsuperscript{70} The additional voter cards bring the total distributed cards to over 21 million. However, according to the most recent CSO statistics, Afghanistan’s total population was approximately 27 million in 2012. Under this figure, 48.4 percent of the population was under 15, and 59.1 percent of the population was under 20 years of age; according to one estimate, the maximum number of eligible voters is approximately 13.5 million. This indicates that at least 7 million voter cards have been circulated.

With no effective controls in place, the registration process has resulted in over-distribution of voter cards and it is impossible to obtain an accurate figure for voter turnout. Massive multiple registrations, the sale of voter cards, and proxy registration, with female voters in particular, all pose a threat to electoral integrity. For instance, there are no safeguards against multiple registrations and voters who may have multiple cards obtained through previous registration drives. In conservative areas, voter cards for women were often provided without the obligatory picture, and men were allowed to ‘proxy’ register for the women of their families. In past elections, implausibly high proportions of women were registered in conservative, and insecure, areas.\textsuperscript{71} Figures indicating a higher number of female registrants in some of the more conservative areas of the country raise questions about the potential for fraud and election irregularities. Registration rates in Daikundi (48 percent female), Paktika (47 percent), Nuristan (44 percent), and Paktia (43 percent) were high as compared to the rate in Kabul (33 percent).

\textsuperscript{69} Photographs on voter registration cards were not required for the 2009 elections.
\textsuperscript{71} In the 2009 elections, female registration was extremely high in Nuristan (71 percent), Khost (68 percent), Logar (66 percent) and Paktia (62 percent); in Kabul, historically a progressive province in terms of women’s participation, female registration did not exceed 34 percent.
**Voter Education**

A nationwide public outreach campaign included billboards, pole signs, brochures, posters, leaflets, fact sheets, pocket calendars, and stickers. The IEC visited all 34 provinces, and the IEC produced public service announcements on 24 television and 51 radio stations. Outreach materials, including mock ballots, sample ballots, and manuals were distributed throughout the country through 1,450 IEC civic educators. The IEC also operated voter information call centers until the announcement of final election results for the first round on May 12, 2014.

DFCs conducted cascade training for polling center managers, polling station chairpersons, IEC poll staff – including inkers and ID officers. Polling station chairpersons then conducted training for staff including those issuing the ballots and ballot box controllers.

**Polling Centers and Stations**

In total, the IEC reported that 6,218 polling centers were open on election day, encompassing 20,773 polling stations; before and on election day, approximately 955 – or 13.3 percent – of the 7,173 originally planned polling centers were closed due to security reasons.\(^{72}\)

According to the 2013 Election Law, a polling center is a “venue envisaged by the [Independent Election] Commission for the polling purpose, which comprise multiple stations.”\(^{73}\) A polling station is a “place related to a polling center determined for the exercise of the right to vote.” The size of a polling center can vary. Every polling center has a code indicating the province, district and center; within the center, each polling station is also numbered. Separate polling stations are established for women and men to vote.

Voters from nomadic tribal groups that have no permanent place of residence, known as Kuchis, are permitted to cast a ballot in any province. In addition, the Election Law envisages establishment of separate polling stations for military personnel and eligible voters serving prison sentences, as well as for refugees and diplomatic personnel abroad; for this election, however, the IEC could not make this service available because of financial and logistical constraints. Voters with disabilities in Afghanistan are permitted to cast their ballots with the assistance of a trusted friend or family member, or with the assistance of a polling station Chairperson. As a fraud deterrent measure, only polling station Chairpersons are permitted to assist more than one person.

The availability of polling stations in appropriate locations is a critical factor in enfranchising voters, controlling the polling process, and mitigating fraud. Due to the limitations of the voter registration system, voters are permitted to vote for President at any polling station in the country and for provincial council candidates at any polling station in their province of residence. That is, in the absence of a central voter registry

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\(^{73}\) Afghan. Election Law, art. 4.7.
and, more broadly, an updated census, voters cannot be registered to specific polling centers. As with previous elections, the IEC was challenged in preparing an accurate polling list; this list ultimately determines how many votes can be cast in a certain area, as each polling station is allocated 600 ballots. If there are too few polling stations where people are likely to vote, or if the stations are difficult to access, voters may be disenfranchised. In every election, some polling stations have run out of ballot papers. To respond to this issue, the IEC procedures envisaged release of contingency polling station kits to each province in advance of election, and redirection of voters to nearby polling stations where ballots are still unavailable. In contrast, where too many stations are planned in areas that are difficult to monitor because of insecurity, the IEC may not be able to control the polling process, which in turn increases the likelihood of fraud.

The IEC had ultimate authority to determine which polling centers would open on election day, on the basis of MoI recommendations. To initially determine which polling stations would be included on a polling list, the IEC made projections based on past locations of polling centers, the number of people who voted in that area in previous elections, and the most recent population data. The IEC had initially planned to establish approximately 7,000 polling centers (both male and female) and polling stations for Kuchi voters, where appropriate. The IEC then sent this list to the MoI, which conducted assessments of security around polling centers and evaluated which sites the ANSF could secure. The MoI’s security assessment, released on January 11, 2014, stated that 414 polling centers, or approximately six percent of the total number, could not open on polling day because of insecurity. However, members of the Wolesi Jirga from Jawzjan, Logar, Faryab, Nuristan, and Nangarhar provinces disputed the accuracy of this risk assessment.74 FEFA and Transparent Election Foundation of Afghanistan (TEFA) expressed criticism of the report, noting it was unrealistic.75 In addition, the IEC reviewed the polling center list with electoral stakeholders, including presidential candidates, reach agreement on the number of open polling centers in each province.

The number of polling lists then fluctuated throughout the campaign period, based on the MoI’s ongoing security assessments.76 The IEC was clear throughout this process that the list could be decreased due to deterioration in security or failure to deliver election material. In a March 19 coordination meeting, the IEC claimed that if security-related fraud were to occur on election day, fault would lie with security agencies. On March 30, the IEC announced a final list with 6,423 polling centers, closing 352 additional polling centers in 18 provinces.77 In total, the IEC reported that 6,218 polling centers were open on election Day, encompassing 20,773 polling stations; before and on election Day, approximately 955 – or 13.3 percent – of the 7,173 originally planned polling centers

76 On February 28, 2014, the IEC first announced that 6,775 active polling centers would be open, with a total of 21,603 polling stations (12,705 for men and 8,958 for women). On election day, 353 polling centers of the maximum 6,775 planned remained closed.
77 In comparison, in 2010, security institutions determined that 938 of the originally planned 6,835 polling centers could not be opened.
were closed due to security reasons.\(^{78}\) Of the final list of 6,423 polling centers posted at the end of March, 205 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.

The impact of these closings is difficult to measure; with closed polling locations, it is possible that many Afghans did not vote in these areas. For the polling centers that did remain open on election day, security threats may have discouraged people from going to the polls. The security threat also had the potential to enable fraud and irregular conduct on election day, especially in areas where voters, observers and agents were unable to travel.

**Observers**

The 2013 Election Law and IEC regulations govern domestic and international observation. The Law and regulations provide for accredited observers’ presence at polling and counting centers; submission of complaints; publication of observation reports; and access information regarding the electoral process. In particular, accredited observers have the “right to participate in the electoral process in order to monitor and report on it.”\(^{79}\)

Accreditation is a two-step procedure: first, political parties, candidates, election observer groups, and media outlets must obtain organizational accreditation with the IEC; second, these organizations must apply for accreditation for their individual representatives. At the request of observer groups, the IEC extended accreditation past the March 29 deadline. 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. According to the IEC, 14,585 citizen observers (almost 30 percent female) were accredited for the April 5 elections. Of this total, the IEC accredited 67 domestic election monitoring groups and issued 11,357 accreditation cards (of this number, 3,528 were issued to women). Observer accreditations obtained for the first round remained valid for the runoff election.

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.

**Domestic Monitoring Groups**


Domestic monitoring organizations accredited for the elections include FEFA, TEFA, the Afghanistan National Participation Organization (ANPO), the Afghanistan Youth National and Social Organization (AYNSO), the New Line Organization (NLO) and Election Watch Afghanistan (EWA). These organizations received financial and technical support from the international community.

Prior to the elections, monitoring groups and other CSOs engaged in discourse on electoral and election administration reform, conducted nationwide civic and voter education efforts, and arranged public debates. In addition to observation on election day, observer groups also engaged in long-term observation of voter registration, candidate nomination, and the campaign period, results tallying, as well as audits and recounts. All national observer groups established call centers to collect data from their observers on election day.

In the lead up to polling day, organizations coordinated deployment plans to enable nationwide coverage. On April 3, ANPO, AYNSEO, FEFA, NLO, and TEFA signed a Declaration of Joint Principles of National Election Observation Institutions in 2014 Elections, outlining coordination and information-sharing efforts. 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, AYNSEO 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 also 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.

All national observer groups issued reports with findings and recommendations. These reports generally noted observation of instance of ballot paper shortage, ballot box stuffing, proxy voting, denied access of observers. While these reports offered valuable information on the process, many organizations did not provide detail on the nature of violations or misconduct, or a description of any official responses or remedial action.

Following the announcement of election results, a coalition of groups issued a set of recommendations to the IECC and IECC aimed at improving operations for the presidential runoff election. These recommendations include measures to increase transparency of the complaints adjudication process; enhance the professional conduct of security forces; to ensure sufficient numbers of searchers and other staff at polling
stations; open access of observer groups to the polling, counting, complaints adjudication, and decision-making.

**Relationship of the IEC with Observers**

According to regulation, the head of a voter registration or polling center had discretion to set time limits on the presence of observers, candidate agents, and media representatives in the facility. In addition, the IEC had discretion over attendance at its “open sessions;” the IEC granted access to observers from national and international organizations and candidate agents, but not to the media, to these open sessions.\(^{80}\) IEC provisions also require required candidates and political parties to disclose to the IEC their deployment plans for agents and representatives. While these measures may have been intended to prevent over-crowding in election facilities, they had the effect of limiting observer access to the polls and oversight of the process.

Several monitoring groups shared findings and presented recommendations to the IEC and IECC. On June 1, 2014, the EIC hosted a stakeholder meeting, at which observer groups appealed for transparency and increased accessibility for observers and candidate agents to monitoring of results tallying and certification.\(^{81}\) In response, the IEC noted it would increase access to these processes and would consider groups’ reports of any impediments to their observation.

**Candidate Agents**

NDI observers and domestic monitoring groups noted the presence of candidate agents in many polling centers across the country on election day. According to the IEC, a total of 345,715 (approximately 22 percent female) candidate and political party agents were accredited for the April 5 elections. Seven of the eight presidential candidates accredited a total of 80,645 agents. The vast majority of observers accredited by the IEC – 246,740 in total – were affiliated with 2,086 provincial council candidates. In addition, 30 political parties accredited 18,330 agents. Accreditation cards for candidate agents expired at the end of the first round elections.

**C. Candidate Nomination and Challenge Period**

**Candidate Nomination**

During the candidate nomination period, from September 16 to October 16, 2013, a total of 27 presidential candidates (including one female), with two vice presidents each, and 3,056 provincial council candidates submitted their registration documents to the IEC. The presidential candidates who registered are listed below, in chronological order:

1. Bismillah Sher
2. Dr. Abdullah Abdullah
3. Fazal Karim Najami

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Candidate Vetting Process

According to the Election Law, the IEC is responsible for reviewing and checking all the documents submitted by contenders; the IEC finalizes the preliminary list of candidates and then submits candidates’ documents to the IECC for further review.

From October 7 to October 22, the IEC vetted candidate applicants. After reviewing the registration documents, the IEC announced on October 22, 2014 that 10 presidential and 2,704 provincial council candidates were included in the preliminary list; the IEC disqualified 17 presidential candidates from the original 27 applicants. In a press conference to announce this list, IEC head, Yusif Nuristani noted that the IEC had excluded candidates because of issues such as: improper documentation; failure to procure 100,000 supporting voter cards for presidential candidacy, reach 20 provinces; dual nationality; and lack of required academic qualifications (high school diploma for
Several electoral stakeholders questioned the transparency of the vetting process. As FEFA noted that the IEC’s decision-making sessions were not open to the public, and there was no way to observe the IEC’s methodology in making determinations. Disqualified Candidates noted that they had not been informed of the IEC’s decision but received notification through the media. Other candidates claimed that the government interfered in the process to support favorite candidates. Major political parties and coalitions agreed with the IEC’s announcement but emphasized that the disqualification process should be more transparent and should include an explanation for rejection.

**Challenge Period**

The candidate challenge period was criticized for lack of transparency, as individual candidates were not informed about the reasons for their disqualification.

**Challenges**

The challenge period commenced directly after the IEC’s publication of the preliminary list of candidates, on October 22, 2013; complainants had 48 hours to file challenges related to disqualifications.

After the IEC published the preliminary list of candidates, the IECC received 329 complaints against provincial candidates and by disqualified candidates; on its own initiative, the IECC considered 10 cases concerning presidential candidates. These sessions were open to the public, media, and civil society. Nevertheless, groups such as FEFA criticized the IECC for a lack of transparency and limited access for observation of the review process; as well as for failing to provide sufficient time for disqualified candidates to prepare their challenges.

**Decisions and Appeals**

On November 20, 2013, following the period for challenges and appeals, the IEC approved 11 presidential and 2,713 (308 female) provincial candidates to contest the polls. Of note, the IEC reinstated Mohammad Daoud Sultanzoy to the list of presidential candidates. Candidates and observers criticized the process for lack of

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transparency, as individual candidates were not informed about the reasons for their disqualification.

The final list of presidential candidates is below (in alphabetical order):

<table>
<thead>
<tr>
<th>Presidential Candidate</th>
<th>Background</th>
<th>Vice-Presidential Candidates</th>
</tr>
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| Dr. Abdullah Abdullah  | Former Foreign Minister, Jamiat-e Islami candidate in the 2009 presidential elections | First: Mohammad Khan  
Second: Mohammad Mohaqiq |
| Dr. Ashraf Ghani Ahmadzai | Former Minister of Defense, dean of Kabul University, head of transition coordination commission | First: Gen. Abdul Rashid Dostum  
Second: Sarwar Danish |
| Hedayat Amin Arsala    | Former Vice President and Senior Minister | First: Ghen. Khudaidad  
Second: Safia Seddiqi |
| Qutbuddin Hilal       | Former spokesperson of Hezb-e Islami Hekmatyar, member of Hezb-e Islami peace delegation to Kabul | First: Enayatullah Enayat  
Second: Mohammad Ali Namizada |
| Abdul Qayum Karzai    | Brother of President Hamid Karzai | First: Wahidullah Shahran  
Second: Ibrahim Qasmi |
| Sardar Mohammad Nadir Naeem | Grandson of King Zaher Shah | First: Taj Mohammad Akbar  
Second: Azizullah Puya |
| Dr. Zalmai Rassoul    | Former head of the NSC, Minister of Foreign Affairs | First: Ahmad Zia Massoud  
Second: Habiba Surabi |
| Abdul Rab Rassoul Sayyaf | Leader of the Dawat party, MP for Kabul | First: Mohammad Ismail Khan  
Second: Abdul Wahab Urfan |
| Mohammad Shafiq Gul Agha Sherzai | Governor of Nangarhar | First: Sayed Hussain Alimi Balkhi  
Second: Mohammad Hashim Zarea |
| Mohammad Daoud Sultanzoy | Tolo TV presenter, former MP from Ghazni | First: Ahmad Saeedi  
Second: Kazima Mohaqiq |
| Abdul Rahim Wardak    | Former Minister of Defense, Security Advisor to the President | First: Shah Abdul Ahad Afzali  
Second: Sayed Hussain Anwari |

In addition to the IECC’s review, judicial bodies are expected to address any cases of candidates with alleged criminal backgrounds and human rights violations. In early January, the IECC submitted a list of presidential and vice-presidential candidates who had allegedly committed crimes to the Attorney General’s office. While the nature of crimes was not publicized, the Attorney General dropped the investigations due to insufficient evidence on January 13, 2014.

In accordance with Article 64 of the Election Law, the IECC noted that it would continue to look into the eligibility of 2,212 provincial council candidates on the basis of challenges and complaints it received directly and media reports of potential violations. In particular, it would investigate the educational certificates submitted by provincial council candidates, reviewing credentials against the database maintained by the Ministry of Education; and it would disqualify candidates did not meet the criteria. Even after the
The final list of candidates was published, the 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’.

As a result, the IECC disqualified 115 candidates for failing to meet eligibility criteria, namely educational or age requirements. This announcement was met with varied reactions. Many candidates considered this development as unfair, as disqualification late in the process affected campaigning. Two days before election day, the IEC indicated that eight presidential candidates (all male) and 2,590 provincial candidates (including 297 females) were still in the running.

D. Media and Elections

The Media Commission (MC)

In accordance with the Election Law, the Media Commission (MC) is a temporary body, under the IEC’s purview, established to monitors the performance of media during each election period. The IEC appointed the five MC commissioners in early December 2013. The Election Law provides for the MC’s mandate of creating and overseeing regulations for media coverage of the elections; the MC has authority adjudicate complaints and impose sanctions specifically related to media misconduct. In addition, the IEC approved several procedures for addressing media-related complaints in the electoral process. Electoral stakeholders welcomed the establishment of the MC, as the media has expanded and was set to play an active role in the electoral process.

There were challenges to the MC’s operations. Observers noted a lack of transparency in the appointment of commissioners and staff. In addition, the IEC exerted control over the MC’s budget and staff recruitment throughout the electoral process. Delays in allocation of these resources hindered the MC’s monitoring of media activities.

The MC 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’s ticket; Aina TV, owned by General Dostum, a vice-presidential candidate under Ghani’s ticket; and Dawat TV, owned by presidential candidate Sayyaf. 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.

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According to Articles 61.1 and 61.6 of the 2013 Election Law, the MC must be established no later than 90 days before election day and must conclude operations no later than 45 days after the announcement of final results.
Per regulation, the MC also requires each media group to submit monthly reports on how much each presidential and provincial council candidate spent on advertising. The MC monitored candidates’ expenditures on paid advertisements in the media, covering 55 media outlets in Kabul; however, nationwide coverage was limited because the MC did not have a presence outside of Kabul. The MC had difficulty in verifying expenditures, as several media organizations delayed submission of their financial reports on campaign advertisement spending. Several media organizations noted that the requirement violates Afghanistan’s media law, which compels organizations to report only to the Ministry of Finance and Media High Council once a year.

The MC produced media monitoring reports, published on the IEC website, and used findings from these reports to impose sanctions on media outlets that violated regulations. The MC reviewed two cases related to presidential campaigns; in addition, the MC settled a number of issues through informal negotiations. The MC fined 13 television stations and 1 radio station for violations of media coverage of the campaign. Enforcement of MC sanctions was a challenge, however. Although the MC extended the deadline for payment, some violators – all private media outlets – did not pay their fines. Although the MC warned that non-payment of fines could result in the rescission of the media outlet’s license, it did not pursue this sanction against violators.

The Media Environment

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 was instituted 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.

**Security Incidents**

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 newswire was shot and killed with his wife and two children during the March 20 attack on the Serena Hotel, while his son was left in critical condition. A photographer with the Associated Press (AP) newswire was killed April 4 while travelling with a government convoy delivering election materials to a district in Khost. A police commander who was part of the security detail guarding the convoy opened fire on a car carrying the AP photographer and a correspondent who was severely injured but survived the attack.

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 Daikundi after IEC staff confronted him about taking photos, and two reporters in Nangarhar who were reportedly briefly detained by Afghan National Army soldiers.

E. **The Campaign Period**

The official campaign period for presidential candidates ran from February 2 to April 2, 2014, or 60 days. Campaigns for provincial council candidates were conducted from March 2 to April 2, 2014, or 30 days. All campaigns were required to observe a 48-hour period of silence prior to election day.

Under the Afghan Constitution, electoral campaigning is protected through guarantees to freedoms of speech, assembly, and association. The Election Law determines the basic
campaign regulations and defines the campaign as “activities of candidates or political parties to gain the support of voters.” To supplement constitutional and legal provisions, the IEC adopted campaign and media regulation, and developed codes of conduct for presidential and provincial candidates and the media. All candidates were obligated by IEC regulations to sign the code of conduct as a precondition to their registration.

Despite escalating violence, the major candidates extensively campaigned, 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. The three leading teams traveled with supporters and journalists to all regions of the country for these rallies. No serious insurgent attacks occurred during these events, despite limited security measures and large crowds usually numbering in the thousands.

Instances of illegal campaigning by government officials occurred in both presidential and provincial council races. In several instances, authorities made aware of allegations took remedial action and dismissed the sanctioned official.

**Candidate Campaigns**

On January 5, 2014, President Karzai brought all presidential candidates together to discuss the upcoming process. The official campaign period for presidential candidates ran from February 2 to April 2. The official campaign period for provincial council candidates ran from March 5 to April 2. In general, candidates ran positive campaigns throughout the process.

**Launch of Campaigns**

After a slow start due to winder weather conditions, presidential campaigns gained momentum and most candidates held well-attended indoor and outdoor rallies. Abdullah, Ghani, and Sherzai launched their campaigns through meetings with speeches at Kabul wedding halls, on the same stretch of Airport road. Abdul Qayum Karzai and Dr. Zalmai Rassoul booked Loya Jirga tents at the Polytechnic. Hedayat Amin Arsala and Qutbuddin Hilal held press conferences. Sultanzoy initiated his campaign in Herat. Naeem walked through a Kabul neighborhood, meeting with voters. Sayyaf’s team did not plan rallies, possibly because of security concerns.

**Campaigning in Provinces**

Security and weather initially hampered candidates’ campaigning in the provinces. In addition to displaying campaign posters in the main cities, some candidates produced leaflets and conducted neighborhood meetings with voters. Due to the volatile security environment, intensity of campaigns varied significantly between urban and rural areas. While rallies were frequent and visible in major cities, they were not organized in districts; instead, candidates often limited their campaign activities to contacting tribal and community leaders, as well as elders, to gain voter support. Some candidates complained that the timing of the election in early spring affected their campaigns, as weather conditions forced them to cancel activities in more remote areas.

Other methods of campaigning involved the use of traditional and social media to convey

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89 Afghan. Election Law, arts. 4.16, 48 – 51.
messages to the voters, posters and billboards, and negotiations with tribal and religious leaders and local powerbrokers for their support. 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.

**Candidate Debates**
Most presidential candidates frequently appeared in televised debates on nationwide broadcast media. Several news outlets hosted debates for the presidential candidates – Tolo, 1TV and RTA (government-run TV and radio), BBC radio & Online, and Salam Watandar’s network of FM stations. Most candidates promised to increase employment opportunities, fight corruption, advance the peace talks, and ensure execution of the Bilateral Security Agreement (BSA).

**Candidate Withdrawals**
During the campaign period, three candidates officially informed the IEC of their withdrawal from the presidential race, submitting resignation letters to the IEC shortly before election day. Qayam Karzai withdrew from the race on March 6 and endorsed Rassoul. Abdul Rahim Wardak withdrew on March 16. Sardar Mohammad Nadir Naeem announced his withdrawal on March 26, and also endorsed Rassoul.

These withdrawals occurred after the legal deadline; therefore, while eight presidential candidates ultimately competed in the election, all 11 candidates appeared on the ballot.\(^{90}\) 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’.

**Campaign Finance**
The legal framework – through the 2013 Election Law and the IEC Regulation on Managing Campaign Finance – governs the general requirements for ensuring the integrity and transparency of campaign financing. The law and regulations provide for private funding of political parties, establish ceilings on donations and campaign expenditures, and regulate reporting and disclosure requirements. However, application of the legal framework and oversight of campaign finance proved difficult in practice.

According to the Election Law, candidates may not expend more than AFN 10 million (approximately USD $175,000) for the presidential campaigns and AFN 500,000 (approximately USD $8,700) for the provincial council campaigns; candidates are

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\(^{90}\) Article 47.2 of the 2013 Election Law stipulates that the votes cast for the candidates who withdrew “shall not be counted during counting of votes”, which the IEC interpreted as meaning that such votes are considered invalid.
required to declare their campaign expenditures to the IEC. Many candidates criticized the limit as unrealistic, given the actual costs of campaigning and political advertisements. In addition, NDI observers noted 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 allegations of overspending by the candidates.

Candidate campaigns may be financed through private donations only, as public funding is prohibited. Presidential candidates may receive maximum donations of AFN 50,000 (approximately USD $873) from individual donors, only Afghan citizens, and AFN 500,000 from political parties and domestic non-governmental entities. Candidates are required to declare financial and in-kind donations to the IEC.

While the Election Law provides that the use of illegal resources is a violation, however, it does not include clear guidelines for sanctioning offenders nor does it address other violations of requirements, such as submission of financial reports. The IEC Unit for Controlling Financial Affairs of the Electoral Campaigns of the Candidates monitors campaign finance, and the IECC is vested with the authority to enforce compliance with regulations through a complaints mechanism. Candidates are required to open separate bank accounts for their electoral campaigns and to submit biweekly financial reports to the IEC, which publishes the documents on its website. Candidates who violate expenditure and donation limits may face a range of penalties, including disqualification. Two presidential candidates failed to submit financial reports and were subsequently fined by the IECC; however, no further sanctions were imposed. The IEC noted, in general, that campaign teams were not in full compliance with campaign finance requirements, and that it was difficult to obtain accurate financial reports, with complete information, in a timely matter. In addition, the IEC struggled to evaluate financial reports of candidates and disclose its findings to the public. As a result, interested parties reviewed the reports on the IEC’s website and submitted complaints to the IECC.

Abdullah declared almost twice as much in campaign spending as Ghani. According to the data posted on the IEC website, Abdullah spent slightly more than the legal limit of AFN 10 million (approximately USD $175,000) and received nearly 14 million in donations. Ghani declared approximately AFN 5.7 million in expenditure and nearly AFN 3 million in donations. Two candidates reported receiving no donations: Wardak, who dropped out of the race before election day and declared spending nearly AFN 4 million during the campaign; and Sherzai, who claimed AFN 8.4 million in expenditures.

91 The Election Law does not regulate the expenditure ceiling in cases of runoff elections; therefore, the IEC construed the limit at AFN 10 million for the three-week runoff campaign period, equivalent to the ceiling set for the two-month campaign period for the first round.
### Presidential Candidate Expenditures and Received Donations Reported to the IEC\(^\text{92}\)

<table>
<thead>
<tr>
<th>No.</th>
<th>Candidate Name</th>
<th>Total Expenditures (AFN)</th>
<th>Total Received Donations (AFN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dr. Abdullah Abdullah</td>
<td>13,984,500</td>
<td>10,023,954</td>
</tr>
<tr>
<td>2</td>
<td>Mohammad Daoud Sultanzoy</td>
<td>101,000</td>
<td>4,037,569</td>
</tr>
<tr>
<td>3</td>
<td>Abdul Rahim Wardak</td>
<td>0</td>
<td>399,280</td>
</tr>
<tr>
<td>4</td>
<td>Abdul Qayum Karzai</td>
<td>1,105,000</td>
<td>8,014,754</td>
</tr>
<tr>
<td>5</td>
<td>Dr. Ashraf Ghani Ahmadzai</td>
<td>2,830,200</td>
<td>5,698,842</td>
</tr>
<tr>
<td>6</td>
<td>Muhammad Nader Naeem</td>
<td>2,350,000</td>
<td>5,497,863</td>
</tr>
<tr>
<td>7</td>
<td>Dr. Zalmai Rassoul</td>
<td>9,840,000</td>
<td>9,840,842</td>
</tr>
<tr>
<td>8</td>
<td>Eng. Qutbuddin Helal</td>
<td>11,000,000</td>
<td>6,210,303</td>
</tr>
<tr>
<td>9</td>
<td>Mohammad Shafiq Gul Agha Sherzai</td>
<td>0</td>
<td>8,402,370</td>
</tr>
<tr>
<td>10</td>
<td>Abdul Rab Rassoul Sayyaf</td>
<td>540,000</td>
<td>5,228,674</td>
</tr>
<tr>
<td>11</td>
<td>Hedayat Amin Arsala</td>
<td>1,252,350</td>
<td>10,116,260</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>43,003,050</td>
<td>73,470,711</td>
</tr>
</tbody>
</table>

### Campaign Period Complaints

The IECC addressed 3,004 complaints during the campaign period. Over 600 complaints were related to candidate eligibility (age and education requirements, failure to resign from office); and nearly 200 dealt with criminal offenses.

The majority of these cases were dismissed for insufficient evidence. 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. Polling and Counting

### Polling Centers

In total, 6,218 polling centers were open on election day, encompassing 20,773 polling stations.\(^\text{93}\) Before and on election day, approximately 955 – or 13.3 percent – of the 7,173 originally planned polling centers were closed due to security reasons.


Polling stations were scheduled to open at 8:00 am; however, observer groups noted delays in the opening of stations due to the late arrival of polling or security personnel.

Opening procedures require that polling staff (a) check and record the number of received ballot papers in the results form; and (b) check and seal ballot boxes prior to commencing the polling process.

**Voting Process**

**Voter Turnout**

According to the IEC, the total number of voters was 6,892,816, of which 36 percent were females and 64 percent were males.94

**Fraud Mitigation Procedures**

In the absence of voter lists specific to polling stations, the application of both indelible and invisible ink on a voter’s finger served as the main barrier to multiple voting.

Procedures also required that the polling staff punch the voting card with a unique mark for each election. The voting card number of each voter is then recorded in a voter card log; however, in the absence of a voter registry, this measure cannot be an effective tool against fraud as there is no database against which the voter card number can be checked.

**Ballot Shortages**

Early on election day, the IEC learned of ballot shortages; initial calls came from candidates and their agents, as early as 9:30 am. 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. 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.

On election day, presidential candidates Abdullah, Ghani and Rassoul held press conferences to raised this issue of ballot shortages 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. The IEC also noted that it would not be possible to run out of ballots within the first few hours of polling day.

The IEC later released 548 contingency polling station kits and extended voting by one hour. Voters standing in line at the time of poll closing were allowed to cast their vote. Media outlets reported long voting lines, and indicated that polling stations would be forced to further extend the voting timeframe.

**Counting of Votes**

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At Polling Stations
The counting of votes occurs in polling stations. The polling station chairperson is required to count valid, invalid, and unused ballots, and to record this information in the results form. Polling station results forms are in three-carbon copy, and copies are inserted in the ballot box, distributed to candidate agents, and put on public display at the polling station. In addition, the IEC announced that it would post 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.

Polling station officials then submitted results forms to the provincial IEC offices, where they would be placed in temper evident bags (TEBs) in blue ballot boxes for transport to the National Tally Center (NTC). While the IEC’s Strategy for Fraud Mitigation calls for ballot reconciliation at the polling station, there is no requirement within laws or regulations for polling station officials to reconcile ballot papers before submitting results to the NTC. As a result, results forms with counting errors are likely forwarded to the NTC on a frequent basis.

At Tally Centers
The NTC in Kabul became operational on April 6, 2014, two days after election day. In general, observer groups noted that NTC procedures were comprehensively designed and tested in advance. As a result, the data entry process appeared to function effectively.

At intake, IEC staff checked the serial number listed on a blue ballot box against the computer record from the province to review chain of custody; and to check the integrity of the boxes. Results forms that did not arrive in TEBs were set aside for audit.

The NTC preparation unit then matched serial numbers of results forms against the computer record of serial numbers issued to polling centers. NTC managers applied clear tape to the results forms to prevent tampering during this process. Results forms were then scanned, and operators checked the serial numbers on the electronic copies; hard copies of the forms, in their polling station envelopes, were then sent to the archive. Staff conducted subsequent review via screen imaging.

Data entry was conducted by computer operators in a double-blind process, with two teams of 25 operators. The computer system randomly assigned images to an operator in the first group; operators viewed the image and entered the total number of votes for each candidate as well as numbers of unused, spoiled, and invalid ballots. After the first data entry, the system assigned the same image to an operator on the second team. If there was a discrepancy in data entry between the two operators, the case was sent to a review team. This team also addressed routine reading or recording errors. The IEC did not provide for observer or candidate agent access to the NTC processing floor; instead, observers were restricted to a viewing gallery at a distance from the data entry.

Types of Fraud Reported
Domestic observer groups reported election day violations related to: secret voting – such as group and multiple voting; registration, such proxy and underage voting; and ballot integrity, such as ballot box stuffing. Several video recordings, which displayed instances
of individuals marking unused ballots, were circulated on social media; some of these recordings were utilized as evidence in the IECC complaints process.

**Announcement of Preliminary Results**

According to the Election Law and the Structure Law, the IEC is obligated to announce and public preliminary and final election results; it is authorized to issue partial results. The IEC had committed to displaying partial results according to polling station in the IEC media center, and publish these results on its website; however, partial results were often not posted, or posted with delay.

**Partial Results**

Partial results were released as aggregate totals of the valid votes cast for candidates by polling center, and did not include information on invalid or spoiled ballots. Importantly, this format did not allow for observers and candidate agents to compare tallied results against the figures observed in polling stations. In addition, the IEC timed the release of partial results in three installments, with a share of results from several provinces at a time. As this practice did not seem to be tied to a regulation or procedure, some groups questioned if the IEC was attempting to influence perceptions on the results.

The IEC released first round partial results on April 13, 2014, with 10 percent of polling stations tallied; on April 20, with 49.75 stations counted; and on April 24, with 82.59 of the count complete. As part of its results reporting, the IEC also released information on polling stations that were not open on election day, or did not return results.

**Preliminary Results of the Presidential Elections**

The IEC announced preliminary results of the presidential race on April 26, 2014, and of the provincial council results on May 20, 2014. According to the IEC, preliminary results included 6,892,816 votes (36 percent female votes); of this number, the IEC invalidated 234,674 – or 3.4 percent – from 525 polling stations. In addition, 40,476 votes cast for candidate who had withdrawn from the election were invalidated. Results were as follows:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes Received</th>
<th>Percentage of Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Abdullah Abdullah</td>
<td>2,970,703</td>
<td>44.91%</td>
</tr>
<tr>
<td>Dr. Ashraf Ghani Ahmadzai</td>
<td>2,082,417</td>
<td>31.48%</td>
</tr>
<tr>
<td>Dr. Zalmai Rassoul</td>
<td>759,540</td>
<td>11.48%</td>
</tr>
<tr>
<td>Abdul Rab Rassoul Sayyaf</td>
<td>468,340</td>
<td>7.10%</td>
</tr>
<tr>
<td>Qutbuddin Helal</td>
<td>180,859</td>
<td>2.73%</td>
</tr>
<tr>
<td>Mohammad Shafiq Gul Agha Sherzai</td>
<td>106,673</td>
<td>1.61%</td>
</tr>
<tr>
<td>Mohammad Daoud Sultanzoy</td>
<td>30,737</td>
<td>0.46%</td>
</tr>
<tr>
<td>Hedayat Amin Arsala</td>
<td>15,394</td>
<td>0.23%</td>
</tr>
<tr>
<td></td>
<td>6,614,663</td>
<td></td>
</tr>
</tbody>
</table>

The IEC also referred 444 polling station results to the IEC for investigation; of this number, 291 were later included in the preliminary results.

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95 Afghan. Election Law, art. 59.3; Afghan. Structure Law, art. 14.15.
The release of preliminary results requires an IEC decision, and candidates can legally challenge these results. As such, candidates need complete information from each polling station – including used, unused, valid, and unspoiled ballots. However, the IEC announced only the number of valid votes cast for each candidate, and did not promptly publish the results on its website; this led to confusion as to the applicable deadline for filing complaints.

In addition, candidate totals by polling station were posted in the IEC website in a long format that made review difficult, and did not consistently follow the IEC’s numbering system for province, district, and polling center. This prevented candidates and their agents from comparing results against their figures and reviewing data in a timely manner. While the IEC included scanned copies of results forms from each polling station, candidates still struggled to review the data in a short timeframe necessary for filing complaints.

**Preliminary Results of the Provincial Council Elections**
Immediately following the provincial council vote, the IECC conducted provincial-level audits and recounts in response to election-day complaints. On May 11, the IECC instructed its provincial offices to complete their investigations and send decisions to the central office in Kabul for assessment and final decisions. The IEC announced preliminary results on May 20, 2014, and the IECC promptly initiated a review of the many complaints against preliminary results.

The IEC allows complaints on the preliminary results to be registered for 24 hours from the time they are announced. The IECC is then tasked to investigate those complaints and provide its decisions to the IEC.

**Complaints on Polling, Counting and Preliminary Results**

On election day, NDI observers noted that the IECC received 1,269 complaints – 1,107 submitted by phone and 162 filed in written form. In total, the IECC received 2,133 complaints related to polling and counting on election day and 80 appeals against PIECC decisions. The IECC investigated 746 polling centers in 31 provinces.

According the IEC procedures, complaints on the voting and counting process can be filed by candidates and their agents within 48 hours after election day.96 Formal complaints are filed out on an IECC complaints form, which may be filed at the relevant provincial IECC offices or at a central IECC, and on election day, at polling centers and stations. Any person who has full legal competence may file a complaint or challenge, either in person or through a legally authorized representative. Although PIECC’s are the primary bodies for complaints adjudication, the IECC reviewed most of the cases initially filed with the PIECCs. The PIECCs consistently referred cases to the central IECC,

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without undertaking any preliminary investigation.

According to the IECC Procedure on Filing and Adjudicating Electoral Challenges and Complaints, complaints are prioritized by urgency and importance, and then assessed and ruled upon by the central or provincial IECC, as appropriate. The IECC categorizes all complaints into A, B, C, and D cases. The IECC Manual for Adjudication of Complaints clarifies this process: “A” cases directly affect election results; “B” cases can potentially lead to sanctions; “C” cases potentially do not meet requirements for a valid complaint; and “D” cases are outside of the IECC’s jurisdiction. Of the total complaints, 463 were filed against presidential candidates, 528 against provincial council candidates, and 1,142 against IEC officials; 921 of the total complaints were listed as category A, directly affecting election results.

Most complaints concerned ballot box stuffing, violation of observers’ rights, coercion of voters, campaigning on election day, and proxy voting. The IECC’s spokesman, Nader Mohseni, noted to media outlets that more than 1,000 complaints were directed at IEC staff. Of the 121 complaints related to the preliminary results, Abdullah’s campaign submitted 115 and four were submitted on behalf of Ghani; the campaigns of Mohammad Daoud Sultanazoy and Sherzai each submitted one complaint. In many cases, the IECC did not disclose information on the complainant, reportedly due to security considerations. In addition, all candidates requested more information on the votes invalidated from the 525 polling stations; Abdullah’s team requested information specifically on invalidated votes in Baghlan, Herat and Kunduz provinces.

**Decisions**

**Presidential Elections**

The IECC conducted six open sessions from May 4 to 9, 2014; during these sessions, the IECC addressed 891 Category “A” complaints, including 64 appeals against PIECC decisions and 21 complaints against preliminary results. The first four hearings focused on specific regions, while the May 8 hearing covered 112 complaints from all provinces. The IECC rejected many complaints, finding that they lacked sufficient evidence, that evidence was inconclusive, or that the evidence was unrelated to the claim.

The IECC was initially required to submit its decisions to the IEC by May 8, 2014, but completed decision-making on May 13 as a result of delays in the IEC’s announcement of preliminary results. While the IECC reviewed complaints in open hearings, all final decisions were made in closed sessions and were not made public, contrary to Article 47 of the IECC procedure for Filing and Adjudicating Electoral Challenges and Complaints. The 2013 Structure Law and the IECC procedures provide for IECC meetings on complaints adjudication to be open; it allows representatives of the media, civil society, media groups, political parties and observers to participate. However, domestic observer groups, including FEFA and TEFA, criticized the IECC for making decisions behind closed doors.

As a result of the investigation and adjudication of complaints, the IEC invalidated 525 polling station results, and submitted these invalidations to the IECC; and the IECC invalidated and additional 331 polling station results. The IEC posted results sheets on
365 of the initially invalidated 525 polling stations when referring them to the IECC for adjudication. Because of this partial posting, stakeholders were deprived of examining complaints of 160 polling stations by the legal deadlines.

The final results also included votes from 291 polling stations that were declared valid after the IEC’s investigation into 444 problematic polling stations that were excluded from the preliminary count. IEC Commissioners finalized their investigations on May 6 and found that irregularities would prevent 153 polling stations from being counted. Of those, 91 recorded no votes cast; 36 were disqualified because results were recorded on regular paper rather than official results forms; and results from 26 could not be located.

The IECC claimed that it could not publicly announce the outcome of complaints adjudication because the IEC is the body legally responsible for the announcement of final results. However, IECC decisions, as defined by the Election Law, are “final and applicable;” in addition, the Structure Law states that decisions made by the IECC “shall be ultimate and unchangeable.”97 The IEC approved the IECC’s final decisions without further clarification, and then announced final election results.

**Provincial Council Elections**

After the provincial council vote on April 5, 2014, the IECC conducted provincial-level audits and recounts in response to election-day complaints. The IEC announced preliminary results on May 20, 2014, and the IECC promptly initiated a review of the many complaints against preliminary results. The IECC received 2,918 complaints regarding provincial council elections – 1,283 of them on polling and counting and 1,635 on preliminary results.

The IECC provided a 24-hour period for the registration of complaints following the May 20 announcement of preliminary results, but extended the deadline to 48 hours due to the high volume of complaints it received. To review these complaints, the IECC held six open sessions throughout a period of several months, beginning on May 31, 2014. However, in consultation with the IEC, the IECC suspended provincial audits and review of complaints to instead focus on the presidential runoff election and the subsequent comprehensive audit.

The Election Law provides for deadlines on the IECC’s decision-making process. Provincial IECCs are required to adjudicate complaints within 10 days after election day, while the central IECC has one month after election day to finalize decisions on all complaints and appeals. Decisions of the provincial IECCs may be appealed within 72 hours after publication to the IECC, which has up to one month to consider appeals and issue a final decision. Because it suspended audits and adjudication, the IECC did not meet the legal deadline for finalization of decisions. The IECC resumed review of complaints in September 2014, following the announcement of presidential election results.

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97 Afghan Election Law, art. 66.4; Afghan. Structure Law, art. 26.12.
Final Results of the April 5 Elections

Results of Presidential Elections
The IEC announced final certified results for the presidential election on May 15, as follows:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Total Votes Received</th>
<th>Percentage of Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Abdullah Abdullah</td>
<td>2,972,141</td>
<td>45.00%</td>
</tr>
<tr>
<td>Dr. Ashraf Ghani Ahmadzai</td>
<td>2,084,547</td>
<td>31.56%</td>
</tr>
<tr>
<td>Dr. Zalmai Rassoul</td>
<td>750,997</td>
<td>11.37%</td>
</tr>
<tr>
<td>Abdul Rab Rassoul Sayyaf</td>
<td>465,207</td>
<td>7.04%</td>
</tr>
<tr>
<td>Qutbuddin Hilal</td>
<td>181,827</td>
<td>2.75%</td>
</tr>
<tr>
<td>Mohammad Shafiq Gul Agha Sherzai</td>
<td>103,636</td>
<td>1.57%</td>
</tr>
<tr>
<td>Mohammad Daoud Sultanzoy</td>
<td>30,685</td>
<td>0.46%</td>
</tr>
<tr>
<td>Hedayat Amin Arsala</td>
<td>15,506</td>
<td>0.23%</td>
</tr>
<tr>
<td></td>
<td><strong>6,604,546</strong></td>
<td></td>
</tr>
</tbody>
</table>

According to the Election Law, if no presidential candidate receives 50 percent plus one of the votes, a second round election must be scheduled. As published by the IEC, Abdullah and Ghani qualified for the runoff. Initially, the IEC planned for a contingent second round vote on May 28; however, the runoff election was rescheduled to June 14.

Results of Provincial Council Elections
Final results for the provincial council elections were postponed for several months. While final results were originally scheduled for June 7, the IECC’s suspended its investigations until after the announcement of the presidential election outcome in September 2014.

After the presidential outcome was announced, the IEC and IECC resumed the provincial council audit. Thus, close to seven months after the April 5, 2014 election, the IEC released provincial election results on October 25, 2014. Controversy surrounded this release, as several preliminary winners were removed from the IEC’s final list. The announcement led to protests in several provinces, with candidates’ accusations that the IEC and IECC engaged in large-scale fraud.

Independent Election Commission Audits
Even if the IEC could preserve chain of custody from the polling stations, and the NTC manage the data entry process, it would be impossible to determine whether data on the results forms represented actual votes or the result of deliberate fraud, such as ballot stuffing. Therefore, the IEC implemented an audit and recount procedure to closely scrutinize suspicious ballot boxes.

The IEC conducted audits based on “triggers” – or indicators of problematic voting processes – to determine whether to comprehensively examine ballot boxes. The IEC officially adopted triggers and criteria for review after election day. Triggers included: results forms that were neither stamped nor signed properly; contingency ballot kits requested by polling stations; 600 votes divided equally among candidates; ballots which were not folded; similar or identical marked ballots; ballots not marked according to
procedure; and disproportionate female votes.\textsuperscript{98} Recounts were triggered, without the audit, if the computer-generated ballot sum was equal to or exceeded 606 ballots (600 plus one percent).

In collaboration, the IEC and IECC audited 1,964 polling station results and ordered 810 recounts of ballot material; ultimately, 233,219 votes were disqualified.

\textbf{F. The Participation of Women}

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 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.

Nevertheless, there were serious barriers to women’s participation in the 2014 elections. Given the security environment and immediate security threats in various areas of the country, women felt unsafe traveling from their homes and villages to polling stations. Pressure from within conservative families based on interpretations of traditional and/or Islamic values prevented women from running as candidates and from voting. The lack of female election staff, including security screeners and elections administrators, prevented women from going to polling centers in their vicinity. In addition, illiteracy and low education levels among women were barriers to their engagement.

\textbf{Planning for Women’s Participation}

The IEC established a Gender Unit in May 2009\textsuperscript{99} to address women’s participation issues as voters, candidates, observers and election administration personnel. The Unit developed a “gender strategy” for elevating women’s political participation in the 2014 elections. Under this strategy, the IEC planned to staff women for election administration, including: female trainers; female voter educators; and voter registration/polling staff. In addition, the IEC directly targeted women’s registration by raising awareness on the process and locations of registration; while it would not require female voters to obtain IDs, the IEC did promote the use of IDs to reduce fraud. The IEC then aimed to increase IEC Gender Unit activities; promote candidate registration; increase female polling personnel, body searchers at female polling stations, and security at female polling stations; and to expand public outreach.

Organizations such as the IEC and the AIHRC worked with religious scholars and had conferences and workshops meant to encourage and remind women that they not only

\textsuperscript{98} Independent Election Commission, Decision No. 2 of April 2, 2014 (Audit and Recount of Suspicious Polling Centers and Stations); Independent Election Commission, Decision No. 3 of April 15, 2014 (Results Forms Without Stamp and Signatures of Polling Station Chairperson and Agents); Independent Election Commission, Decision No. 5 of April 17, 2014 (Regulation on Nullifying and Invalidating Votes as a Result of Audit and Investigation); and Independent Election Commission, Decision No. 8 of April 23, 2014.

\textsuperscript{99} Independent Election Commission, Gender Mainstreaming in IEC, \url{http://www.iec.org.af/2012-05-29-07-06-38/gender-mainstreaming}. 
have the right to vote but they have the right to run and be elected to office. There was a strong and consistent message that women had the right to participate in the electoral process and that an effective tool to effect change is the ballot.

The IEC, through its Gender Unit, focused on making sure women were part of the electoral process by promoting female voter registration, training IEC staff, coordinating with international organizations and CSOs, and employing larger numbers of female IEC workers at headquarters and beyond to register voters. The IEC also established a Gender and Elections Group to convene organizations and government agencies working on women’s political participation to promote gender election issues. Meetings focused on finding ways to increase women’s participation as both candidates in the elections; recruitment and training of IEC staff, including 13,000 female body searchers and agents for polling stations.

In September 2013, the Afghan Women’s Political Participation Committee held a press conference in Herat to explain the process of voter registration to women within the province. In September 2013, women activities initiated a movement, *Mawje Tahwol* (“waves of change” in Dari) to increase women’s political participation in elections. In December 2013, women activists held a conference in Mazar to discuss women’s security for the election. In March 2014, women’s rights activists and organizations organized a national *jirga* to discuss the upcoming election and women’s engagement in peaceful transitions of power. On March 8, the IEC held an event in honor of International Women’s Day and stressed the importance of women’s roles in the electoral process; at this event, Abdullah and Sultanzoy attended and spoke out against violence against women. In March 2014, presidential candidates – Sultanzoy, Hilal and Arsala – and CSOs met to discuss the importance of engaging women in politics. In addition, UN Women established the Civil Society Exchange to provide a forum for CSOs and women’s rights activists to gather data and analyze trends in women’s rights, and to use collected analysis for advocacy in political participation.

### Security and Women

Despite their more active involvement in the political process, women continue to suffer discrimination, threats and harassment and this affects their participation in elections. A November 2013 Tolo survey indicated that women’s biggest concern for the election was

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100 Ibid.
personal security.\textsuperscript{107} NDI observers noted that women candidates articulated that security was their most pressing concern. Several candidates received threatening phone calls and letters, as well as in-person threats by gunmen, influential people and the Taliban.

The Afghan government took several measures to provide sufficient security for female candidates and voters. The MoI aimed to recruit 13,000 female body searchers, and trained approximately 600 female police officers for duty at voter registration and polling centers. However, the MoI, 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. Yet, it encountered challenges in hiring eligible female polling staff because of 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. 40 out of the 407 voting districts did not have female election staff because of security concerns. In some provinces, such as Kunar, elders were hired instead of females to staff polling centers.

Several women activists expressed concern about the capacity of the election administration bodies and Afghan forces to provide secure polling sites and potential exposure to Taliban or other armed groups. Security threats were a major constraint on both female voters and candidates. According to a FEFA report on voter registration, the Taliban warned people in several provinces against participating in the electoral process, as voters and candidates; the shortage of security personnel at voter registration sites directly resulted in the limited participation of women, with people too intimidated to register due to security threats from the Taliban. The IEC’s placement of polling centers affected women’s considerations for voting. For instance, according to FEFA, the location of the female polling station near to a US military base in Maidan Wardak province discouraged women from traveling to the polls because of the inherent risks associated with military bases. In addition, to deter the Taliban published the names, addresses, and contact information of a quarter of the country’s female police officers in an effort to intimidate and prevent women officers from security the polls.

The inadequate security situation significantly affected the ability of women candidates to campaign in the same way as their male counterparts, as women in many provinces were prevented from reaching out to constituents or publicizing their campaigns to garner support. During the campaign period, 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.

Candidates from Herat described to NDI observers how they were harassed. One woman found threatening messages on the outside wall and door of her home and the door of her school where she worked. To avoid these incidents, her husband wanted her to withdraw from the race. Another candidate received telephone calls warning her not to campaign, and a man – a suspected member of the Taliban – approached her in public and threatened her with harm if she reported the calls to police. She nevertheless reported

these incidents to the police, and they told her they could do nothing without more information. She noted that every time she left the house, she thought that she may not return; and she constantly worried for the safety of her children and her husband. Another candidate also received threatening phone calls, warning her that if she traveled to remote districts, she would be killed. She noted that she did not have the resources for a security guard.

A candidate from Ghazni indicated that she was prevented from traveling within the province to campaign because of the security situation. As a result, she focused her efforts in in the capital Qarabagh district. She utilized volunteers to hang posters in the city and canvas houses. She noted that she felt the IEC and local leaders interfered with the election process in more insecure districts where observers did not have access. Some candidates noted that the police directly interfered in the election process by actively supporting male candidates, and discouraging women’s campaigning. A woman councilor in Kandahar complained that the Kandahar police told her they would not guarantee her security and advised her against organizing events.

Candidates from Baghlan, Badakhshan, Jawzjan, Kandahar applied for the personal protection services of the police and the MoI when campaigning in insecure districts. A candidate in Jawzjan asked the Jawzjan police chief to provide a bodyguard to travel to an unsafe area; the police chief advised her to purchase a gun, and the Chief would provide a registration card that would allow her to carry a weapon. Candidates in Kabul hired their own bodyguards after they received threats and were chased by armed men. One of these candidates purchased a gun, and registered it with the police; she informed NDI that she would turn over the gun over to the police after the campaign. Some women candidates indicated that they traveled with religious or influential district leaders for protection, and they focused their campaigns in urban areas.

**Cultural Barriers**

Cultural barriers to women’s engagement in the public sphere also affected their participation in the electoral process. In a September 2013 study, Oxfam found that 94 percent of women in Kabul and Balkh provinces either do not know their voting rights or aren’t allowed to vote. Nearly 90 percent of men opposed to women’s participation in elections. Female MPs pointed to women’s illiteracy and gender discrimination as the major hindrances to women’s participation.

Many candidates noted that male candidates and influential individuals in their provinces attempted to interfere with their candidacy. NDI also observed that religious leaders in several provinces – most notably in the north and northeastern provinces, but also in provinces that have been typically more open to women’s participation in the public sphere, such as Kabul – mullahs urged worshipers not to vote for women, citing their candidacy for office as anti-Islamic. Women’s limited access to public space forced candidates to campaign “behind closed doors,” targeting family and friends for support.

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Because of these strictures, candidates noted that the success of their campaigns was contingent on the endorsement of male family members, community elders or religious leaders, without which they would not have run for office.

These attitudes also meant that, in a number of the provinces, the IEC was not able to find female workers to staff the polling stations. Instead, the IEC appointed elders to do the task of female election workers. In a number of provinces, such as Nuristan and Zabul, female candidates were reluctant to put their names forward until the last week of registration because the registration centers were operated by men; in the final week of the registration, the IEC established segregated registration centers so that eligible women could put their names forward for provincial councils. In the end two women from each province appeared on the final list of provincial candidates.

**The Quota System**

Although the Afghan Constitution guarantees equal rights for women and many candidate expressed support for women’s political participation, new regulations ostensibly limited the role of women in the 2014 electoral process. The constitution stipulates: on average, at least two women per province should be represented in the *Wolesi Jirga* from each province; at least 50 percent of the President’s appointments for the *Meshrano Jirga* should be women. In addition, through a presidential decree instituted for both the 2004 and 2009 elections, at least 25 percent of provincial councils should comprise women.

The 2013 Election Law, however, decreases the quota for female representation in provincial councils from 25 percent to 20 percent in 2014. One draft of the legislation eliminated the 25 percent quota for women’s representation entirely; however, in response to the advocacy efforts by CSOs throughout the country as well as women MPs, the house reached a compromise to reduce the quota to 20 percent. As such, the 2013 Election Law states: “[A]t least 20% of the seats of the Provincial Council shall be allocated for female candidates.”

This reduced quota had a significant impact on women’s participation in provincial politics, where it is even more difficult for women to compete equally with male candidates than in national elections. With this quota, 92 of a total 458 provincial council seats are reserved for women. In contrast, 97 seats out of 425 provincial council seats were allocated to women in 2009; in addition to the 97 women elected through the quota, 20 women won competitive seats in 2009.

The new electoral law also states, in Article 25: “[T]he Commission shall, in accordance with a special procedure take such measures to ensure that the seats allocated to women do not remain vacant.” The law does not provide clarity on what action would be taken to ensure that the do seats not remain vacant, nor does it refer to a contingency in the event that there are not enough women candidates running to fill the allocated provincial seats.

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109 *Wolesi Jirga* seats for each province are allocated by estimated population. According to this formula, a range of two to 33 seats are assigned to each of Afghanistan’s 34 provinces. For those provinces with two seats, at least one seat should be reserved for a woman.
In addition, female candidates are disproportionately affected by the requirement, as set out in Article 15, that a PC candidate “shall hold at least the graduation of certificate of 12 class.” This provision affects women, in particular, as they have been historically denied the same access as men to education. According to the Afghanistan’s Ministry of Education, only 18 percent of women are literate compared to 50 percent of men.

Candidate Campaigns

NDI found that, even in the face of significant challenges, Afghan women made substantial investments in the 2014 electoral process. In total, 297 women competed for 458 council seats, comprising 12 percent of all registered candidates, on par with participation in the 2009 provincial council elections. This level of participation is an indication that Afghan women continue to make significant progress toward the development of political and social rights since Taliban rule.

In 2013, the IEC established policies to support women running for office, including: reimbursing registration deposits for unsuccessful candidates; providing financial support for male and female candidates’ posters; and training male and females candidates. These efforts aimed to conduct a comprehensive candidate recruitment process and to support women who run, at significant personal risk, with the resources necessary to conduct their campaigns effectively.

There were no female presidential candidates in the 2014 election. The woman running for president was disqualified by the IEC for not meeting the signature or financial requirements of candidate registration. While no women ran for the presidency, three women ran tickets with major presidential candidates. Habiba Sarobi, former governor of Bamian and the first female governor in Afghanistan, supported Rassoul’s ticket. Kazima Mohaqiq, a university professor, ran with Sultanzoy. Safia Seddiqi, a former MP, ran with Arsala.

On the IEC’s preliminary list of candidates, there was one female running for president, and 323 females running for provincial council seats. Following the IEC’s disqualification of candidates, 308 – or 11 percent – of the total 2713 provincial council candidates were women. However, 11 female candidates were disqualified due to the review of eligibility criteria by the IEC following publication of the official candidate list. Electoral regulations require that provincial council candidates have at least the equivalent of a high school education degree. According to the 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

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110 In Afghanistan, graduation from 12 class is equivalent to a high school education.
112 According to the 2013 Electoral law, candidates must secure 10 percent of vote and 100,000 voting cards and signatures from 20 or more provinces; if this is not possible, an individual can pay one million Afghansis to register.
significant number of potential female candidates since women have had less access to education than men.

Women campaigned throughout the country, even in the insecure and more conservative provinces of the South and East. Many female candidates were educated and applied their experience in various sectors to the political arena. Candidates were medical doctors, teachers, women’s rights activists, civil society representatives, and provincial officials. For example, teachers had large community networks that served as campaign resources and bases of support. Many young women – under 35 years of age – ran as candidates in Kabul and in provincial capitals throughout the country.

In addition, NDI observers noted the increased prominence of women’s rights issues during the campaign period, as compared to previous elections. In addition, presidential and provincial council candidates, notably Ghani and Abdullah, targeted their efforts on women voters, by addressing women’s rights in their speeches and debates. Presidential candidates during their electoral campaign activities addressed issues regarding women and made promises as to what they will do once elected to office. Provincial Council candidates, especially female candidates went after women votes, in their quest to be elected to office. They were on every agenda of the leading Presidential candidates, as a way of obtaining women’s votes and support. Women’s concerns about violence and their future involvement in the new government led presidential candidates to talk about their commitments to Afghan women, and the need to pass legislation prohibiting violence against women; Ghani, in particular, promised to appoint women to key government positions. Although the presidential candidates talked about women’s concerns, none of them outlined substantive policies on gender equality.

Many candidates indicated that it was difficult to compete against male candidates, who were generally wealthier and could raise funds more easily, and that influential leaders within their communities ran negative campaigns against them. A female candidate from Herat urged the IEC to pay attention to and observe candidates’ electoral expenses, because some of them are spending money beyond permitted limits.

Lack of financial resources prevented many women from running for office and limited campaigning options for candidates. Candidates noted they were forced to borrow funds or rely on family members for campaign resources. Some candidates sold their real estate or took bank loans to fund their campaigns. Some candidates, particularly those reaching out to the business community, managed to raise sufficient funds to print materials, purchase media spots and hold public events. Furthermore, public media outlets and technologies were difficult to access, particularly in rural areas and insecure regions.

Women candidates also complained about the independence of the IEC, as well as the IEC officials’ misconduct. A candidate from Badakhshan noted that an IEC officer asked her for $4,000 to change her electoral symbol so that her name would be more prominent on the ballot. Candidates from Kandahar and Nuristan expressed concerns about the independence of the IEC and the IECC. Both candidates complained about women candidates that did not meet the age and education requirements to run as candidates; they filed complaints, but the candidates were not disqualified.
Voter Turnout

From May 2013, the IEC Gender Unit conducted a public outreach and voter education campaign in all provinces to support women’s participation in the 2014 elections. This campaign included TV and radio PSAs on women voting, provincial seminars, leaflets reaching female voters, and a call center to answer registration questions. The IEC also focused on involving Mullahs and women’s networks in all provinces to increase awareness on women’s political participation; and coordination with the Ministry of Haj and Ministry of Women’s Affairs on outreach to religious leaders. The Ministry of Haj released statements supporting women’s participation in the election, as did Mullahs.

The IEC undertook a substantial voter registration campaign to reach its target of 40 percent of eligible female voters. In September 2013, the IEC expanded its voter registration efforts in rural areas in an effort to increase women’s participation; mobile teams were deployed to engage in awareness campaigns to rally women to register. As a result, the IEC registered 3.8 million new voters, of which a third, 1.3 million, are 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.

Voter registration centers and polling station had separate stations for men and women, and it was not mandatory for women to display photographs on their voter identification cards. While this may have eliminated barriers to registration, this policy made women more vulnerable to identity fraud, as their voter registration cards do not require a photograph. In addition, the lack of female employees at polling sites was linked to men voting in place for women, where sites were closed because of staffing shortages. Women’s voter cards were easy to acquire; in particularly conservative areas, it is common practice for men – brothers, fathers, and husbands – to vote for women.

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 almost 7.5 million, of which 35 percent were female voters. During an IEC coordination meeting, IEC Chief Electoral Officer Amarkhil noted 36 percent women’s participation, and that the IEC would aim for 50 percent in the second round; their strategy was to use public outreach programs through media organizations to encourage women’s political participation.

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115 Ibid.
Electoral Outcome

Female candidates won 21 percent – or 97 of the 458 members – of the provincial council seats.\(^{121}\) This percentage is slightly higher than the 20 percent quota for women in the Electoral Law, but less than the 25 percent required during previous elections. While many secured their seats through the quota system, 20 of the 97 women had vote totals higher than their male counterparts.

Of those 20 seats, six were in Kabul, while three were in Daikundi and two in Helmand. Women also won a seat independent of the quota in Herat, Kunduz, Wardak, Samangan, Farah, Logar and Nimroz. In Kabul, three women received the highest number of votes out of all the candidates in the province, while one woman received the highest number of votes in Daikundi. A female candidate received the second highest number of votes in Nimroz. In 27 provinces, female candidates received more votes on average than they did in the 2009 provincial council elections.

G. Youth Participation

NDI observers noted that large numbers of 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 party or policy, but emphasized the need to replace the current political elites with newer and younger players.

Youth were more active in electoral discourse, especially through social media, than in previous elections. 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

\(^{121}\) At this time, 96 women provincial councilors are in office. In February 2015, Angiza Shinwari, a Nangarhar provincial councilor, was seriously injured when an IED exploded under her vehicle in Jalalabad. She later died of her injuries in the hospital.
hours at polling stations to cast their votes. Observers also noted the high number of young people who served as IEC staff, security personnel, candidate agents and domestic monitors.

**KEY ASPECTS OF JUNE 2014 PRESIDENTIAL RUNOFF ELECTION**

Under the Electoral Law, a runoff was necessary because none of the presidential candidates who competed in the April 5 polls obtained over 50 percent of the vote. The runoff election was contested by Abdullah, who secured 45 percent in the first round; and Ghani, who had 32 percent of the vote.

The IEC announced that the runoff could not take place on the envisaged date of May 28, due to technical reasons, and established June 14 as a new second round election day.122 Neither date was in line with the constitutionally mandated expiration of the presidential term on May 22, 2014 (the first day of Jowza in the Afghan calendar). However, according to precedent set by the Supreme Court of Afghanistan in the 2009 presidential election, President Karzai could legally remain in power until the next President was inaugurated. The issue of the incumbent’s term expiration was not raised to a significant degree, and President Karzai continued to function in his capacity after May 22.

Both presidential candidates – Abdullah and Ghani – conducted vigorous campaigns throughout the country, which included large rallies, town hall meetings, posters and campaign brochures as well as the use of social media. The candidates also attempted to gain the endorsements of the first round losing candidates as well as other prominent political figures. The runoff campaign did not include candidate debates, which had helped generate broad interest in the April elections.

On June 14, Afghans again came out in large numbers to participate in the nation’s first presidential runoff election. As in the first round voting on April 5, voters defied attempts by extremist groups to disrupt the voting, setting the stage for the historic transfer of power from one democratically elected government to the next.

In the areas where NDI’s 100 observers deployed – 312 polling stations in 26 provinces – polling was largely calm and orderly. Domestic election monitors and candidate agents were present at most polling stations visited. The vast majority of these stations opened on time and were properly equipped. The IEC implemented several reforms since the elections in April, including adding 2,341 new polling stations to help ensure access to the polls; excluding all first round IEC staff who had been implicated in acts of fraud or whose performance was sub-standard; and increasing transparency by explicitly permitting cameras and recording devices within the polling stations, as long as they did not interfere with the voting process. The IEC’s reforms, however, were sometimes controversial. Some of the criteria used for selecting the location of the new polling sites were unclear since they also included areas that did not experience ballot shortages in the

first round. This fueled questions among civil society groups on whether the placement of
the sites was influenced by political bias. NDI observers witnessed some violations of the
election laws and regulations, such as campaigning within the polling station area and the
deployment of police within the polling station. The police, however, did not appear to be
interfering with the electoral process. The problems NDI observed did not appear to be
widespread or systematic.

A. Security

Security Planning

The ANSF modified security planning for the runoff election in light of increased
electoral violence throughout the country, and increased security forces presence. The
MoI reported that 400,000 security personnel were deployed to provide electoral security,
whereby an additional 250,000 reserve ANP, ANA, and NDS personnel were trained and
deployed. With increased forces, the Ministry of Defense announced, on May 11, 2014,
that the ANA would engage in a spring operations to strengthen security preparation for
the runoff election.123 In addition, approximately 65,000 international forces supported
ANSF, where requested.124

The MoI also sought to improve coordination between national forces, as well as between
Afghan and international actors, in advance of the runoff election. On May 21, 2014, the
IEC, UN representatives, and security officials met at the MoI to address security
planning for the June runoff election.125 Afghan officials also appealed to the
Government of Pakistan to assist in stabilizing security for the runoff election at the
trilateral summit between Afghanistan, Pakistan and NATO on May 19, 2014. Pakistan’s
Army Chief of Staff General Raheel Sharif promised Pakistan’s support.126

The MoI engaged with sub-national government officials and security officials to plan
security operations in several provinces. A delegation of MoI, ANSF and ANP officials
traveled to provinces to conduct a security assessment of polling centers, and reviewed
the status of polling stations that were closed during the April elections.127 On June 7,
2014, the MoI completed its security assessment and provided its findings to the IEC. As
a result ongoing security assessments, the IEC opened 6,365 polling centers, and 193
remained closed for security reasons.

In light of security incidents during the first round, the ANSF targeted its deployment of
forces to insecure areas – such as the north, south and southeast – and improved security

124 Ibid.
125 Rateb Noori, “Top Officials Discuss Election Security, Point Blame at Pakistan”, Tolo News, (May 21,
126 “Afghanistan Seeks Pakistan’s Help to Maintain Security for Election Runoff”, Khaama Press, (May 19,
2014), http://www.khaama.com/afghanistan-seeks-pakistans-help-to-maintain-security-for-election-runoff-
6121
protocols for protection of polling centers. The ANSF also improved the Ring of Steel method to tighten the concentric rings of security responsibility, contracting the one-kilometer radius to the immediate vicinity of polling centers.

**Security Incidents**

In comparison to the wave of high-profile attacks in the lead up to the April elections, the weeks preceding the runoff saw fewer security incidents. However, during the three-week campaign period, there were a number of major incidents which affected candidate activities. On June 6, an IED detonated against Abdullah’s convoy in Kabul, in front of the Ariana Kabul Hotel. A suicide bomber then activated his explosive device in front of the convoy. Six people were killed in the blast - three presidential candidate’s bodyguards, one police officer, and two civilians – and 26 others were wounded, including four ANSF forces and 22 civilians. In another incident, on June 11, two unknown armed men on a motorbike opened fire on a Ghani campaign staff member, in front of a Kandahar city campaign office; the campaign staff was wounded was severely wounded. This incident prompted President Karzai to issue a statement calling for increased security for the presidential candidates.

For election day, the IEC reported approximately 570 attacks, up from the 190 reported incidents during the April elections. MoI Minister Daudzai indicated that 26 police and soldiers and at least 40 civilians were killed in attacks across the country.

Attacks throughout the country targeted IEC officials and staff and voters. On May 29, the IEC’s head of field operations was injured by an IED while traveling to Kabul. The Taliban claimed an attack on a minibus carrying IEC staff female searchers, their children, and male relatives in Samangan; 14 elections staff and an army commander were killed, as well as 11 civilians, including four women and a small child, and injured three.

On polling day itself, and similar to the first round election, different parts of the country experienced a number of security-related incidents. These were fewer compared to elections in previous years, but more than those that took place on April 5. On election day, the IEC identified 130 security incidents, including the death of six IEC officials. Major Afghan cities, including Kabul, experienced rocket and IED attacks in the early hours of polling day – a tactic meant to intimidate and prevent voters from going to the polls. NDI observers and domestic monitoring groups noted that although security incidents took place across the country, these attacks appeared to be unsuccessful in deterring Afghans from participating on election day in significant numbers.

**B. Work of the Independent Election Commission**

In the lead up to the runoff election, the IEC implemented several measures to improve the electoral process and address issues that affected voter participation in the first round election.

Reforms in Advance of the June elections

The IEC and the IECC conducted separate and joint lessons-learned workshops to examine ways to improve processes and further mitigate irregularities in the second round. Each commission also held additional training sessions for staff to strengthen understanding of electoral laws, procedures, and regulations.

On June 2, President Karzai, technically after the expiration of his presidential mandate, issued two decrees designed to preempt electoral irregularities in the second round, warning government and security officials not to interfere with the electoral process and emphasizing accountability for misconduct.

In line with its Fraud Mitigation Strategy, the IEC strove to enhance transparency of polling station processes and to deter fraud, by encouraging observation at the polls. In particular, the IEC improved its accreditation process to increase deployment of observers and candidate agents throughout the country. The IECC called upon candidates to utilize the complaints mechanism for pursuing claims of violations or fraud and for resolving electoral disputes.

Polling Day Staff: Recruitment and Training

The IEC publically announced that more than 5,380 out of approximately 82,000 poll workers were implicated in “acts of fraud or irregularities” or poor performance during the first round and were subsequently blacklisted from employment for the second round and any future elections.

Election Day Preparations and Polling

Preparations for the runoff were initiated soon after the necessity of a second round became evident. As with the April 5 election, the IEC again printed 15,121,000 ballots for the runoff, printing ballots prior to the official announcement of final results. Again, it prepared polling center kits, polling station kits, bottles of indelible and invisible ink, UV lamps, voting screens, ballot boxes, and blue boxes for transportation of election materials.

The same procedures for movement of sensitive materials applied to the runoff election as were used in the April election, with the assistance of the ANSF supported by ISAF.

1) Polling Centers and Stations

In response to ballot shortages at some stations in the first round, the IEC revised the list of polling centers to additional polling stations in affected areas. The IEC developed a formula for adding polling stations to the existing list of polling centers and improved its contingency plan. On June 10, following the results of a security review, the IEC announced the final plan for the runoff election includes 6,365 polling centers.

encompassing 23,136 polling stations (9,324 female stations). Similar to the first round election, each polling station is designed to accommodate up to 600 voters.

In response to the ballot shortage issue that affected the first round election, the IEC conducted a mapping exercise of polling stations. The IEC found that locations with ballot shortages were close to polling centers with available ballot papers; this indicated that the ballot shortage issue could be resolved by redirecting voters to nearby facilities. The IEC then publicized that all its provincial offices will have resources, equivalent to an additional 5 percent of voting materials, for contingency polling stations for the runoff election, should they be needed. According to the IEC, in addition to the extra 2,540 polling stations planned for areas affected by shortages in the first round, a full set of voting materials for a further 1,687 polling stations will be on hand as a contingency measure in case of ballot shortages. These contingency materials were on hand to resupply any polling centers that experience a ballot shortage in the runoff election.

**Tallying of Votes**

The same procedures for tallying votes applied to the runoff election as were used in the April election.

**Observers and Candidate Agents**

The IEC announced that all media, international and civil society observers accredited for the first round will retain their accreditation for the runoff. The accreditation for the 14,585 citizen observers in the first round remained valid; in addition, the IEC accredited up to 18,000 observers for the runoff election.

**Domestic Observer Groups**

Several domestic monitoring groups were active in the lead up to the second round polls. Shortly after the IEC had announced the runoff election timeline, domestic election monitoring groups discussed lessons learned from the first round election and jointly put forward a number of recommendations to the IEC and IECC to improve the electoral process. The recommendations included: the accreditation of new observers to enable the participation of additional monitors in the runoff; and the need to ensure that observers are allowed to monitor all stages of the electoral process, including the adjudication of complaints. In response to these recommendations, the IEC provided measures to accredit additional monitors before June 14.

On election day, members of FEFA, TEFA, AYNSO, ANPO, the NLO and other groups deployed more than 18,000 observers and covered all 34 provinces. Most reported that their monitors were able to access stations and observe polling activities without hindrance. However, there were some reports of monitors being harassed in various areas, including in Kabul, Jawzjan and Herat.

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ANPO, FEFA, NLO and TEFA issued statements on election day and reported on the opening of the polls, voting procedures, the closing of the polls and ballot counting. Ballot shortages were reported in several provinces including Badakhshan, Bamyan, Ghazni, Jawzjan, Kabul, Khost, Kunar, Nangarhar, Paktia and Samangan. Candidate agents who conducted campaign activities within polling stations, and some instances of serious irregularities such as ballot box stuffing, also were highlighted.

**Candidate Agents**

Prior to the runoff election, the IEC clarified that only candidate agents representing the two frontrunner presidential candidates were accredited for the second round; accreditations for agents of unsuccessful presidential and provincial council candidates no longer retained their accreditation. The IEC implemented new accreditation procedures for the candidate agents of Abdullah and Ghani, distributed approximately 50,000 accreditation applications to each candidate, and shared copies of the planned polling list to inform their deployment. 132 According to the IEC, a total of 87,346 candidate agents were accredited; of this number 25,427 (29.1 percent) were women. Abdullah had 42,160 accredited agents, of whom 11,763 (27.2 percent) were women; Ghani had 45,186 accredited agents, of whom 13,664 (30.2 percent) were women.

On election day, both candidates reported that their agents were present in nearly all polling stations observed and were able to monitor voting and counting procedures. In several provinces, there were reports that some agents of both candidates did not comply with regulations that prohibit campaigning within polling sites. Some supporters wore vests printed with candidate photos and actively sought votes while voters were in queues or as they entered polling stations. NDI observed that while many candidate polling agents complied with monitoring procedures, there were a few instances where agents interfered with the counting process and badgered polling personnel, demanding that spoiled or invalid ballots be counted as valid.

**C. Media and the Elections**

**The Media Commission (MC)**

Media organizations were subject to the same regulations during the runoff election as for the April elections.

During this period, the MC considered five complaints against presidential campaigns and fined 13 television stations, five radio stations, and four newspaper outlets for violations similar to those in the first round of the election. The MC continued to pursue payment of fines from media outlets found to have violated campaign coverage regulations during the first round. As with the first round, the MC’s sanctions for violations in the runoff were difficult to enforce. In late September, the MC referred to the prosecutor nine outstanding cases – from six television stations, two radio stations, and one newspaper outlet – to enforce payment of imposed fines.

**The Media Environment**

132 Ibid.
A coalition of Afghan media organizations pledged not to report on Taliban attacks during the second round of voting on June 14, and to minimize reporting during the runoff campaign period. This boycott was one of 11 provisions included in a declaration issued at the National Conference of Directors of Afghanistan’s Media Organizations on May 26. A representative of one media organization noted to NDI that the decision to boycott Taliban-related news on election day was an attempt to correct the perception that Afghan media overstate the influence and capability of the Taliban. The 11-point declaration also included promised to report the news impartially, avoid the spread of rumors about candidates and to educate the public about the electoral process. The MC did not endorse the news blackout.

D. Campaign Period

The campaign period for the second round election ran from May 22 to June 11. Similar to the first round, all campaign activities were legally required to be discontinued 48 hours before the start of polling. The length of the campaign period in a second round of the presidential campaign is not explicitly referenced in the Election Law. As determined by IEC decision, the campaign period for the presidential runoff began on May 22, 2014, and ran for three weeks.

Candidate Campaigns

The three-week campaign was hotly contested. Both candidates conducted large rallies and town hall meetings in all regions of the country. They used posters, billboards and banners prominently in urban and rural areas, and utilized traditional and new media to reach out to voters. Both presidential tickets involved a range of perspectives and ethnic representation. As in the first round, candidates focused mainly on messages that reflected the general concerns of Afghans regardless of ethnicity. These included economic development, political stability and national unity. The tone of the campaign period was harsher compared to the first round, as both candidates publicly criticized the campaigns and credentials of their rivals. Unlike the first round, no televised debates were held between the two contenders.

The campaign environment became more polarized in the runoff campaign period. There were instances of calls to ethnic stereotypes and other negative rhetoric by members of campaign teams; however, these acts were generally condemned by election authorities, the candidates, and civil society.

The candidates sought and received endorsements from former presidential candidates and influential political figures. Rassoul and Sherzai endorsed Abdullah, while Qayum Karzai, Sultanzoy and Qutbodin Helal endorsed Ghani.

Campaign Period Complaints

Prior to election day, the IEC registered 11 campaign-related complaints, all of which were dismissed.

E. Polling and Counting

Polling Center and Station Personnel
NDI observers reported that the majority of the polling stations visited were properly set up to enable the efficient processing of voters, election materials were kept secure, and ballot boxes were clearly visible to domestic monitors and candidate agents. Observers also noted that nearly all election personnel followed procedures properly – voter queues were organized in an orderly fashion, voter registration cards were examined, and the hands and fingers of voters were thoroughly checked for ink upon entry into the stations. Approximately a quarter of the stations visited had experienced overcrowding in the initial hours of polling day.

Procedures for the issuance of ballot papers were generally followed. The IEC trained its personnel on an amended results form. In addition, the IEC no longer required polling staff to note the number of received ballots in opening procedures, which had served as a means for ballot reconciliation at the station level.\textsuperscript{133}

NDI also noted the presence of security personnel within many polling locations, although security officials did not appear to interfere with the voting process.

**Voting Process**

Polling centers were open between 7:00 am and 4:00 pm; while there were delays in several polling centers, the issues was not as problematic as in the first round of the election. Voters already in line at 4:00 pm were permitted to vote.\textsuperscript{134}

Voters had the index finger of their left hand marked with indelible ink first before being issued a ballot; for the first round election, as an anti-fraud measure, both indelible ink and invisible ink (marked on the right thumb of the voter) were used. For the runoff, the use of invisible ink was not mandatory. NDI noted that less than half of the stations visited across the country had both types of ink present.

The IEC reported that it had supplied contingency polling stations kits to 570 polling centers. NDI did not find any reports of voting issues as a result of ballot shortages, indicating that the IEC’s remedial measures were successful. This issue will likely persist, however, without a voter registry that links voters to specific polling stations.

**Closing of Polls and Voter Turnout Controversy**

On the day of the runoff election, nonpartisan monitors noted that polling in many parts of the country was largely calm, and that voter turnout appeared to be lower than the April 5 election. The IEC held three press conferences during the course of polling day to provide updates on the voting process.

Controversy arose when the IEC announced three hours after polls closed that over seven million voters, of which 38 percent are women, participated in the runoff – these reflected participation figures higher than those of the first round election.\textsuperscript{135} The commission also stated that more than 96 percent of polling stations planned were open on June 14 and over


\textsuperscript{134} Ibid.

33 percent of contingency polling stations were necessary to accommodate voter turnout. In reaction to this announcement, Abdullah immediately expressed concern about “engineered fraud” and the bias of IEC officials.

**Counting of Votes**

**At Polling Stations**

For the runoff election, vote-counting procedures were largely the same as in the first round election. While NDI observers noted certain irregularities, they did not find systemic wrongdoing in the vote-counting process. In most stations, polling officials generally conducted closing and counting procedures according to IEC regulations.

**At Tally Centers**

For the runoff election, data entry procedures at the NTC were largely the same as in the first round election. There were a few key differences, however. Importantly, the IEC granted free access for observer groups and candidate agents to each step of data entry – including intake area, the processing floor, and the balcony where operators scan forms. In addition, observers and agents were allowed to closely review forms and screen images, as well as to ask questions and take photographs for their reporting.

At intake, the IEC invited observers and candidate agents to be present at the opening of the blue boxes. After Abdullah’s team withdrew from the election process, Ghani’s agents and observer groups remained present during this step. In addition, the IEC conducted a session open to observers, agents, and the media to allow for public scrutiny of results forms that arrived at the NTC in non-compliance of protocol – that is, not in TEBs. This review revealed minimal issues, and the IEC subsequently decided to process these results forms through the normal intake procedure.

**Polling and Counting Complaints**

Allegations of fraud and irregularities, as well as IEC partisanship, emerged from both presidential campaigns and civil society groups. Article 62 of the Electoral Law empowers the IECC to initiate an investigation of a suspected electoral violation in the absence of a complaint. This authority can be used to address a wide range of violations including suspected misconduct of electoral staff.

The IEC received 2,735 complaints related to alleged violations on election day, with 724 “A” category cases. Of this total, 991 complaints were filed against IEC staff; 507 against government officials, police and local authorities; and 1,237 against the two candidates. The IECC also received complaints registered by the IEC at polling stations in four provinces. Because the IEC delayed submitting these complaints, the IECC decided not to accept any further complaints in order to meet its 10-day adjudication deadline; this decision was later overturned. Improving upon the process from the first round, the IECC forwarded complaints filed at the central level to the relevant PIECCs to enable complainants the opportunity to submit an appeal within the legal deadline.

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Candidates had 24 hours to submit complaints with the IECC against the preliminary results issued by the IEC on July 7, 2014. Only Ghani submitted complaints, which were related to election day and preliminary results. Adjudication of these complaints was then suspended due to the IEC audits conducted at the provincial level.

**Decisions and Appeals**

Abdullah withdrew his agents from the IECC open sessions on complaints and publically refused to participate in complaints adjudication, claiming a lack of trust in electoral management bodies. The IECC nevertheless held five open sessions, and stated that Abdullah’s claims signify a general appeal against the PIEC and PIECC decisions. Consequently, the IECC reexamined all 2,576 cases filed at the provincial level.

The IECC dismissed the majority of the 2,735 complaints, issuing warnings for nine cases and fines for 25 cases.

According to the IEC schedule for the runoff election, the IECC was scheduled to make final decisions by July 16, with final results schedule to be announced on July 22.

**Independent Election Commission Audits**

In response to complaints and concerns about widespread fraud, the IEC conducted provincial-level audits of ballot boxes from 229 polling stations and recounts of 65 polling stations in 30 provinces. This resulted in the invalidation of 934 votes – 250 for Ghani and 684 for Abdullah.

Just before election day, the IEC adopted new audit measures with different trigger criteria: polling station results forms without at least two key features – signature of the polling station chairperson, signatures of the two candidate agents, and polling station stamp; computed ballot total exceeds 600. Notably, high vote totals in female polling stations that may indicate fraud did not trigger an audit.

On June 18, Abdullah withdrew his supporters from observation of the vote tally and threatened to reject the election results. He also suspended engagement with the IEC and IECC, claiming that the IEC’s election day estimates of more than 7 million voter turnout were excessive. The IEC explained in a letter to Abdullah’s campaign how it arrived at the turnout figure. In turn, Abdullah called for the resignation of the IEC CEO, as well as the implementation of extensive audit measures and invalidation criteria before he would agree to re-enter the election process.

As a confidence-building measure, the IEC announced on June 25 that it would conduct an additional, random audit of 15 percent of polling stations in every province. However, this plan was not implemented. Instead, the IEC decided to conduct a public audit of all polling stations with 599 or more ballots – 1,930 polling stations, or eight percent, of the total stations – in addition to the originally envisioned measures for a runoff election audit. The IEC prepared an 11-point checklist for auditing these stations. On July 1, the IEC began an audit of stations with ‘599 plus’ votes, and ultimately invalidated

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137 Independent Election Commission, Decision 20-1393, (June 12, 2014).
138 Ibid.
10,855 votes; 6,427 for Ghani and 4,428 for Abdullah. Abdullah’s team was not present during this audit process.

F. Release of Preliminary Results

In response to mounting pressure by both candidates and the public, the IEC released the results of audits and subsequently announced the preliminary results to the public. The IEC did not release partial results for this election. While the IEC initially planned to release preliminary results on July 2, it delayed the announcement in light of political developments after election day. Three weeks after the runoff, on July 7, the IEC announced preliminary results: of a turnout of 8,109,493 votes, 136,766 – or 1.68 percent – votes were invalidated; the IEC subsequently invalidated 25,200 ballots.

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Total Votes Received</th>
<th>Percentage of Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Ashraf Ghani Ahmadzai</td>
<td>4,485,888</td>
<td>56.44%</td>
</tr>
<tr>
<td>Dr. Abdullah Abdullah</td>
<td>3,461,639</td>
<td>43.56%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,947,527</td>
<td></td>
</tr>
</tbody>
</table>

Abdullah immediately dismissed these results of the audit and the preliminary results, and continued to cast doubt on the IEC’s credibility. The IEC faced widespread criticism from both candidates, observer groups, and the public, signifying lower confidence in the IEC’s ability to remain an independent and effective election management body. As the political and electoral standoff continued, pro-Abdullah demonstrations took place in Kabul and other parts of the country.

G. Resignation of IEC Chief Executive Officer

On election day, an incident took place in the vicinity of the IEC in Kabul, involving members of the security team of IEC CEO Ziaulhaq Amarkhil and members of the ANP. The police stopped a convoy of cars belonging to the IEC CEO; these cars appeared to be transporting contingency ballots to polling stations in a Kabul district that requested additional ballots. Amarkhil’s bodyguards reportedly threatened police officers, when they were prevented from leaving with the ballots. Following the incident, Kabul Police Chief supported allegations of fraud. This incident occurred within a context of ongoing allegations of bias and misconduct of the MoI and IEC during the runoff election process.

The IEC later admitted that the Secretariat had not followed procedures for releasing contingency ballots, but downplayed the incident as a misunderstanding. However, in response to growing public criticism and Abdullah’s claims of bias against the IEC, the IEC agreed to investigate accusations of fraud against the CEO; the committee comprised both IEC and MoI officials.

The electoral dispute deepened when, on June 22, Abdullah’s campaign team released phone recordings of conversations allegedly involving the IEC CEO conspiring with Ghani’s campaign workers and IEC officials to rig the polls. In particular, the recordings appeared to show that the IEC CEO directed the stuffing of ballot boxes in Ghani’s favor.

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139 Independent Election Commission, Decision No. 26 (Review of the Audit Results of the 1,930 Audit), (July 5, 2014).
The campaign team did not disclose the source of the recordings, or submit the tapes for authentication. At this point, Abdullah had already suspended his engagement with the IEC and the IECC; and he was involved in negotiations mediated by the international community, through UNAMA. Nevertheless, a complaint was filed with the IEC to hold the CEO liable for fraud.

On June 23, the IEC conducted a press conference at which Amarkhil resigned. He denied all accusations of fraud and misconduct, and explained his resignation as an effort to save the election process. The IECC held the complaint against Amarkhil after requiring that the complainant submit the original audio-tapes for verification and disclose their source before consideration of the case. In response, Abdullah’s campaign team criticized the head of the IECC for bias and called for his resignation. No prosecution has resulted from the incident.

H. The Participation of Women

Planning for Women’s Participation

The MoI had planned to recruit 12,846 female body searchers for the runoff election, enabling two female body searchers to be present at each polling center. The Afghan Civil Society Network assisted in recruitment. However, domestic groups, including FEFA, projected that the MoI would not meet its target, and expressed concern that the lack of female employees at polling sites would force runoff election polling sites for women to close. In provinces such as Kandahar and Paktika, the MoI did not meet its female personnel targets in time for the runoff election. On election day, 29 percent of the stations NDI observers visited did not have female searchers.

Voter Education

The IEC renewed efforts to promote women’s participation, by encouraging women to vote in the runoff elections. The IEC and Ministry of Women’s Affairs requested that Mullahs and other religious leaders encourage women to vote. In the southeast, tribal elders met to discuss approaches for increasing number of female voters in support of their candidates.

Civil society groups, such as Afghan Women’s Network, launched campaign to mobilize women and called for runoff candidates to promise equal political rights for women. Candidates and their campaign teams targeted women voters in provinces

Voter Turnout

There are varied reports on the participation of female voters on polling day. Of its estimated voter turnout of 7 million, the IEC stated that 38 percent were female voters – a figure higher than the number of women who voted in the first round election. NDI observers and domestic monitors noted lower levels of female voters in various

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provinces, including Bamyan, Helmand, Kabul, Kandahar, Logar, Nangarhar and Samangan. In Khost, there was a shortage of ballot papers in female polling stations. Despite preparations for voting contingency materials, no additional stations were established to address this shortage.

KEY ASPECTS OF THE PRESIDENTIAL RUNOFF ELECTION AUDIT

A. Political Developments Surrounding the Audit Process

To help resolve the electoral gridlock, U.S. Secretary of State John Kerry brokered talks with the candidates and facilitated an agreement. Kerry and the candidates announced on July 12, that a comprehensive audit of all 8.1 million ballots from the runoff would be conducted in the presence of international and domestic observers, candidate agents, the media and UN election advisers. The UN described this type of audit as the first of its kind. Both candidates committed to respect the results of a credible audit, and to share power through the formation of a national unity government.

As the candidates continued political negotiations regarding the nature of an eventual national unity government, the IEC prepared for a large-scale audit. In collaboration with the UN, the IEC established procedures for the audit and prepared for operations at the IEC headquarters in Kabul. On July 17, 2014, the IEC began its review of all ballot boxes. Initially, negotiations over the nature of invalidation criteria and resultant political tensions caused numerous delays in the audit, and activities were suspended until the UN intervened to recommend procedures and criteria. Thereafter, political tensions arose within the IEC warehouses at various points within the process, particularly as political negotiations stalled.

On August 7, Secretary Kerry met with candidates in Kabul to once again facilitate discussions between the two candidates, emphasizing the importance of supporting the audit as a part of the electoral process and concluding a power-sharing agreement to prevent further political instability. Both candidates’ teams stated that they had agreed on 80 percent of the targeted issues for the agreement, while the structure of the national unity government remained outstanding. However, as negotiations once again faltered, candidates’ articulated competing notions on the roles and authorities they envisioned for the future government.

On August 26, 2014, Abdullah pulled his agents from the audit, asserting that he had no confidence in the process to uncover the ‘industrial-scale’ fraud of the runoff elections. To continue with the audit, the IEC requested that Ghani’s agents withdraw from the warehouses as well. Under UN supervision, the IEC completed the audit of all ballot boxes on September 5, 2014. On September 8, Abdullah announced his intention to reject the outcome of the runoff election, and he alleged that the electoral bodies were involved in fraud in favor of Ghani. In particular, he asserted that the audit and invalidation process were not fairly conducted and that his team’s complaints were not considered.
B. Operational Framework of the Audit

Audit Procedures and Criteria

On July 12, both candidates agreed to a Technical Framework for the conduct of a comprehensive audit of 100 percent of all polling stations, specifically 22,828 polling stations and 8,109,493 ballots. Under the Technical Framework, the IEC is responsible for completing the audit, with UN supervision, of all ballot boxes, with special scrutiny paid to polling stations specifically chosen by the candidates. The agreement envisions that candidates’ agents would participate in the review of each ballot box, and that domestic and international observers would monitor the overall process.

The purpose of the audit was to evaluate the process and procedures used during the polling and counting of votes in the runoff election. This audit served as a means to examine all election materials in order to determine if electoral procedures were correctly applied and to evaluate any evidence of error, malpractice, or fraud. Specifically, the IEC anticipated that the audit would enable the institution to 1) distinguish valid from invalid votes; 2) product results that accurately reflect the will of Afghan voters; and 3) determine a “legitimate” national leader. To give effect to these objectives, the following documents control the audit process: Technical Framework, Article 13 of the Structural Law of the IEC and IECC law; Articles 58 and 59 of the Election Law; IEC Audit and Recount Procedure for the 2014 Presidential Run-Off Elections; a series of IEC decisions; the Audit Procedures Clarification; and the IEC Checklist for the Audit of the 2014 Runoff Presidential Election.

However, the IEC did not issue a rule outlining procedures to regulate the audit of ballot boxes and criteria for review and invalidation when it officially commenced audit activities on July 17. As envisioned in the Technical Framework, IEC Decision 30-1393 provides the criteria for a 16-point checklist to be used in the audit of each ballot box; however, it was unclear how the IEC would deal with problematic issues within each box, such as invalidation of ballots. Working under the guidance of the UN, the IEC published the Audit and Recount Procedure for the 2014 Presidential Run-Off Elections and the Recount and Invalidation Criteria on July 30, both presidential candidates approved these documents. These procedures address protocols for audit operations, codes of conduct for all actors involved in the process, and the specific steps for review of each ballot box. In addition, the Criteria provides for the indicators triggering a recount of ballots, invalidation of ballots, and exclusion of ballot boxes. As it was envisioned that the IEC would make decisions on recounts and invalidation, with the UN providing advice throughout the process, the Criteria directs the IEC to make determinations on the validity of ballots and boxes. Throughout the audit, IEC continuously amended the Procedures and Criteria and introduced new protocols for review, as candidates voiced their concerns about

143 Ibid.
144 Independent Election Commission, Decision 33-1393 (IEC Audit and Recount Procedures).
145 Ibid.
practice at the audit tables and management of the audit process more generally. Enactment of legal provisions at the last minute prevented electoral stakeholders from being informed about the applicable rules of the electoral process in a timely manner.

According to the Criteria, recounts are triggered following the investigation of electoral materials other than ballots and visual scan of ballots. For example, upon investigating election materials, IEC audit teams are required to recount ballots if the results sheet is missing or there is evidence of tampering; the total number of recorded ballots exceed 600; there are obvious discrepancies between the number recorded on the results sheet found in the box and the results sheet from the National Tally Center; the voter list is missing, blank, or there are 10 or more voter identification numbers listed sequentially; there is a 50 percent discrepancy between number of voters on the results sheet and the number found in the voter list; if the ballot box is broken or damaged so that a hand could be placed inside the box; or, if two or more ballot box seals are broken or do not match the official records. Audit teams are required to recount ballots following the visual scan of ballots if there were at least 20 ballots that were obviously similarly marked or not marked in accordance with procedure.

In addition, the invalidation of ballots is required when marked ballot papers are not detached from the ballot stub; do not have verification stamps; are not marked according to procedure; or are from a different polling center. Ballot papers from a different station within the same center are to be removed and counted for the correct station. In addition, with a determination of at least 20 similarly-marked ballots (SMBs), the IEC is required to invalidate all but 15 percent of the ballots. On August 16, IEC officials circulated within the warehouses a new procedure for the determination of SMBs; specifically, one pattern of 20 similar marks (or more) or two patterns of 10 similar marks each (or more) were considered a minimum threshold to start a recount. Many NDI observers noted that many audit teams were unaware of the change in procedure and therefore continued to work with the old procedure.

Per the IEC Audit Checklist Data Entry Procedures, audit teams are required to document audit findings in a standardized checklist, which would then be attached to the original blue results form and submitted to the National Tally Center for data entry. According to the IEC Audit Checklist Data Entry Procedures, the objectives of data entry are to accurately and transparently capture results from the audit and to provide reports to the IEC Board of Commissioners.146 Upon completion of data entry, the NTC is required to present reports to the IEC Commissioners for review and final decision.

Special scrutiny review began on August 15, once each candidate provided the identified 3,000 polling stations from which the ballot boxes would be subject to special scrutiny – for a total of 6,000 special scrutiny ballot boxes. Recounts were automatically required for these special scrutiny ballot boxes, regardless of audit findings. Initially, many NDI observers noted that audit teams tasked with special scrutiny review did not appear to

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understand which procedures applied to these cases, nor were they aware of which boxes actually fell in this category of review.

On August 18, the IEC released an Audit Procedures Clarification to complement the Procedures. This Clarification provided a list of general principles for audit operations, including: that, while candidate agents were encouraged to agree, the UN had the authority to provide final recommendations for SMBs; that the audit gathered relevant information for the IEC to make a final decision on validation; that the IEC Board of Commissioners was the only party authorized to make final decisions on validation, and thus changes in vote results; and the importance of audit teams’ completion of the IEC checklist for every polling station. The document then enumerated protocols for the review of special scrutiny ballot boxes, determinations on SMBs, and reviewing voter lists. In particular, the Clarification revealed that regulations and procedures governing the audit of normal ballot boxes were applicable to special scrutiny review, and documented the new threshold for SMB categories (i.e. two sets of 10 similar ballots). In addition, the Clarification called upon UN advisers to strictly enforce a 20-minute cap on disputes, in order to expedite the review of boxes.

In conjunction with this Clarification, the UN produced Guidelines on How To Determine “Similarly Marked Ballots” as guidance for UN audit advisers. IEC auditors were required to ascertain whether there was clear evidence of a pattern of similar marks on ballots. To ensure consistency in the assessment, the following five marking indicators were required for a determination of similar marks: 1) shape of the mark; 2) size of the mark; 3) location of the mark; 4) handwriting style (strength, angle, direction); and 5) same color and type of ink. If SMBs contain all five marking indicators then a SMB pattern was present.

The IEC Board of Commissioners reviewed and made final decisions on all determinations by the IEC audit teams and recommendations by the UN audit advisers made during the audit process. Based on audit findings, IEC Commissioners decide whether ballot boxes should be validated, invalidated or partially invalidated. Commissioners are required to make their decisions after having reviewed all audit findings, as recorded on the audit checklist form, and to clearly explain the reasons for its decisions. According Article 12 of the Structure Law, the IEC is required to make all final decisions in meetings – open to agents, observers and media – and to publish its findings on a regular basis. Either candidate or any of their agents are able to lodge an official complaint within 24 hours of an audit result publication; the IECC is then required to address that complaint within 48 hours of receipt. Upon receiving recommendations from the IECC, the IEC is authorized to announce final election results.

On August 30, Abdullah’s representatives submitted a complaint letter to the IEC and UN, alleging fraudulent tampering of results sheets from specified groups of polling

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147 Independent Election Commission, Decision 33-1393.
149 Independent Election Commission, Nation-wide (100%) Audit of 2014 Runoff Election Results: Guidelines for Observers, Candidate Agents and Media.
stations. Specifically, the complaints allege that the results sheets within specified polling stations displayed similar signatures or other handwriting marks; the complaints also included other allegations related to the results sheets (such as the absence of a stamp) or claims that the results sheets were from polling stations that were not actually open for the runoff election. In response, the IEC announced on September 4, that it would review these complaints and similar types of allegations through a review panel mechanism.

**Relationship between the IEC and the UN**

To conduct this audit, the IEC established a Review Management Committee composed of the IEC Chief Electoral Officer, the IEC Legal Advisor and the IEC Chief of Operations, supported by the United Nations Special Adviser to the IEC and the UNDP Chief Technical Adviser for the ELECT project or their designates. Review Panels – comprising two IEC senior staff, supported by two UN Audit Advisers – were tasked with comprehensive review and investigation of these claims under the supervision of the Review Management Committee. Each review panel reviewed claims that have the following criteria: 1) the claim related to the alleged presence of one or more similar signatures or other unusual similarities on the results sheets from a specified group of polling stations across different polling centers; and 2) the claim provided supporting documentation, such as a copy of the results sheet or other information by which the code number of the affected polling stations can be identified (such as by providing a table listing polling center and polling station code numbers). All findings of the Review Panel were based on consensus, upon the advice of UN advisers.

**C. Security**

In comparison to the wave of high-profile attacks observed during both the April election and the June runoff election, few notable security incidents occurred during the audit period. Throughout the audit process, however, NDI observers noted that various security-related incidents affected activities at the IEC. Initially, the IEC had provided for internal security of the warehouses and Afghan National Security Forces (ANSF) took responsibility for securing the perimeter of the IEC facilities; ISAF provided limited support to maintain security of IEC warehouses and ballot boxes.

Tensions in the warehouses – between candidate agents, as well as between agents and IEC staff – led to frequent arguments and physical altercations. A small number of critical incidents delayed audit activities. Early in the process, observers noted the lack of security infrastructure at the IEC compound. Observers witnessed a significant fight between candidate agents, following a dispute over what constituted a valid or invalid vote; and, as a result, two people were injured. Both camps publicly agreed that the clashes were started by “irresponsible people interfering in the audit process.” The IEC halted the audit for a period of one week in order to decrease tensions among candidate agents.

In response to this incident, national and international actors increased security measures in and around the IEC facilities. In particular, national security forces – ANSF, national

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police, and riot police forces — and ISAF presence increased and expanded as international observers and UN staff arrived in country. The IEC also employed private security companies to mentor national security forces and to provide assistance at the warehouse entry points. The IEC, with the support of ISAF, also strengthened search measures at the compound entrances and at all warehouse entry points, including individual scanners and the recruitment of five female searchers.

Despite these improvements, several deficiencies in security measures were evident throughout the process. NDI and other organizations expressed concerns about the inconsistency of security measures and access control, which led to several incidents of unauthorized individuals entering IEC warehouses with weapons. The IEC, UN, and ISAF responded to these concerns by expanding security measures where possible. For instance, in response to arson threats made on specific warehouses, UN security installed equipment for extinguishing fires and constructed plans for alternative exits. On August 19, a large-scale physical altercation involving approximately 50 to 75 individuals resulted in a stabbing. In response, the IEC immediately halted the audit and introduced Afghan riot police for the remainder of the candidate agents’ presence at the warehouses; in addition, sharp equipment such as pliers and scissors, which had been used to open ballot boxes, were controlled by IEC supervisors in the warehouses.

Despite this heightened security presence, tensions sometimes escalated into violence. On August 20, for example, one of Abdullah's representatives was discovered impersonating an IEC official. Afghan police subsequently arrested him and removed that candidate agent from the premises. Immediately thereafter, a large-scale physical altercation ensued outside the warehouses, and riot police were dispatched to stop further conflicts. The following day, the IEC staff member who informed the IEC of the Abdullah agent’s misconduct was stabbed in the leg on his way to the IEC warehouses.

By the end of the audit process, NDI observed a significant decline in security at the IEC facilities, and there were several instances when the presence of weapons in the warehouses forced observers to vacate and halt their duties. During the post-audit adjudication process, from September 6 to September 13, the IEC had minimal security, as only a few ISAF and ANSF troops patrolled the IEC compound.

**D. Conduct of the Audit**

**Audit Administration**

Assisted by the UN — under United Nations Development Program’s (UNDP) Enhancing Legal and Electoral Capacity for Tomorrow (ELECT II) project — the IEC showed tremendous effort and ability to prepare for this audit process. Within a rapid timeframe, the IEC officially commenced the audit on July 17, 2014, and planned to conclude activities by August 15. However, given the immense nature of the audit and several delays in this process—including the necessity of locating within the warehouses more than 300 ballot boxes which had either been missed entirely or for which complete checklists were not submitted to the data center — the IEC was forced to extend operations to September 15, 2014.

As noted above, the IEC comprises nine commissioners, a secretariat, and 34 provincial offices. The audit operations management team, under the supervision of the deputy chief
executive officer (CEO) of Operations, comprised three senior staff members of the Commission as well as a senior UN electoral official, who had overall responsibility of the audit process. IEC audit center coordinators were responsible for operations within each warehouse, and IEC audit supervisors were responsible for five-to-ten audit teams.

Immediately following the announcement of the agreement, the IEC prepared an operational plan for the audit. The IEC then prepared warehouses on its compound as audit centers and arranged for the transport of ballot boxes from the provinces. The ISAF transported election materials from the provinces, with IEC staff, in order to retain custody of the ballot boxes, to the IEC headquarters; candidate agents were also allowed to travel with the materials.

For the audit, the IEC trained approximately 300 IEC headquarters and provincial staff. Staff were divided into audit teams – comprising a team leader and an assistant – and assigned to designated tables for reviewing ballot boxes. Each audit team was responsible for examining election materials, according to a set of 16 questions on a standardized checklist form; the team recorded its findings on the checklist, which was then attached to the Results form and submitted to the Data Center. The following people were authorized in the IEC warehouses: staff authorized by the IEC; representatives of the IECC; agents, national and international observers, and political parties; UN management and Audit Advisers; and media accredited by the IEC. During nearly every shift that NDI personnel observed, there were no reports of any unauthorized person directing or interfering with the work of IEC officials.

Boxes were arranged in the warehouses according to province, district, and polling center, wherever possible. The IEC arranged tables in long rows, which ran the length of each warehouse. In nearly all the IEC shifts in which NDI was present, NDI observers noted that the table arrangement allowed for clear observation of the process. IEC audit teams were assigned to these tables, and UN advisers were positioned nearby. As additional UN advisers became available, approximately every two to three tables had one assigned UN adviser per shift. Candidate agents, observers, and media were allocated space in front of each audit table. Each warehouse included an IEC data collection and processing area with computers as well as copying equipment necessary for the completion of results sheets. One warehouse included a special area for IECC operations.

Prior to commencing daily operations, the Audit Center coordinator had to ensure the presence of audit teams at their respective tables, and coordinate with the Audit Storage coordinator to manage the transport of ballot boxes to all audit tables. Team supervisors were tasked with ensuring that audit teams had a sufficient supply of materials – including audit checklists, results forms, and hardware – and identifying the ballot boxes were to be allocated to each table. Once the ballot box was placed at the table, the audit team commenced its review. At the end of daily operations, the team supervisor was tasked with compiling all results forms and checklists and distributing them to the Audit Center coordinator, who then submits the forms to the Legal Department for intake. Audit Center coordinators were responsible for locking their respective warehouses using metal seals, in the presence of agents, observers, and UN advisers; each seal was recorded in the official journal. ISAF was tasked with monitoring the opening and closure of warehouses, as well as patrolling the compound at night. On the next day of
operations, the Audit Center coordinator reconciled the seal numbers with numbers recorded in the journal and opened the audit center.

By August 15, the candidates’ representatives had presented the IEC with lists of polling stations requiring special scrutiny, with each camp designating 3,000 boxes for more rigorous inspection and recount by the IEC. The IEC designated a section of the warehouse for the review of these special scrutiny ballot boxes. Temporary barriers—low walls constructed of large blue plastic crates—were erected to physically separate these special scrutiny tables from regular audit activities. The IEC assigned their most experienced staff to work in this special scrutiny section.\(^{151}\)

NDI observers reported a generally calm atmosphere in the IEC warehouses throughout the audit process. However, observers witnessed ongoing tensions throughout the candidate agents’ presence in the IEC warehouses most of NDI’s observers noted that, initially, the candidate agents’ departure from the warehouses on August 27, led to a calmer audit environment; however, observers found that tensions once again arose as the roles of IEC staff and UN advisers were redefined over the course audit.

Early in the audit process NDI observers noted several challenges to the IEC’s operations, even as a large majority of observers consistently assessed IEC staff’s high understanding of the process until August 27, the day after the withdrawal of candidate agents from the audit. Following the promulgation of IEC Procedures and Criteria, and as IEC staff became familiar with their responsibilities, NDI observers noticed an improvement in the general conduct of the audit process; although, many observers reported inconsistencies across the warehouses, with generally higher quality practice and adherence to the Procedures in some warehouses than in others. Once agents were removed from the audit activities, NDI observers found that the audit operations declined in quality and efficiency, as the IEC staff and UN advisers were forced to re-define their roles in the audit and were required to learn new procedures and criteria for review. NDI observers’ also noted a decline in UN advisors’ and IEC staff understanding of the procedures, as they were continually changing, and inconsistency of performance.

**Role of the Media**

NDI observed representatives of several domestic\(^{152}\) and international\(^{153}\) media organizations present to cover the audit process. Approximately 45 international media organizations and 71 domestic media outlets received accreditation, by which they could attend all steps of the audit and bring in media equipment – such as cameras and video cameras – to the warehouses, in accordance with the Media Code of Conduct. In general, the media played a constructive role throughout this process. Media organizations were frequently present in the IEC warehouses, with many outlets covering the audit process at

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\(^{152}\) Observers noted NHK TV, TOLO, Muwand TV, Arez TV, Afghan TV, Rah Farda, Ariana news outlets within IEC warehouses.

\(^{153}\) Observers noted the following outlets in the IEC warehouses: BBC, REUTERS, TV One, UN media, Washington Post, and EP News agency.
tables, conduct of IEC staff and UN advisors, political tensions within the IEC warehouses, incidents of electoral violence, and performance of observers.

With tensions rising in the warehouses, media organizations became the target of physical violence. On August 10, for instance, a Ghani agent asserted that the camera-operator for a media organization was interfering in the audit, and pushed him out of the way. A physical altercation ensued between a group of Ghani agents and the media representatives, which caused an immediate evacuation of NDI’s observers until security forces resolved the conflict.

**Ballot Boxes**

Nearly all of the ballot boxes observed by NDI were intact and had an official IEC sticker affixed indicating the polling center and station. The IEC’s Audit and Recount Procedures did not define “intact” but procedures directed that “any physical signs of tampering with the box shall be recorded in the relevant section of the checklist.” Almost every ballot box observed by NDI was intact, which meant that a hand could not easily be inserted inside. Where seals were present, only a small proportion of these could be opened by the force of a hand; in some cases, a hand could be inserted into the box even if only one seal was missing or damaged, but this information was neither understood nor recorded uniformly by observers.

IEC procedures instructed audit teams to:

“[C]ount the seals and examine their condition. Instances to be verified in regard to seals: if seals are not green but of a different color, if their size is different from those distributed by the Commission, or if they lack seal number. In this case, record the information on the check list. Teams are to record on their checklists if two or more seals are broken or show obvious signs of tampering, or seals are sufficiently loose that a hand could be placed inside the box.”

NDI observers noted that, for the majority of ballot boxes observed, seals matched the official records found within the boxes.

Checklist questions were not arranged in order of priority, such that following the sequence of questions on the checklist had the potential to lead to delays, confusion and duplication of effort. For example, questions regarding the polling center journal and voters’ list—either of which could trigger a recount—came several pages into the IEC checklist. NDI observers saw cases in which IEC audit teams realized that they would need to recount a box (from the beginning) only after they had already checked four bundles, and nearly completed the regular audit process. In a number of such cases, NDI observers reported that audit teams would not have undertaken a recount of ballots if the IEC supervisor had not instructed them to do so. Additionally, important recount triggers like a check to ensure that all ballots in a box had the same serial numbers, or that serial numbers on ballot stubs matched the serial numbers of the ballots, were not required by

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154 Independent Election Commission, Audit and Recount Procedures.
the checklist. In practice this meant that certain recount triggers could easily be overlooked if the audit team was simply following the checklist step-by-step.

**Ballot Review, Sorting and Tallying**
NDI observers reported that nearly all the IEC audit teams reviewed, sorted and tallied ballots according to IEC procedures. IEC staff consistently checked: for the presence of IEC stamps on the reverse side of each marked ballot; if all used ballot papers were fully detached from ballot booklets; and if ballot paper markings were according to procedure. Variations existed in the manner in which these checks were carried out. Some IEC auditors checked for the IEC stamp and properly marked ballots simultaneously, while others completed these checks consecutively, first checking all stamps then checking for ballot markings. In the ballot boxes observed by NDI, observers found that most valid ballots were marked with an official IEC stamp and were marked according to procedure—both threshold criteria for a valid ballot to be counted as valid. Observers also noted few instances of marked ballots being left attached to the ballot stub.

NDI also observed variations—between tables and from one IEC auditor to another—in overall speed and procedure to the ballot verification process. Some auditors held up each ballot one-by-one for inspection by candidate agents and observers; others flipped through entire bundles quickly, without extracting individual ballots. This particular reviewing and sorting approach required candidate agents and observers to lean forward in order to monitor the ballots since the marks were visible only to the IEC’s side of the table. NDI observers also noted that errors in calculation, counting, and simple mathematical operations (most frequently the calculation of the 85 percent of identified SMBs for invalidation, and the associated upward rounding of remainders) caused delays, confusion, and in some cases the recounting of entire boxes. NDI observers carried out their own calculations to verify vote totals and tallies, which were then confirmed with IEC audit teams and candidate agents to ensure that the proper values were reflected and recorded on the IEC checklist and results sheets.

**Recounts and Special Scrutiny**
More than half of NDI-observed boxes that went to recount (773 in total) were automatically subjected to recount because they were special scrutiny ballot boxes. For normal ballot boxes, any of over 20 agreed-upon audit findings could trigger a recount. During the course of the observation NDI observed instances of each one of these possible triggers; the most frequently observed were the box having more than twenty SMBs or the box containing no voters list, followed by problems with the seals (seals either broken or non-matching), SMBs, voters’ list not present, and total ballots of less than the prescribed 600.

The detection of any irregularities or errors at any point during the audit process could trigger an immediate recount of the box in question. In almost all cases where NDI observers noted that one of the recount triggers was present a recount was performed. Observers nevertheless noted a number of instances where a recount was undertaken in only response to pointed questions regarding proper procedures from candidate agents or observers, and would not otherwise. If any of the recount trigger conditions were met, the audit teams were required to immediately initiate a recount of the ballots.
NDI observed that, in practice, much of the decision-making on whether to recount a ballot box was dependent on the interpretation of the criteria and their subsequent application by the individual IEC officials and UN advisers assigned to each table. Prior to the break for Eid, there was substantially opportunity for individual interpretation of recount criteria, as the metrics for what defined a SMB were not yet well defined. NDI reports from July 17 to 26 indicate several arguments among candidate agents over invalidation criteria.

**Special Scrutiny**

Following an agreement between the two candidates’ representatives, a total of 6,000 ballot boxes were selected for “special scrutiny.” From August 15, tables in each warehouse were designated as special scrutiny tables for the exclusive processing of special scrutiny ballot boxes identified by the candidates.

Special scrutiny tables were physically separated from tables where the processing of normal ballot boxes continued. Temporary barriers — low walls constructed of large plastic crates — were erected to physically separate these special scrutiny tables. As the number of special scrutiny tables fluctuated, these temporary barriers were moved to increase or decrease the number of tables where special scrutiny ballot boxes were handled. In theory, Afghan security forces controlled the entrances to each warehouse’s special scrutiny area. In practice, this control was irregularly, and sometimes arbitrarily, enforced. Control of who entered the special scrutiny area, initially strong, diminished steadily and was almost entirely absent by the time candidate agents withdrew.

As noted above, the primary procedural difference between the handling of special scrutiny ballot boxes and the handling of normal ballot boxes was that special scrutiny boxes went immediately to recount, without the recount having to be “triggered” by any specific factor or discrepancy. In practice, this meant that instead of the four-bundle sample required by standard audit procedures, special scrutiny box recounts required that all ballots be unbundled and examined. Manual examination of all ballots increased the probability of finding SMBs, as well as invalid or mis-categorized ballots. It also substantially increased the probability that UN agents would be called upon to make a ruling on a particular box: in the significant majority of special scrutiny ballot boxes observed by NDI a UN adviser was called upon to make a ruling. For normal ballot boxes observed the proportion was less than one third of boxes observed.

On average, a special scrutiny box also took significantly longer to complete than a normal ballot box. A number of factors contributed to special scrutiny ballot boxes taking longer to complete than normal boxes – chief among them were:

1) All ballots needed to be unbundled and examined, rather than a four-bundle sample;
2) An examination of all bundles made the identification of SMBs more likely, and the procedure for the identification and separation of SMBs was both contentious and labor intensive;
3) Boxes identified by candidates as special scrutiny ballot boxes were, almost by definition, more ‘complicated’ than normal ballot boxes, and more likely to be lacking key information or documentation; and
4) In many cases, special scrutiny ballot boxes were from insecure areas and procedural controls had not been strictly followed; a number of these boxes contained ballots from multiple polling stations or centers, which needed to be manually separated.

The graphs below show the proportion of ballot boxes reviewed by the IEC throughout the audit process.155

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155 Figures for September 4 were not released by the IEC and are extrapolative. This figure takes into account the 37 ballot boxes that did not arrive at the IEC warehouses.
Efforts were made to coordinate between USG-funded observer groups so that an international observer covered all the tables in the special scrutiny section. This meant that, for NDI, the ratio of normal ballot box versus special scrutiny tables observed varied from shift to shift. In the final days of the audit, the majority of the boxes observed by
Data Entry

From August 15, IEC officials began the process of digitizing the paper audit reports from each table, working from 8:00 a.m. to 4:00 p.m. daily at the IEC National Tally Center located adjacent to the audit warehouses. The main audit data center room featured roughly 180 computers and had two observation galleries on both the north and south sides of the venue. One gallery contained the document scanning team, and the opposite gallery was an observation deck for domestic and international observers. The middle of the room was composed of rows of desks with computers arranged into an “A” data entry area, a “B” data entry area, a corrections area, a data verification area, and an archive for the paper checklists.

To digitize the unique audit forms, specialized software was programmed by UNDP developers with IEC information technology department oversight. The data clerk user interface featured sections for each question on the paper form, including a longer text field to record comments from IEC officials and candidate agents at the tables. Computers at the front of the building allowed partisan observers to observe what is being entered into the digitization software in real time; however, they were not allowed to override any records.

Observers (international, domestic, and partisan) were allowed to walk the data center floor; however, could not interact with the data clerks or linger over specific desks. The raised observer gallery provided a comprehensive view of the data entry process in the large data center room, but made conditions difficult to discern what is being entered at specific stations by clerks. In general, the atmosphere was much calmer than in the warehouses.

Candidate agents expressed concerns regarding the potential for malfeasance in the checklist digitization process and as such, a double-blind data entry sequence was agreed to in an attempt to mitigate any potential data clerk bias. The process worked as follows:

1. Paper audit checklists and blue official results sheets were collected from the tables in the warehouses and batched together, then transported to the data center. There was a chain of custody but the forms were not tracked electronically in transport.

2. The checklists and results sheets were processed by the intake center (a smaller anteroom across from the larger center with the computers) and sorted by province. Complete results sheets were given an electronic data entry log number that noted the basic metrics from the ballot box such as box location and polling center/station codes.

3. The audit checklists and results sheets were taken from the intake center to the data center and scanned by a designated IEC team.
4. The audit checklists and results sheets were moved in batches to the “A” data entry computer bank, where they were distributed to data entry clerks by the “A” distribution official.

5. Data entry workers from computer bank “A” entered the data from the checklists and results sheets into the system. It was only during the “A” entry process that the narrative information from the audit checklists was electronically entered.

6. Audit checklists and results sheets were then collected from the data entry clerks and batched together by the “A” distributor. Officials then logged the form numbers into a separate system as completed.

7. The “A” distribution official then put the checklists and results sheets into an envelope and handed the envelope over to a “B” distribution official.

8. The “B” distribution official brought the envelope to the “B” data entry computer bank and distributed the checklists and results sheets to the data entry clerks.

9. Data entry clerks entered the data from the checklists and results sheets into the computer system. If the data entered differed from the data entered for the same checklist in the “A” data bank the system flagged the error.

Thereafter, any errors were then submitted to the corrections area, where a corrections clerk visually inspected the two electronically entered sets of information and compare them to the paper forms, selecting the correct information in the computer system. If no corrections were needed, completed and A/B-matching checklists and results sheets were batched together and then sent to the archive, which was a locked, fenced area in the main data center.

The IEC regularly published the number of ballot boxes processed per day at each of the different phases of the data entry process. The number of ballot boxes processed for intake, scanning, data entry A, data entry B and correction all began low on August 15, 2014, with verification, final review and archiving starting on August 16. The overall quantity of boxes processed at all of these stages was slow to start but steadily increased day-to-day, reaching an apex on August 28 (of 13,501 boxes processed at all stages) before declining in quantity until the end of the audit process. The transparency of the IEC in publishing data on digitization of results sheets, in addition to other quantitative audit information to stakeholders consistently through this audit process was commendable.

E. Role of the UN Audit Advisers

Based on the agreement signed between the two presidential candidates on July 12, which stipulated an internationally supervised audit process as proposed by the UN and in consultation with both candidates, the UN agreed to deploy Audit Advisers to support the audit process. The UN Audit Advisers’ role was to assist in the resolution of disputes between representatives of the candidates in conducting the audit review in accordance with the established criteria and procedures. The IEC Decision 30-1393 included 11
criteria approved by the IEC and five criteria proposed by the United Nations for a 16-point checklist to be used in the audit of ballot boxes.

In the event that candidate agents of opponent camps or their supervisors were unable to come to an agreement during the audit or recount process, the UN Audit Advisers were required to provide a recommendation which was recorded on the IEC checklist and which was considered as the final option at that stage of the process. The recommendations provided by UN Audit Advisers were offered to the Afghan electoral institutions to assist in the discharge of their functions in accordance with the legal framework.

NDI observed that UN audit advisers tried to uphold to standards of impartiality, fairness and truthfulness in the performance of their duties, even as they sometimes faced considerable pressure. NDI observed in many cases that UN audit advisers were called upon to make final recommendations on the aspects of the audit of the ballot box. NDI observed instances in which UN audit advisers faced pressure to amend their final recommendation, particularly when candidate agents or supervisors used intimidation to prevent invalidation of votes. The forms of intimidation varied from verbal threats to allegations of taking sides.

On August 27, Abdullah pulled out of the audit process on claims that IEC audits were keeping the fraudulent votes in the tally and that the invalidation criteria are not thorough enough to separate all fraudulent votes. In consultation with UN, and to eliminate the appearance of political biases, Ghani’s team also withdrew their agents from the audit process. Both the IEC and UN were left to fill the partisan vacuum generated by the absence of candidate agents, with the priority of maintaining neutrality while managing the audit process.

UN audit advisers were, until the withdrawal of the candidate agents, providing recommendations and technical oversight of a process, which was driven by the candidate agents and largely managed by the IEC. With the withdrawal of the candidate agents, UN audit advisers were obliged to assume a much more active decision making role. Perhaps most importantly, UN audit advisers were called upon to identify SMBs—not just make recommendations on alleged SMBs identified by candidate agents, as had been the case prior to August 27. Due to various factors that surrounded the audit process, such as political tensions, insufficient training, time constraints, UN audit advisers demonstrated varying response to this re-defined role and to the additional pressures inherent to this role. NDI observers reported numerous incidents of UN audit advisers facing pressure, and outright hostility, from IEC staff in the performance of this task in the period post August 28. Observer’s reports also suggested that the quality of the process was sacrificed for the sake of quantity of ballot boxes processed per day. Both UN audit advisers and IEC staff faced pressure from within their respective organizations to conclude the audit. By August 31, it was clear to table staff that they were required to meet a quota of four boxes audited per shift.
According to the IEC, only 20 percent of the special scrutiny ballot boxes — which by definition required greater scrutiny and time than normal ballot boxes — were reviewed during the period in which candidate agents participated in the audit process. Many of the most demanding or complicated boxes were, therefore, seen during the period when there was no candidate agent scrutiny of the process, when time pressure was greatest and when the roles of IEC and UN audit advisors were in transition.

UN final recommendation on both normal ballot and special scrutiny ballot boxes marked a progressive increase from August 3, onwards. 156 Among 1,827 ballot boxes that were observed by NDI observers, 1,479 were normal ballot boxes 448 were special scrutiny ballot boxes. Out 1,479 normal boxes, 386 required a UN audit advisor to make a final recommendation and out of 448 special scrutiny ballot boxes, 375 required a final recommendation by a UN audit advisor. Most of the final recommendations were required on the SMBs.

F. Role of Observers

Candidate Agents

The role of the candidate agents was defined in IEC’s regulations, with a specific Code of Conduct and guidelines for practice. Candidate agents had the right to attend all steps of the process including Commission’s open sessions provided that they do not disrupt the operations as well as seek clarifications from IEC audit teams. A Code of Conduct attached to the IEC Audit and Recount Procedures also required accredited agents to:

1. “Ensure visible display of their accreditation badges.
2. Comply with the Election law, all other relevant laws, procedures and official decisions of the Commission.
3. Act in accordance with the relevant code of conduct and regulations.
4. Raise concerns in accordance to the relevant procedures.
5. Refrain from prejudgments or disseminating rumors.
6. Refrain from using divisive/discriminatory language and inflammatory statements which could incite violence on grounds of race, ethnicity, regional, sex or religion.”

Candidate agents’ adherence to these principles was made all the more important because of the active role envisioned for them in this audit process.

NDI observed that candidate agents served as a partisan check in the audit process. The audit process was built on the assumption that the candidate agents would provide the partisan push and pull that would keep the process credible. With the withdrawal of candidate agents on August 27, the responsibility for maintaining this balance fell entirely to the UN and IEC.

The role of candidate agents was so influential to the process that they were often able to direct the attention of audit teams to specific aspects of audit. Specifically, candidate agents

156 NDI began tracking the UN Audit Advisor’s recommendations on August 3, 2014.
were focused on finding SMBs, sometimes to the detriment of the attention they paid to other aspects of the audit, such as the voters lists and results sheet. Candidate agents were often able to shift the focus of the discussion on SMB identification, and once there, the partisan nature of their roles meant that discussion often degenerated into argument and incidents of physical altercation. Instead of attempting to resolve issues at the table, candidate agent supervisors often fueled conflict and contradicted decisions by their agents.

NDI found that the candidate agents, in the fulfillment of their role as a partisan check, were a crucial part of the audit process. The IEC audit teams, in a majority of cases observed by NDI, left the decision making to the agents and this affected the audit process in different ways. Therefore, the candidate agents’ departure negatively affected the nature of the audit.

**Non-Partisan Observers**

Following the July 12 agreement brokered by Secretary Kerry, 22,828 ballot boxes were transported by ISAF to Kabul to become subject of a full audit and recount in the presence of independent international and domestic observers. The international community responded rapidly to the request of the Afghan electoral institutions and presidential candidates to provide observation support for the audit. Domestic election monitoring groups also were mobilized to observe this process.

The international community mobilized approximately 216 full-time, professional international observers in roughly two weeks. This number reached an estimated 248 international observers in mid-August and remained relatively consistent until early September, when the numbers of observers began to decline. USG funded groups had a presence of 137 international observers, including: National Democratic Institute (27), Democracy International (42), The Asia Foundation (31), and Creative Associates (38). The European Union, including the European Union’s Election Assessment Team, mobilized resources to ensure full international observation coverage for this audit process. In addition, 17 diplomatic missions in Afghanistan seconded more than 100 of their staff to join efforts with the international observer groups and support the monitoring effort. Some of these missions utilized their diplomatic networks to bring dozens of observers from their capitals and other embassies to Kabul.

The IEC required accreditation of all observers for this audit. The IEC’s efficient management of accreditation process of international and domestic observers was managed efficiently and in a timely manner, enabling observers to begin monitoring activities immediately. After August 3, IEC issued new identification cards for compound access to all international and national observers to improve security and control of access. The main domestic observation groups accredited by the IEC process included:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Number of Observers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Free and Fair Election Forum of Afghanistan (FEFA)</td>
<td>200 observers (155 male, 45 female)</td>
</tr>
<tr>
<td>Transparent Elections Foundation of Afghanistan (TEFA)</td>
<td>150 observers (97 male; 53 female)</td>
</tr>
<tr>
<td>Organization</td>
<td>Observers</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Afghanistan National Participation Organization (ANPO)</td>
<td>20 observers (18 male; 2 female)</td>
</tr>
<tr>
<td>Afghanistan Youth National and Social Organization (AYNSO)</td>
<td>20 observers (no female)</td>
</tr>
<tr>
<td>Election Watch Organization of Afghanistan (EWA)</td>
<td>15 observers (11 male; 4 female)</td>
</tr>
<tr>
<td>New Line Organization (NLO)</td>
<td>6 observers (3 male; 3 female)</td>
</tr>
</tbody>
</table>

While the domestic observation organizations played a key role in the audit observation process, in several occasions they raised concerns about the lack of inclusiveness of domestic observer groups in the consultations with other stakeholders throughout the process including the Audit Committee meetings. Domestic groups have also criticized the IEC for succumbing to the political will of the campaign teams undermining consistency of the audit process.

G. IEC Board Decision-Making Sessions

The IEC Board of Adjudication met every second day from August 25 onwards until all audit findings were reviewed. Per IEC regulations, the IEC held its adjudication meetings in an open forum, in the presence of candidate agents, observers and media; as such, NDI observers were able to attend all IEC Board of Adjudication meetings. In each meeting, polling stations of different provinces across the country were processed. Candidate representatives observed only the first meeting of the Adjudication Board held on August 25. After the decision of the candidate teams to withdraw agents from the process, the consecutive meetings of the Adjudication Board were observed only by international and domestic observers and in presence of the media.

IEC commissioners made their decisions after having reviewed all audit findings, as recorded on the audit checklist forms. In making their decisions, the Board was guided by IEC decision No. 33-1393 which specifies the cases in which the ballots should be invalidated. The audit checklist forms completed by the Audit Teams during the audit process indicated whether the contents of a ballot box were valid, invalid or partially invalid. The IEC checklist form also provided a space for comments from candidate agents to flag specific cases, unusual circumstances or other irregularities, which in their belief, should be taken into account by the IEC Board of Adjudication during the review and decision-making process.

The IEC Board of the Commissioners reportedly made decisions based on the data generated by the software that was custom-designed for the audit process to ensure impartiality and consistency throughout the decision making process. In particular cases, the Commission examined individual audit checklist forms for further clarifications. The decisions of the IEC Board of Adjudication were categorized into the following groups:

1. Ballot boxes with no irregularities (valid);
2. Ballot boxes with irregularities warranting invalidation as set out in IEC Decision no 37 (invalid);
3. Ballot boxes with irregularities meriting recount, as set out in IEC Decision no 37 (requiring entry of results of the recount as conducted in the warehouse); and

4. Ballot boxes for further review.

On July 23, the IECC formally adopted a plan, drafted with the assistance of UNOPS and IFES, for the runoff complaints process. Throughout the first week of the audit, the IECC deployed around 50 staff members on a daily basis to observe the process ahead of the adjudication phase.

The IEC published on its website the periodic results of validation, invalidation, recount or partial validation to allow comparison of new polling results with those announced prior to the audit. According to the law, either candidate may lodge an official complaint to the IECC within 24 hours after the IEC has published the decisions. The IECC was legally required to review complaints within 48 hours of receipt. No official complaints were registered from the Abdullah camp, but complaints were filed by the Ghani team.

The IEC held nine decision-making sessions on validation, invalidation, or partial validation of polling station results since August 25, 2014. Following these sessions, the IECC addressed 389 complaints related to the comprehensive from candidates. Of this total, 360 complaints – or 92.5 percent – were upheld in appeal, and 29 were reversed. The IECC also ruled to dismiss all complaints filed against the preliminary results of the runoff election, on the basis that the comprehensive audit rendered these complaints void.

H. Announcement of Final Results

IEC Chairperson Yusuf Nuristani deemed the comprehensive audit inconclusive, stating: “Although the audit was credible and unprecedented in scope, it nevertheless could not find all the fraud claimed by both sides.”157 The IEC did not release election results. Nevertheless, on September 21, the IEC declared Ghani as the winning candidate of the presidential election.

On September 29, Dr. Ashraf Ghani Ahmadzai was inaugurated as the President of Afghanistan, and Dr. Abdullah Abdullah assumed the position of Chief Executive Officer (CEO) of the National Unity Government (NUG).

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APPENDIX 1: Data Visualizations

1. Percentage of Votes for Dr. Abdullah Abdullah, Distribution by Province, April 2014 Presidential Election

First Round Percentage of Votes for Dr. Abdullah Abdullah by Province
According to Final Results Posted by the IEC

Map Credit: Wikimedia Commons

Provincial Vote Share Totals
- 81-100%
- 61-80%
- 41-60%
- 21-40%
- 0 - 20%
2. Percentage of Votes for Dr. Ashraf Ghani Ahmadzai, Distribution by Province, April 2014 Presidential Election

First Round Percentage of Votes for Dr. Ashraf Ghani by Province
According to Final Results Posted by the IEC

Provincial Vote Share Totals
- 81-100%
- 61-80%
- 41-60%
- 21-40%
- 0 - 20%

Map Credit: Wikimedia Commons
3. Percentage of Votes for Dr. Ashraf Ghani Ahmadzai, Distribution by Province, June 2014 Presidential Runoff Election
4. Percentage of Votes for Dr. Abdullah Abdullah, Distribution by Province, June 2014 Presidential Runoff Election
5. Percent of Total Non-Reporting Polling Units,\(^1\) Distribution by Province, April 2014 Presidential Election and June 2014 Runoff Presidential Election (select provinces highlighted)

<table>
<thead>
<tr>
<th>Province</th>
<th>Non-Reporting Polling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Helmand</td>
<td>30.6%</td>
</tr>
<tr>
<td>Kandahar</td>
<td>15.8%</td>
</tr>
<tr>
<td>Logar</td>
<td>11.3%</td>
</tr>
<tr>
<td>Urozgan</td>
<td>8.4%</td>
</tr>
<tr>
<td>Paktika</td>
<td>3.2%</td>
</tr>
<tr>
<td>Khost</td>
<td>0.3%</td>
</tr>
<tr>
<td>Others</td>
<td>33.8%</td>
</tr>
</tbody>
</table>

\(^1\) Polling units that did not report any valid or invalid votes.
APPENDIX 2: Afghanistan Election Data, Website Visualizations

1. Final Election Results, April 2014 Presidential Election

2. Final Election Results for Dr. Abdullah Abdullah, Distribution by Ethnicity, April 2014 Presidential Election

3. Final Election Results for Dr. Ashraf Ghani Ahmadzai, Distribution by Ethnicity, April 2014 Presidential Elections

http://2014.afghanistanelectiondata.org/#election
APPENDIX 3: 2014 Presidential Runoff Election Audit Timeline

Timeline of Afghan Presidential Runoff Election Audit

Following allegations of fraud in the 2014 Afghan presidential runoff election, an international agreement was brokered which would feature both a political settlement to create a national unity government and also a full audit of all votes cast in the runoff. The audit was a long, dynamic and complex political process and to most effectively understand the decisions that were made, examining key events in sequence can be useful. This timeline illustrates the varied types of events that shaped this audit process.

**July 12**
United States (US) Secretary of State Kerry and the Afghanistan presidential candidates Abdullah and Ghani announce a comprehensive audit of all 8.1 million ballots from the runoff.

**July 17**
IEC audit of the ballots from the presidential run-off election begins.

**July 24**
UN proposes audit procedure criteria after candidate teams failed to reach an agreement.

**July 30**
The IEC formally adopts criteria for ballot recount and invalidation.

**August 8**
Sec. Kerry visits Kabul for a second time to meet with Abdullah and Ghani. Both candidates agree to respect the outcome of the audit and to give a meaningful role to the new government to the losing side.

**August 12**
Ghani announces that if he becomes president, he would be fully in charge. “Dual authority is not possible,” he says.

**August 15**
IEC begins entering data into its database from audited boxes. IEC commissioners begin meeting to make decisions on logistics of ballot box audits.

**August 19**
According to reports from observers, several Abdullah supporters brandish knives, brass knuckles and pliers in the hangars.

**August 25**
The first anticipated deadline for the IEC to complete the audit ballot boxes.

**August 26**
An Abdullah party agent stabs an IEC auditor in hangar two. International observers depart the IEC.

**August 27**
Abdullah party agents withdraw due to a protest around audit process procedures.

**August 29**
The IEC and both campaigns denounce the previous day’s violence.

**August 30**
First full day without any party agents present, as the UN advises the Ghani campaign to withdraw its agents too. Only the IEC auditors and staff, UN advisers, and international and domestic observers remain in the hangars.

**September 4**
Final day of the audit, which concludes with the afternoon shift.

**September 8**
Abdullah states that he would not accept the expected outcome of the election’s second round, and that talks to form a national unity government were deadlocked.

**September 8**
IEC begins reviewing claims of similarly signed result sheets (SSRs).

**September 10**
IEC concludes its review of the SSRs as it also discovers additional missing results sheets and audit checklists.
STATEMENT OF THE NDI PRE-ELECTION DELEGATION TO AFGHANISTAN
Kabul, December 9, 2013

This statement is offered by an international delegation organized by the National Democratic Institute (NDI) that visited Afghanistan from December 3 to 9, 2013. In advance of the April 5, 2014 presidential and provincial council elections, the delegation examined the political environment, the framework of the upcoming elections, and factors that could affect the integrity of the electoral process. This assessment was conducted four months before election day and two months before the start of the official campaign period.

The delegation included Ambassador Karl Inderfurth (United States), former U.S. assistant secretary of state for South Asian affairs and former U.S. representative for special political affairs to the United Nations; the Honorable Audrey McLaughlin (Canada), former Federal Member of the Canadian Parliament and former leader of the New Democratic Party of Canada; Damaso Magbual (Philippines), chair of the board of directors of the Asian Network for Free Elections (ANFREL) and Executive Committee member of the National Citizens’ Movement for Free Elections in the Philippines; and Peter Manikas (United States), NDI Director of Asia Programs. The delegation was assisted by Ans Zwerver, NDI’s Country Director for Afghanistan; Raissa Tatad-Hazell, NDI Washington DC-based Director for Afghanistan and Pakistan Programs; Yuosaf Rashid, NDI Afghanistan Senior Advisor on Elections; and Matthew Sternenberger, NDI Washington DC-based Program Officer for Afghanistan.

The multinational delegation met with President Hamid Karzai, Vice President Karim Khalili, Wolesi Jirga Speaker Abdul Raouf Ibrahimi, candidates from all 11 presidential and vice-presidential tickets, provincial council candidates, election authorities, government and security officials, media representatives, citizen monitoring groups, women activists, youth leaders and international organizations. The delegation offers its findings and recommendations based on the Declaration of Principles for International Election Observation and in the hope of strengthening the democratic process in Afghanistan. In issuing this statement, the delegation does not seek to interfere in nor render a final assessment of the election process. It recognizes that it is the people of Afghanistan who will ultimately determine the legitimacy of the 2014 elections.

The delegation would like to express its appreciation to everyone with whom it met. Without their taking time and sharing their knowledge and insights, the delegation would not have been able to accomplish its mission. NDI has been conducting political development and electoral support programs in Afghanistan since 2002. It appreciates the cooperation it has consistently received from the Afghan government, election authorities, political parties and coalitions, and civil society organizations.

OVERVIEW

Presidential and provincial council elections, scheduled for April 5, 2014, will be a crucial milestone in Afghanistan’s political transition. These elections are poised to be the first peaceful transfer of political power in the country’s history. As security, political stability and democratic governance are closely linked in Afghanistan, the legitimacy of the country’s government rests on
whether the will of Afghan voters is reflected in a credible electoral process. If broadly viewed by the Afghan people as inclusive and transparent, the upcoming polls could play a pivotal role in advancing stability and democratic development. A deeply flawed election, however, could exacerbate political tensions and seriously impair the ability of the new government to meet the security, national reconciliation and economic challenges that lie ahead.

The 2014 electoral race has 11 presidential and vice-presidential tickets that are broadly ethnically inclusive and should present the electorate with a wide range of choices. At the provincial level, 2,713 candidates are contesting 458 seats across the nation’s 34 provinces. The campaigns are in the early stages of organization and platforms are currently being developed.

The 2009 presidential and provincial council elections and the 2010 parliamentary polls were marred by widespread fraud and doubts about the independence of electoral authorities. In the lead up to the 2014 elections, key reforms that domestic and international observers raised have been implemented. Laws were passed that put into place a new legal framework and operating structure for the 2014 electoral process. Measures were introduced that involve the participation of Afghan parliamentarians and civil society representatives in selecting nominees to the Independent Election Commission (IEC) and Independent Electoral Complaints Commission (IECC) – this is a marked improvement over a process that, in the past, was dominated by the president. Election planning and the development of electoral operations and fraud mitigation plans were initiated more than a year before the April 2014 polls. New measures – such as a special commission focused on election security – were established to strengthen security planning and coordination between security agencies and election authorities.

These reforms have brought about a guarded optimism among many political and civic actors that the 2014 polls would be an improvement over previous elections. As President Hamid Karzai will not be running as a candidate in 2014 due to constitutional term limits, political activists told this delegation that ‘a new political contest is possible.’

However, there are serious challenges that could impact the integrity of the 2014 elections. Insecurity may prevent candidates and political groupings from campaigning as well as discourage voters from casting their ballot in parts of the country. This could disenfranchise a large number of Afghans from participating in this election. In addition, the history of widespread fraud in previous elections fuels the expectation that the upcoming elections also could be tainted by similar problems. Because the election will take place when large portions of the country may be experiencing winter weather, political contestants and domestic monitoring groups are concerned about the distribution of election materials and how the recruitment and training of IEC and IECC staff – particularly female poll workers – will be conducted. This also may affect voter turnout in particular areas of the country. In addition, candidates fear interference from domestic and foreign sources and are concerned about the possible misuse of government resources to support particular candidates. Nearly all with whom the delegation met expressed concern about the operational timeline involved in conducting a runoff election, and how the current government would transition to a newly elected one.

The new procedures that have been adopted will only improve the electoral process if they are faithfully enforced. This requires a firm commitment by election authorities and law enforcement officials to embrace the rule of law. Misconduct will continue to plague the country’s elections until those who undermine the democratic process face consequences for their actions.
The upcoming elections will determine the direction of the country in the years ahead. The victor of the upcoming presidential election will have to lead a new government and tackle momentous challenges in addressing economic and development priorities; promoting reconciliation and national unity; managing Afghanistan’s relationship with the international community; and creating stability and security in the face of a resilient insurgency. Therefore, it is imperative that the successor government has the legitimacy that comes from being elected through a credible process. The delegation hopes that its recommendations and the efforts of the broader international community will help Afghanistan accomplish that goal.

**OBSERVATIONS AND FINDINGS**

**Legal Framework for Elections**

The legal framework that governs Afghanistan’s elections consist of the country’s constitution, the 2013 Electoral Law, the 2013 Independent Election Commission (IEC) and Independent Electoral Complaints Commission (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 22nd of the fifth year after the presidential election. 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 earlier this 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 1 percent of the vote) and discourages the participation of political parties.

The SNTV system tends to generate a large number of candidates – as examples, 166 candidates are competing for 19 provincial council seats in Herat; 442 candidates are competing for 33 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 2009 Political Party Law provides for the registration of political parties with the Ministry of Justice and requires parties to have a minimum of 10,000 members from at least 22 provinces. To date, 59 parties have registered with the Ministry of Justice. By NDI’s analysis, despite the hindrances of the SNTV system, political parties are supporting provincial council candidates in 30 provinces. One of the 11 presidential candidates indicated an affiliation with a political party when he filed his candidacy.

**The IEC and Election Administration**

The IEC/IECC structure law adopted a new mechanism to select IEC commissioners through a consultative process involving the National Assembly and civil society. The law provides that a committee comprised of representatives from the *Wolesi* and *Mehrano Jirga* (lower and upper houses of the National Assembly), the Supreme Court, the Afghan Independent Human Rights Commission, and civil society groups focused on elections would review applicants and develop a short list of nominees for each body.

For the IEC, the committee selected 27 candidates from more than 340 applications; from this list, the president appointed nine commissioners. The new law also provides that the leadership of the IEC commission (chairman, deputy and secretary) shall be elected from among the commissioners; in the past, the IEC chairman was appointed by the President. The structure of the IEC includes a secretariat headed by a chief electoral officer and 34 provincial offices.

Similar to the last presidential election, Afghan electoral and government institutions are leading the preparations for the 2014 polls. Strategic planning to improve the IEC’s operations and capacity began in 2010 and an operational plan for the 2014 cycle was initiated earlier this year. The delegation noted that candidates and civil society groups have responded positively to these efforts, saying that these early preparations increase their confidence that the IEC will be able to administer a proper election.

Responding to the fraud that occurred in the 2009 and 2010 polls, election authorities have developed measures to prevent similar misconduct in 2014. The IEC’s operational plan includes improved balloting procedures and fraud mitigation measures. Anti-counterfeit reproduction features include the use of unique serial numbers for individual ballots and ballot packs, and indelible ink containing the highest concentration of silver nitrate safe for use on human skin. Voters will be required to mark two fingers, instead of just one, with this ink. Tamper-evident tape will be applied on the results sheets, making it more difficult to alter written information after the count. The commission also has a database of over 11,000 blacklisted staff who engaged in misconduct in previous electoral cycles; these individuals will be barred from involvement in the 2014 polls.

The IEC’s plans reflect a recognition that the successful conduct of the 2014 elections depends on broad public support and the comprehensive involvement of multiple stakeholders. In the pre-election period, information on the electoral process is being disseminated through various means and with the involvement of several other bodies. The IEC and a number of ministries, including the Ministry of Haj and Religious Affairs, signed a memorandum of understanding (MoU) to disseminate key election messages through mullahs. A similar agreement was signed with the Ministry of Rural Rehabilitation and Development for election messages to be publicized through community councils. In addition, the IEC has signed MoUs with several
domestic civil society groups and international organizations focused on supporting the elections. Furthermore, the IEC plans to reach out to candidates and political parties to coordinate the deployment of candidate and party polling agents and maximize their coverage across the country.

Planning efforts to determine and finalize the list of polling stations for the 2014 elections began much sooner in comparison with previous elections. In addition, assessments on security threats relevant to polling station locations are being conducted earlier and in close coordination with the Ministry of Interior. This is a significant improvement from the last presidential election, when planning began late and the list of polling stations was released just days before the election.

However, even with these plans, candidates and civic groups are concerned that the IEC could face substantial challenges in recruiting and training poll workers – particularly female staff – due to inclement weather and low literacy levels in parts of the country. They stated that the 2009 presidential election, which was held in August, experienced major shortfalls in recruiting qualified women in the rural areas to serve as election officials and female body searchers (for female voters passing through the security perimeter of polling centers). Moreover, the training of election officials in 2009 was inconsistent and its quality varied by location. Observer reports from 2009 also noted a correlation between poor recruitment and training of election officials in areas that experienced a high frequency of ballot box stuffing.

The wide sharing of information on the IEC’s electoral preparations could enhance public confidence in the polls. However, candidates and civic groups mentioned a lack of awareness of the IEC’s fraud mitigation strategy. The delegation noted that the IEC has plans to bring candidates together this month to share information on anti-fraud measures.

**Electoral Complaints**

The delegation noted that the new IEC/IECC structure law provides for the establishment of the Complaints Commission as a permanent and independent body; previously, this commission was constituted 120 days before an election and dissolved shortly after the announcement of final election results. Under the new law, the body’s five commissioners are chosen through the same mechanism as the selection of IEC commissioners. The selection committee, which includes the leadership of the National Assembly and civil society representation, chose 15 nominees, from which the President selected five to serve as commissioners.

The Complaints Commission was established only two months ago and is undergoing significant logistical and operational challenges in standing up its headquarters and provincial offices. Given the performance of provincial ECCs in previous elections, candidates and civil society groups expressed concerns about the capacity and training of ECC staff, the need to ensure that procedures are applied uniformly, and that the provincial commissions act in a transparent manner. Candidates and civic groups also mentioned the importance of strong communication between the IEC and ECC, and harmonized procedures between the two bodies. The delegation noted that this is particularly significant in elections where there is a high likelihood of a tight contest among presidential and provincial contenders.

A heavy reliance on the administrative adjudicatory process to protect the integrity of the elections places a significant burden on the ECC. There is a danger that this reliance on administrative procedures will create the impression that elections are decided on the basis of negotiation and fail
to reflect how votes were actually cast. In neighboring countries, re-polling, rather than administrative procedures, is more frequently relied upon to resolve disputed electoral outcomes.

**Presidential and Provincial Council Candidates**

In the candidate nomination period, which ran from September 16 to October 6, a total of 27 presidential candidate teams (a president and two vice-presidential candidates per team) and 3,056 provincial council candidates submitted their nominations. After reviewing the applications, the IEC announced that only 10 presidential candidates (all male) and 2,677 provincial candidates were included in the preliminary list. Following the period for challenges and appeals, the IEC announced on November 20 that 11 presidential candidates and 2,713 provincial council candidates could contest the 2014 polls. The IEC stated that all other applications were denied due to improper documents and violations such as dual nationality and the lack of a university degree.

Candidates and civil society groups expressed concern that the IEC did not inform individual candidates about the reasons for their disqualification. This has caused some apprehension about a lack of transparency in this process and the work of the IEC.

Nearly everyone with whom the delegation met assumed that a second round presidential election would be required. They stressed the importance of having an operational timeline and regulations in place without delay and to inform the electorate how a runoff would be conducted.

The delegation also noted that, as the April elections could be the first peaceful transition of power in Afghanistan’s history, there is a need for a plan to facilitate the transition from the current government to a newly elected one.

**Electoral Security**

Everyone with whom the delegation met cited security as a key concern for the 2014 elections. All described how, in 2009 and 2010, security affected every aspect of the electoral process – including the placement of polling centers, the recruitment of election workers, the ability of candidates to campaign freely, voter turnout, and the presence of election monitors and candidate agents. In past elections, fraud was perpetuated in parts of the country most affected by the insurgency. Polling stations that were beyond the scrutiny of observers, due to security reasons, were highly vulnerable to electoral wrongdoing.

During the period of NDI’s assessment mission, the Bilateral Security Agreement (BSA) and the timing of its signing were prominent issues. The delegation met with candidates from all 11 presidential and vice-presidential tickets, and all considered the BSA as an important issue that could affect the election – connecting the security transition to the country’s political and economic transition processes.

In the lead up to the 2014 elections, the Taliban issued statements on their rejection of the democratic process and their intention to disrupt the elections. The uneven capacity of national forces across the country has fueled popular concern about increased insecurity and the possible return of insurgent control in certain regions of the country after 2014. The delegation noted, however, that candidates, political groupings and civil society recognize an increase in the Afghan National Security Forces’ (ANSF) skills and competence to perform its duties, compared to their capacity in 2009.
With the transfer of security responsibilities from international forces to Afghan army and police forces, security preparations for the upcoming elections are being led by Afghan entities. In advance of the April 2014 polls, and in coordination with the IEC, a special commission on election security has been formed by the Ministry of Interior (MOI). This body, which includes members of the ANSF and the National Directorate of Security, is responsible for securing polling sites, election workers, candidates, voters and observers. It is also tasked with promoting electoral neutrality among the security forces.

As in the 2009 polls, the security planned for the April elections involves multiple protective rings, described as concentric circles around the voting process. The inside ring, closest to the polling stations, will be guarded by the Afghan National Police (ANP). The Afghan National Army (ANA) is tasked with providing the second perimeter of defense. For the 2014 polls, the outermost ring is comprised of ANA air detection assets and artillery support by the International Security Assistance Force (ISAF).

This security arrangement is being used in the ongoing voter registration process. The MOI has described that, despite public apprehension attributed to the security environment, the voter registration process has borne far fewer security incidents than anticipated.

Threat assessments conducted earlier by the MOI reveal that, of 6,845 polling centers, 132 are of the highest threat level and 259 are not active or inaccessible. An assessment to determine the final list of polling centers that can be secured is expected to be completed in early January 2014.

The MOI stated that the security of women is a top priority in the electoral process. It has a plan to recruit and train 13,000 female personnel to provide security for female voters and polling staff across the country. Given the difficulties involved in recruiting qualified women, the MOI intends to coordinate with the Ministry of Women’s Affairs, the Ministry of Labor, the Ministry of Rural Rehabilitation and Development, and provincial councils and governors to find such personnel. In light of cultural norms, the MOI also has allocated resources to support the travel of maharams or male relatives for the deployment of these female personnel. The delegation noted the MOI’s attention to this detail and its overall effort to tackle the challenging process of recruiting female security personnel.

**Voter Registration**

Afghanistan does not have a voter registry or voters list. Eligible voters may cast ballots for president at any polling station nationwide and voters of provincial council candidates may vote at any polling station in the province in which they reside. Observers of previous elections highlighted that without an accurate census, election officials and monitors lack reliable information on population density and the ethnic and gender composition of the population. The delegation noted that, in the absence of a census, accurate checks on voter registration and voter participation figures are not possible.

Voter registration for previous elections resulted in a high number of duplicate voter cards. Following the 2005 polls, electoral and government officials decided to connect the voter registry to a civil registry to improve the accuracy of the voter list. However, efforts shifted in 2009 to update only the voter registry with a series of registration drives around the country, resulting in 4.5 million new ID cards. In the lead up to the 2010 elections, an additional 376,000
citizens were registered. Unfortunately, no effective mechanism was established to prevent those who were already registered from getting a second ID card. This increases the vulnerability of the electoral process to manipulation and fraud.

The IEC made earlier proposals to the government to obtain resources to develop a voters list that would identify all eligible voters and link each voter to a polling station – a measure that would help prevent fraud and multiple voting. These proposals were not accepted, and the IEC has resorted to the acceptance of old voter cards. A new system of computerized IDs was to be launched this year through a joint effort by the Ministry of Interior and Ministry of Information and Communication. However, this is on hold as parliament deliberates a Law on Civil Registry. Given these factors, the IEC proceeded with a voter registration 'top-up' to issue voter cards to first-time voters (including those who turn 18 by election day), returnees, and those who have lost or damaged cards.

IEC voter registration programs have been ongoing since May 2013 and are anticipated to end two weeks before election day. This effort has involved the use of standing as well as mobile registration units. The IEC indicated that the latest registration drive has registered over 3.2 million voters; of this figure, 34 percent are women. Registration has been initiated in all but four of the country’s 400 districts (the 259 polling centers cited as inaccessible or not active by the MOI are in these four districts).

While many regard the latest voter registration drive as a necessary activity to engage citizens in the 2014 process, some candidates, political activists and civil society groups have remarked on the drive’s low outreach to women in rural areas and the difficulties that potential voters in remote areas have in accessing some registration centers.

Public Participation in the Electoral Process

A recently released survey of the Afghan people, conducted by The Asia Foundation, found that 56 percent say that the outcome of the 2014 elections will make a positive difference in their lives. Continued public confidence in the 2014 electoral process will depend, in large measure, on voter turnout and the participation of the electorate, domestic monitors, and candidate agents on polling day. A number of steps are being taken by several electoral stakeholders to enhance participation.

Women’s Participation

All candidate teams value the electoral participation of women and intend to involve specific outreach to women in their campaign strategies. Domestic monitoring groups are making a particular effort to promote the participation of women in election observation activities. Three women are running as vice-presidential candidates. The IEC conducted consultations in the 34 provinces to engage mullahs, women focused organizations, community leaders, political parties, civic groups and other stakeholders on how to increase citizen and women's participation in elections. As mentioned earlier, the MOI stated that the security of women is a top priority in their strategy and planning.

The reserved seat system ensures that women have a significant presence in provincial councils. However, this quota is not constitutionally guaranteed. The new electoral law reduced the women’s quota from 25 percent to 20 percent of seats. The delegation noted that the number of women
contesting in the 2014 provincial council race is less than in 2009 (308 versus 328). Each of the 34 provinces has the minimum number of women candidates to meet the altered women’s quota for council seats.

As in previous elections, concerns about the right of women to participate in the electoral process have been raised by civil society groups, candidates and political groupings. Decades of oppression, entrenched social and cultural stigmas, and low levels of education continue to inhibit the participation of women. Those who run as candidates, particularly at the local level, do so in spite of enormous barriers and at great personal risk. These women are often vulnerable to harassment and threats of violence against themselves and their supporters.

There are concerns about whether polling stations for women would be sufficiently staffed, and whether measures are in place to ensure the secrecy of their ballot. As mentioned earlier, there are concerns about the recruitment and training of female poll workers, particularly in areas of low literacy. The delegation noted that the respective recruitment processes of the IEC, MOI and domestic monitoring groups to find qualified women to serve as election workers, security personnel and monitors may end up competing for the same set of qualified women.

While outreach plans include engaging women’s groups, the IEC and MOI have yet to connect with some women-focused organizations in Kabul. Such groups may be helpful in mobilizing their members to fill election personnel gaps in other provinces.

**Youth Engagement in the Electoral Process**

Approximately 60 percent of Afghanistan’s population is under the age of 35. The ability of candidates and political groupings to capitalize on the hopes and frustrations of young people, and gain their votes in the 2014 elections, will be an important test of their legitimacy and influence. As young voters may constitute an important swing vote, candidates plan to incorporate approaches in their campaigns to reach young peoples. The media also has been active in engaging the general public and young people – through mobile technology and social media – in publicizing information on the electoral process, the candidates, and the voter registration process.

The 2014 electoral process is an opportunity for young Afghans to positively influence the direction of the country. It provides them with a path to channel their political energy and initiate support for the country’s democratic process. All stakeholders have identified the need to engage young people in the electoral process; however, it is not clear whether there are sufficient plans in place from the IEC and political groupings to draw this substantial demographic into the process.

**Voter Education and Get-Out-The-Vote (GOTV) Campaigns**

The IEC is supporting a civic education program on the voter registration process, which is being conducted through the media and community sessions. It also plans to reach out to community and religious leaders, women focused organizations, political parties and civil society groups to implement GOTV campaigns.

The IEC, political parties, the media, civil society groups and monitoring organizations are incorporating the use of technology – including SMS-based and interactive voice recognition (IVR) mobile phone applications to engage the electorate and share information on their activities.
and campaigns. There are opportunities for universities and shuras to take an active role in promoting voter education and GOTV campaigns.

**Media**

In previous elections, news media has played an active role in promoting public awareness on the electoral process as well as reporting and documenting fraud. Since the last presidential poll, private media has continued to proliferate and provide balance to government-run media’s political coverage. The media today is a major actor on Afghanistan’s national stage.

Article 61 of the new electoral law provides for the IEC’s establishment of a temporary Media Commission, a body tasked with ‘monitoring the reporting, fair broadcasting of the electoral campaigns and addressing violations and offenses committed by the media.’ The body shall have five members selected among the country’s media professionals. The IEC established this commission on November 24, 2013.

For the 2009 elections, the Media Commission facilitated presidential candidate roundtables. In 2009, and for the first time in Afghanistan, presidential debates were held and broadcast nationwide over radio and TV. These were sponsored by Tolo TV and viewed by millions of citizens across the country. For the 2014 electoral campaign period, Tolo TV intends to support a series of debates featuring presidential and vice-presidential candidates.

While the MoI’s electoral security plan includes protection for journalists, the delegation noted that many journalists have not been informed of the details of this plan.

**Election Monitoring**

Afghan civil society organizations are a significant participant in the electoral process and in the run-up to the 2014 polls. Several groups are working on various issues including election monitoring, advocacy for electoral transparency, and the participation of women in the election process. The candidates, election authorities and security officials with whom the delegation met stated the importance of the role of domestic and international monitors in observing, deterring and reporting electoral fraud.

Many candidates are concerned about the ability of domestic monitors and polling agents to access polling sites across the country. All candidates stressed the need to ensure that security resources are allocated for the protection of domestic observers, particularly in areas of high security risk.

The Free and Fair Elections Forum of Afghanistan Organization (formerly the Free and Fair Elections Foundation of Afghanistan or FEFA), the country’s principal domestic monitoring organization, will be deploying approximately 10,000 non-partisan election monitors across the country. Other organizations – including the Transparent and Fair Elections Foundation (TEFA), the Afghanistan National Participation Organization (ANPO), and the Afghanistan Youth National and Social Organization (AYNSO) – plan to deploy an additional 2,500 observers nationwide.

The European Union, the Organization for Security and Cooperation in Europe (OSCE) and other organizations are considering plans to mobilize international observers for the upcoming elections. There is a broad recognition that international monitors would not have the same reach and access as domestic monitors, and both the candidates and security officials are realistic about the limited
ability of international monitors to observe polling sites in remote areas. Nonetheless, given the high likelihood of a close presidential race and a possible runoff, candidates raised the need to have international observers present in-country on election day, and during the results tabulation, complaints period and finalization of results.

RECOMMENDATIONS

The delegation respectfully offers the following recommendations in the spirit of international cooperation and with the hope that they will be helpful – particularly in the four months before the April polls – in promoting inclusive, transparent and credible elections.

Transition Planning

- **Promotion of Fair Elections and Peaceful Transition of Power.** The IEC and nonpartisan groups should support efforts to bring together all presidential candidates to promote a common commitment to fair elections and a peaceful transition of power. Convening events could be conducted at the beginning and throughout the campaign period.

- **Transition Plan for Handover of Power.** As is done in many democracies throughout the world, the development of a transition plan would help facilitate a smoother transfer of power to the incoming government. This would help the new administration rapidly familiarize itself with all aspects of government, including security matters.

Election Administration

- **Public Outreach on the Work of the IEC and ECC.** To promote transparency and public confidence in the electoral management bodies, the IEC and ECC should have public information programs that enable the Afghan public to learn about and track their activities.

- **IEC and ECC Staff Recruitment and Training.** To increase voter confidence in the capacity of the electoral management bodies, the IEC and IECC should have uniform standards for the recruitment and training of electoral personnel at the national and local level.

- **Public Communication of IEC Anti-Fraud Strategy.** The IEC should make a concerted effort to communicate its fraud mitigation strategy to candidates, political parties/coalitions and the public. This should include detailed information on the control and custody of ballots and sensitive materials.

- **IEC Dialogues with Civil Society, Media, Political Parties at the Provincial Level.** To magnify the impact of stakeholder dialogues being conducted at the national level, the IEC should facilitate similar activities at the provincial level. This would enable opportunities for provincial actors to engage the IEC on matters that affect the electoral participation of civic groups, political activists and media at the local level.
• **Contingency Planning**. The IEC should take steps to ensure that all polling stations have a sufficient number of ballots and engage in contingency planning for areas in which polling stations may be closed due to security or other reasons.

• **Consideration of Re-polling**. For the upcoming or future elections, the ECC should consider using its powers under Article 26, Section 10 of the new IEC/IECC structure law which permits the use of re-polling to ensure the integrity of the vote.

• **Timeline of the Presidential Runoff Election**. The IEC should review its timeline for a runoff election and develop a contingency plan in the event that the existing timeline cannot be met. This should be done in a transparent manner and in consultation with candidates, political parties and civil society.

• **Reinforcement of Non-Interference and Government Neutrality**. Civil servants and the security forces, both at the national and provincial level, should observe the codes of conduct outlined in the presidential decrees on non-interference, issued in September and October 2013. The IEC and ECC should determine mechanisms to monitor the observance of these decrees. Civil society and media can also contribute to monitoring the observance of these measures.

  No international actors or organizations should interfere with Afghanistan’s electoral process.

**Security**

• **Public Outreach of MOI’s Electoral Security Plan**. To enhance voter confidence in the electoral process, the IEC and MoI should conduct public outreach programs and publicize their security plans for candidates, election workers, domestic monitors and voters. Voter education campaigns should include clear descriptions of the roles and responsibilities of the security forces in the electoral process as well as the security plans for areas of high risk.

• **Security of the Afghanistan-Pakistan Border on Election Day**. To enhance voter participation in regions that – due to security concerns – have experienced lower voter turnout in past elections, the international community should continue to engage Pakistan in possible measures to keep the Afghanistan-Pakistan border secure on election day, as was done in the lead up to the 2004 elections.

**Voter Education, Public Participation and Election Monitoring**

• **Promotion of Voter Education**. To increase voter engagement, robust voter education is needed and should involve the use of various media to reach urban and rural voters. Voter education campaigns should incorporate tailored approaches to communicate with young voters and women. Government-run and private radio and television should continue to be engaged to broadcast public service programming and announcements related to the electoral process and fraud mitigation.
• **Protection of the Right of Women to Participate in the Electoral Process.** To address potential gaps in recruiting election workers in areas of low literacy, the IEC could consider engaging and deploying women from neighboring provinces or other areas of the country. Practical measures, such as access to personal facilities, should be taken into account in planning polling centers.

• **Issue-Based Electoral Platforms.** Candidates should develop issue-based platforms that address the major issues facing the nation, including the peace process, economic development and the rights of women. Televised debates among the presidential and vice-presidential candidates will provide an opportunity for the media to question the candidates on proposed policies and programs. This should compel the candidates to be specific in their promises and encourage a more issue-based campaign.

• **Measures to Ensure Election Monitoring.** The IEC should ensure that domestic monitoring groups and candidates are informed about the procedures needed to accredit monitors and receive credentials in a timely manner. In turn, candidates, political parties and domestic monitoring groups should submit applications for observer credentials without delay. The IEC and domestic monitoring groups should discuss how to engage provincial election authorities and enable monitoring activities. The training of IEC and IECC personnel, particularly at the provincial level, should include a specific orientation on the role of polling agents and citizen monitors. International monitors should coordinate their plans and activities with domestic observers.

**THE PRE-ELECTION ASSESSMENT MISSION**

An accurate and complete assessment of any election must take into account all aspects of the process, and no election can be viewed in isolation from the political context in which it takes place. Among the factors considered by the NDI pre-election assessment mission were: the legal framework for the elections set by the constitution, including electoral and related laws; the ability of citizens to seek and receive sufficient and accurate information upon which to make political choices; the ability of political competitors to organize and reach out to citizens in order to win their support; the conduct of the mass media in providing coverage of candidates and issues; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence or retribution for their choices; the conduct of the voter registration process; the right to stand for election; the conduct of voting, counting, results tabulation, transmission and announcement of results; the handling of election complaints; and the installation to office of those duly elected. It should also be noted that no electoral framework is perfect, and all electoral and political processes experience challenges.

NDI is grateful for the cooperation it received from election officials, candidates, political party leaders, domestic election observers and civic activists. This pre-election assessment mission is funded through a grant from the United States Agency for International Development.

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The National Democratic Institute (NDI) is conducting an analytical mission following Afghanistan’s electoral process before, during and after the April 5 presidential and provincial council elections. This mission involves more than 100 international and Afghan analysts and observers throughout the country.

Presidential and provincial council elections – what has changed?

On April 5, Afghanistan will hold elections for a new president and 458 provincial councilors. This is the fifth national election since the fall of the Taliban and the only presidential poll to be held on the constitutionally established electoral schedule. There have been significant administrative changes since the first-post Taliban election in 2004, which was managed by the Joint Electoral Management Body, a hybrid United Nations-Afghan mission that also oversaw the 2005 Wolesi Jirga elections. In 2009, an Independent Electoral Commission (IEC) was formed to oversee presidential and provincial council (PC) elections. This body was composed of commissioners appointed solely by President Hamid Karzai. The current IEC is made up of nine commissioners selected by President Karzai from 27 candidates proposed by a committee of representatives from the National Assembly, the Supreme Court, the Afghan Independent Human Rights Commission and civil society. The Electoral Complaints Commission also has changed from a temporary body set up to oversee previous elections, to a permanent entity.

### 2004 Presidential Election
- This was the country’s first direct election (there were indirect legislative elections in 1965 and 1969).
- 10.5 million voter cards were distributed. Over-registration occurred in various regions and some individuals had multiple cards.
- 18 candidates, including one woman, were on the ballot.
- 8.1 million votes (about 77% of the number of distributed cards) were counted.
- Hamid Karzai, then-president of Afghanistan’s Transitional Administration appointed by the 2002 Loya Jirga, secured more than 50% of the vote. A runoff was not required.

### 2009 Presidential Election
- A voter registration update generated more than 4 million additional voter cards, bringing the total number of cards in circulation to over 15 million.
- 41 candidates, including two women, were on the ballot.
- Preliminary results indicated that Karzai secured 54.6% and Dr. Abdullah Abdullah 27.8% of the vote. Electoral complaints and fraud allegations led to an audit and recount. Final results based on 4.6 million valid votes had Karzai’s share below 50%, requiring a runoff between Karzai and Abdullah.
- Days before the runoff, Abdullah announced that he would not participate in a second round election. Following his announcement, the IEC declared Karzai the victor of the 2009 polls.

### 2014 Presidential Election
- Hamid Karzai is unable to run as a candidate due to constitutional term limits.
- Candidates are required to pay a deposit of 1 million Afghans, down from 2.5 million in 2009.
- 11 male candidates are on the ballot.
- Ongoing voter registration has generated an additional 3.6 million voter cards to date. Registration will continue until March 22; the IEC may extend the process if it deems it necessary.

### 2005 Provincial Council Elections
- A voter registration update generated another 1.7 million voter cards.
- Elections were postponed from spring to September.
- There were 3,025 PC candidates.
- At least 25% of 420 seats were reserved for women. In three provinces, not enough women ran to fill the reserved seats.
- Candidates needed to be at least 18 years old; there was no minimum education requirement.
- 6.4 million votes were counted.

### 2009 Provincial Council Elections
- There were 3,196 PC candidates.
- At least 25% of 420 seats were reserved for women. In two provinces, not enough women ran to fill the reserved seats.
- Candidates needed to be at least 18 years old; there was no minimum education requirement.

### 2014 Provincial Council Elections
- The IEC’s final list of candidates included 2,713 PC candidates.
- At least 20% of 458 seats are reserved for women. Currently, there are enough candidates to meet the quota in all provinces.
- Candidates must be at least 25 years old and have completed the 12th grade (high school graduate equivalent).
- Per the electoral calendar, these polls were to be held in 2013. They were postponed until 2014 due to logistical challenges and funding issues.
New laws present challenges for female candidates

Although the Afghan Constitution guarantees equal rights for women and many candidates express support for women’s political participation, new regulations and deteriorating security have further limited the role of women in the country’s political life.

While the number of women running for the 2005, 2009 and 2014 provincial council elections has steadily comprised about 10% of all candidates, the number of seats reserved for women councilors has decreased. Previously, 25% of council seats were reserved for women; the electoral law passed in July 2013 lowered that figure to 20%.

In addition, female candidates are disproportionately affected by the requirement for candidates to have graduated the 12th class (the equivalent of a high school graduate). The stipulation affects women in particular, as women have had less access to education than men. Only 18% of women are literate compared to 50% of men, according to Afghanistan’s Ministry of Education.

Female candidates surveyed in the run up to this year’s campaign period told NDI that lack of funds and insecurity were their major challenges.

Developments related to the ongoing voter registration process indicate that women in less secure regions are less likely to apply for voter cards. The percentages of women who have registered to vote in the relatively secure provinces of Badakhshan, Balkh and Daykundi are 41%, 38% and 48% respectively. In the less secure provinces of Helmand and Uruzgan, only 9% of newly registered voters are women; in Zabul, women make up only 4% of newly registered voters.

The 2013 Independent Election Commission (IEC) and Independent Electoral Complaints Commission (IECC) Structure Law states that two of the IEC’s nine commissioners and one of the IECC’s five commissioners must be female. This has helped ensure the participation of women in the leadership of these bodies. However, both commissions have had difficulty meeting their targets for recruiting female personnel across the country.

The IEC has been able to recruit women to comprise 21% of its 3,200 District Field Coordinators, slightly higher than previous elections but significantly short of its 50% target. The IEC also sought to recruit women to make up half of its 1,428 Civic and Voter Educators but reached only 33%, with the numbers varying from 40% to 50% in northern and western provinces to as little as 8% to 19% in southern and eastern provinces.

The IECC aims to have women make up 30% of its staff; to date, they have hired about 10%. To help its recruitment of female provincial commissioners, the IECC eased the requirement that commissioners be posted outside their home provinces. Only six of the 102 provincial commissioners sworn in are women.

The Ministry of Interior plans to recruit at least 13,000 women to search female voters before they enter polling centers. In 2010, the ministry planned to recruit 10,500 female searchers but was only able to hire 4,750 by election day.
SPOTLIGHT: The Independent Electoral Complaints Commission

The 2013 IEC/IECC structure law provides for the establishment of the Electoral Complaints Commission as a permanent and independent body. Previously, this commission was constituted 120 days before an election and dissolved shortly after the announcement of final election results.

As noted by domestic and international groups that observed previous Afghan elections, the complaints commission has been hindered by not being a permanent entity – it often lacked time to prepare its provincial operations and carry out effective public outreach, and was unable to retain institutional knowledge. The decision to make the IECC a permanent body was a welcome development.

The IECC’s spokesman, Nader Muhseni, said he was confident the commission would be able to carry out its duties, although he pointed out that a lack of resources allocated to the organization meant it was getting off to a late start. For example, the commission is scrambling to set up provincial offices and staff worked for four months without getting paid. “We started from zero,” he said.

Office space has now been secured in all provinces, in the form of containers supplied by UNOPS in 24 provinces. In 30 of the 34 provinces, IECC offices are co-located with the IEC, raising some concerns about their ability to function independently.

The IECC has deployed the 98 provincial commissioners to most provinces (three are required per province), but needs to recruit four new commissioners as three resigned while another was dismissed. In addition, the IECC conducted training in Kabul from March 9 to 11 for additional staff for provincial offices. These members are scheduled to begin their duties next week.

IECC officials have processed more than 1,500 objections related to the eligibility of candidates. Some candidates not included on the preliminary list were added before the campaign period started once their qualifications were verified. IECC officials will continue to examine candidates’ eligibility throughout the campaign period.

The IECC has already announced that at least 89 PC candidates were disqualified for failing to meet age or educational requirements. Neither the IEC nor the IECC have made public the names of disqualified candidates, their provinces or gender, or the rationale for individual disqualifications. The IECC’s announcement that disqualifications may continue up to election day prompted concerns that voters would not be informed about such disqualifications before going to the polls.

To date, the IECC has issued verdicts and dealt fines, including on cases where government vehicles were used by campaign teams.

Brief Updates

- The Taliban has issued statements on its intent to disrupt the April polls and has warned Afghans not to participate in the elections.
- The faction of Hezb-e-Islami led by Gulbuddin Hekmatyar has endorsed long-time associate and presidential candidate Qutbuddin Hilal. Another Hezb-e-Islami faction has filed a vice-presidential candidate on another presidential ticket.
- At least eight members of presidential and PC campaigns have been killed since the campaign period began. The campaigns have also experienced the abduction of staff and attacks on offices and convoys.
- There have been at least five security-related incidents, including abductions, targeting IEC staff in Baghlan, Balkh, Faryab, Kapisa and Nangarhar.
- Qayum Karzai, the brother of President Karzai, announced on March 6 that he was withdrawing from the presidential race and supporting former foreign minister Zalmay Rassoul.
- Vice President Mohammad Qasim Fahim, a key leader of the Northern Alliance and Jamiat-e-Islami, died of natural causes on March 9.
Social media sparks legal debate in campaign

For the first time in an Afghan election, social media is emerging as an important battleground – and the trend has prompted a legal debate about who should regulate Facebook comments that sometimes turn abusive.

In Herat, Provincial Council (PC) candidates complained to provincial prosecutor Maria Bashir that they were being attacked on Facebook, BBC’s Persian-language website reported. Bashir threatened to jail the culprits, noting that she had recently heard two cases of non-election related abuse on social media and sentenced one man to two years in jail.

Referring to the incident, Hashmatullah Radfar, deputy head of the Independent Election Commission (IEC) media commission, said such complaints should not be referred directly to the judicial system. At a March 17 press conference in Kabul, he said the Electoral Media Commission is the proper body to carry out investigations and issue penalties.

The case signifies the increasing use of social media during this election process, which has allowed candidates to reach out to voters online and has sparked heated digital debates. Candidates and campaign staff told NDI that social media are essential campaign tools, and Deputy Minister of Youth Affairs Tiamoor Shah Es-haqqzai said the amount of online discussion in the run-up to this year’s election is unprecedented.

Afghan youth in particular have embraced social media as access to the Internet has grown over the past few years, especially with the spread of mobile phone networks throughout the country. Afghanistan had about 2.4 million Internet users in 2013, according to the Ministry of Communications and Information Technology. That number rose from 2004 when there were only 2,000 Afghans online during presidential elections. By the 2010 Wolesi Jirga elections, there were 700,000.

This year, Facebook pages authored by presidential and PC candidates and their supporters have sprung up. Twitter is less popular, and only six of the 11 candidates on the presidential ballot have accounts in their names. Ashraf Ghani has the most followers with more than 11,000. Zalmai Rassoul has more than 1,000. Both Abdullah Abdullah and Abdul Rahim Wardak have just below 1,000. (Wardak announced on March 16 that he is pulling out of the presidential race). Gul Agha Sherzai posted his first tweet in November 2013 and has 30 followers so far. Daoud Sultanzoy has gained nine followers since joining in February 2014.

Candidates also are reaching out to voters via conventional media. The head of the media commission, Farida Nikzad, said the results of the commission’s first media monitoring report indicates that news outlets have provided generally “neutral” coverage, including the state broadcaster Radio Television Afghanistan, which was accused of favoring Hamid Karzai during his 2009 presidential bid. However, Nikzad said some private media affiliated with certain candidates are breaking regulations by focusing almost entirely on one candidate.

Source: Afghan Ministry of Communications and IT
Campaign finance rules prove difficult to enforce

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Source: IEC website, March 18, 2014

Two candidates who announced they were dropping out of the presidential race have yet to submit official withdrawal forms, and the IEC said they remain subject to regulations, including the filing of campaign finance reports.

Abdul Rahim Wardak announced his withdrawal March 16 and Qayum Karzai said March 6 that he was dropping out of the race. As ballots for the April 5 election were printed before these announcements, the names of both candidates are on the presidential ballot.

The IEC said it warned Qayum Karzai and Abdul Rahim Wardak that until they officially withdraw, the commission will consider them active candidates who are expected to file expenses by March 28 and can be fined for campaign violations.

Qayum Karzai announced he was backing Zalmay Rassoul, raising the possibility that he could officially withdraw and use his campaign resources to support Rassoul. While candidates are forbidden to campaign for other candidates, the IEC said the electoral law does not prevent private citizens from doing so.

Presidential candidates are allowed to spend no more than 10,000,000 Afghans (about USD $175,000) on their campaigns and are required to declare the amount of donations they receive and their expenditures throughout the campaign. The IEC posts this information on its website. As of March 18, the total amount of donations received by four of the 11 candidates, including Wardak, is not listed.

Aside from cash donations, representatives from presidential campaigns told NDI that supporters provided resources, including offices and furniture, for free. Under IEC rules, such in-kind contributions should be declared. But the commission said it was difficult to verify expenditures, and has even called on civil society groups and the public to examine documents and report any suspicions that the candidates are overspending.

Candidates who violate expenditure limits face penalties, including disqualification. But provincial council candidates have told NDI that the cap of 500,000 Afghans (about $8,700) for them is far too low. They said anybody mounting a serious campaign needs to exceed the maximum to pay for costly but necessary expenditures, such as advertising.

Candidate disqualifications continue

The Independent Electoral Complaints Commission (IECC) reported disqualifying 205 PC candidates (as of today). The IECC said it will provide the list to the IEC, which will make it public. Here is a timeline of the IECC’s disqualifications:

- **19 November**: 40 candidates are disqualified for not meeting the minimum educational requirement. As these candidates were disqualified before the ballot lottery, their names are not on the printed ballots.
- **27 January**: 25 candidates are disqualified for not meeting the minimum age requirement.
- **16 February**: 19 candidates are disqualified for not meeting the minimum age requirement.
- **3 March**: Five candidates are disqualified due to invalid education documents.
- **13 March**: 87 candidates are disqualified due to invalid education and proof of age documents.
- **17 March**: The IECC asked 57 candidates to attend a meeting and explain inconsistencies in their documents.
- **18 March**: 29 candidates are disqualified.
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 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 Daikundi 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. 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

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2 For a map of these polling stations, please visit [2014.afghanistanelectiondata.org](http://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 Zalmai 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.*

*This mission is made possible through a grant funded by the United States Agency for International Development (USAID).*
Complaints adjudication may delay announcement of final presidential election results

The Independent Electoral Complaints Commission (IECC) is processing more than 2,000 complaints and submit its decisions to the IEC by May 11. However, an IECC official stated that the process could be extended, potentially delaying the release of the final results for the April 5 presidential elections.

The IEC announced preliminary results on April 26 and indicated that Abdullah Abdullah received 44.9 percent of the vote, while Ashraf Ghani Ahmadzai received 31.5 percent. Zalmal Rassoul received the third highest number of votes with 11.5 percent, while Abdul Rab Rassoul Sayyaf received 7.1 percent.

The IEC plans to announce the final results on May 14, but it cannot do so until all complaints are resolved. The IECC has already extended the process past the original May 8 deadline, and now plans to send its decisions to the IEC on May 11. The IECC official said that the commission could extend its complaints process until May 18 if necessary.

There are 2,133 complaints related to polling and counting and 80 appeals against Provincial IECC (PIECC) decisions. A total of 121 complaints are related to the preliminary results. The IEC invalidated more than 234,000 votes from 525 polling stations, including 100,000 from 150 polling stations in Herat.

Abdullah’s campaign submitted 115 of the 121 complaints related to the preliminary results, while four were submitted on behalf of Ashraf Ghani Ahmadzai. The campaigns of Mohammad Daoud Sultanzoy and Mohammad Shafiq Gul Agha Sherzai submitted one complaint each. All candidates requested more information on the votes invalidated from the 525 polling stations.

"The IEC says that votes of 525 sites were invalidated, but it’s not clear where these sites are located," said a member of Abdullah Abdullah’s campaign. "Knowing this will allow us to understand whether we had votes there or not."

Khalid Oreya, head of the IEC’s legal department, said votes from the 525 polling stations were questionable because they lacked IEC stamps and signatures from site managers.

The IECC is processing complaints by region and has scheduled daily public hearings from May 4 to 9. It held its first public session on April 30 to discuss its dismissal of nine complaints against IEC decisions on invalidated votes.

The IECC is investigating another 746 polling centers in 31 provinces. The province with the highest number of polling centers under investigation is Paktika with 89. Eighty-four (84) polling centers in Herat are under investigation, while 76 are under investigation in Kandahar. Logar has one polling center under investigation, Kapisa has two and both Panjshir and Kunar have three.

The IECC’s spokesman, Nader Mohseni, told Tolo News that more than 1,000 complaints were directed at IEC staff.

The Provincial IECC in Ghazni is investigating allegations of fraud against a number of police chiefs and an IEC district field coordinator who was allegedly caught stuffing ballot boxes in Nahoor district. In Andar district, the PIECC found ballot boxes in three polling centers stuffed with ballots that had not been separated from their original bundles.

In Bamyan, the Provincial IECC issued fines against two IEC officials for allegedly casting fraudulent ballots in favor of specific presidential candidates. However, the IEC officials appealed and the cases are under investigation. The IECC invalidated two ballot boxes at a polling center in Khamard district, which was raided by armed men who prevented people from voting and stuffed the boxes with about 1,200 votes.

The Provincial IECC in Daikundi issued a fine against a candidate who allegedly attempted fraud by distributing fake ballot papers with names of rival candidates removed. The candidate appealed the decision.
Presidential candidates declare campaign expenditures

Abdullah Abdullah declared almost twice as much in campaign spending as his closest rival, Ashraf Ghani Ahmadzai. According to data posted on the Independent Electoral Commission (IEC) website, Abdullah Abdullah spent slightly more than the legal limit of 10 million Afghanis/AFN (approximately 175,000 USD) and received nearly 14 million AFN in donations. Ashraf Ghani Ahmadzai declared approximately 5.7 million AFN in expenditures and nearly 3 million AFN in donations.

As preliminary results issued by the IEC on April 26 revealed that none of the presidential candidates’ preliminary figures had 50 percent of the vote, it is highly likely that a second round election will be conducted.

The IEC is required to publish on its website any corrections to the preliminary results from audits or recounts. If a results form is changed after a recount, the IEC is required to publish the revised form along with the original and an explanation for the change.

Mr. Khalid Oreya, chief of the IEC’s legal department, stated that the recount—based on the disqualification of 234,000 ballots—has been completed, and that the IEC will publish the new results forms on its website.

The IEC has not posted any information on audits since April 21. By that date, it had completed 52.9 percent of the audits for 1,610 polling stations.

### Brief Updates

- The IEC has completed audits of the provincial council elections in 15 provinces, Tolo News reported. The IEC plans to announce preliminary results of the provincial council races on May 17 and final results on June 7.
- The National Tally Centre has processed preliminary results for the provincial council elections in 13 provinces.
- Mohammad Shafiq Gul Agha Sherzai has announced his support for Abdullah Abdullah for a possible second round election. Preliminary results indicated that Sherzai received 1.6 percent of the popular vote. Sherzai received the majority of his votes from the southern provinces of Helmand, Kandahar and Uruzgan.
- The IEC is considering holding the runoff election on June 14, which would provide enough time to obtain materials to replace those damaged and destroyed during the March 29 attack in Kabul on the IEC headquarters.
- The IEC has requested that its supplier in Dubai begin printing ballots for the runoff election.

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**Presidential and provincial council candidates are required to submit campaign expense reports throughout the election to the IEC, which then posts the information online. Candidates who violate expenditure limits can face penalties, including fines. However, the Commission stated during the campaign that it would be difficult to verify expenditures and even called on civil society groups and the public to report any evidence of overspending.

According to data posted on the IEC website, two candidates reported receiving no donations at all: Rahim Wardak, who dropped out of the race before Election Day and declared spending nearly 4 million AFN during the campaign; and Mohammad Shafiq Gul Agha Sherzai, who claimed 8.4 million AFN in expenditures.

### Table: Presidential Candidates' Campaign Expenditures

<table>
<thead>
<tr>
<th>No.</th>
<th>Presidential Candidate</th>
<th>Total Donations (AFN)</th>
<th>Total Expenditures (AFN)</th>
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<tbody>
<tr>
<td>1</td>
<td>Dr. Abdullah Abdullah</td>
<td>13,984,500</td>
<td>10,029,954</td>
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<tr>
<td>2</td>
<td>Muhammad Rasoul Shultzoy</td>
<td>101,000</td>
<td>4,037,559</td>
</tr>
<tr>
<td>3</td>
<td>Abdul Rahim Wardak</td>
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Source: IEC website, May 5, 2014

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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”
Candidates seek backing from former rivals as runoff campaign approaches

The campaigns of Ashraf Ghani Ahmadzai and Abdullah Abdullah are aiming to shore up support among voters, political parties and fellow politicians in advance of the second round presidential election on June 14.

The Independent Electoral Commission (IEC) announced the final results of the April 5 presidential election on May 15 following decisions by the Independent Electoral Complaints Commission (IECC) on complaints related to the preliminary results. The final results indicated that Abdullah Abdullah received 45 percent of the vote and Ashraf Ghani Ahmadzai received 31.56 percent.

Members of both campaigns met with representatives of former presidential candidate Abdul Rab Rasoul Sayyaf last week in hopes of gaining his support during the runoff. Sayyaf received 7.04 percent of the vote in the first round, placing him fourth out of eight candidates.

Abdullah received a boost on May 11 when Zalmai Rassoul, who placed third in the first round of the elections, pledged his support for Abdullah’s campaign. Rassoul’s endorsement could prove crucial to Abdullah in Afghanistan’s southern provinces. In Kandahar, for example, Rassoul received 53.96 percent of the vote, while Abdullah secured only 10.61 percent. Ghani received 13.9 percent of the vote in Kandahar.

Mohammad Shafiq Gul Agha Sherzai also pledged his support to Abdullah. Although Sherzai received only 1.6 percent of the vote nationwide, he could help deliver votes to Abdullah in the southern region. Sherzai placed sixth nationally and came in second after Rassoul in Kandahar, receiving 16.02 percent of the province’s vote. Sherzai also received 12.98 percent of the vote in Helmand and 14.93 percent in Uruzgan.

There are disagreements within the campaign teams of Rassoul and Sherzai as to who to support. Rassoul's vice presidential candidate, Ahmad Zia Massoud, did not endorse Abdullah and did not attend Abdullah and Rassoul’s joint press conference. While Sherzai himself has expressed support for Abdullah, 20 of Sherzai’s provincial campaign managers gathered in Kabul to announce their support for Ghani.

Ghani received his first endorsement from a presidential candidate on May 21, when Mohammad Daoud Sultanzoy announced that he would support Ghani in the runoff election. Sultanzoy received 0.46 percent of the vote in the first round, placing him seventh out of eight candidates.

Ashraf Ghani Ahmadzai, IEC chairman Yousuf Nuristani and Abdullah Abdullah met at the IEC headquarters on May 17 to discuss the second round of the presidential election.

Source: The IEC’s Facebook page
Preliminary provincial council results announced as IECC continues investigations

The Independent Electoral Commission (IEC) on May 20 announced the results of the provincial council elections, while the Independent Electoral Complaints Commission (IECC) continues to process approximately 1,000 complaints.

The IECC on May 11 instructed its provincial offices to complete their investigations and send decisions to the central office in Kabul for assessment and final decisions. Provincial IECC (PIECC) offices sent these decisions to the central office by May 19.

The PIECC in Balkh received 10 complaints that fell into category "A," or those that could impact the final results. The PIECC in Ghor recounted 61 ballot boxes and sent the results to Kabul for final assessment. The PIECC said that it invalidated four boxes from an area that the Taliban attacked on Election Day, forcing election workers to flee. The PIECC in Laghman invalidated ballot boxes from areas where polling stations were closed.

The IEC will allow complaints on the preliminary results to be registered for 24 hours from the time they are announced. The IECC will then investigate those complaints and provide its decisions to the IEC, which is expected to announce final provincial council election results on June 7.

Domestic election observer groups issue recommendations for second round

A coalition of domestic election observation organizations issued a set of recommendations to the IEC and IECC aimed at improving the second round presidential election. The recommendations include the following:

• To increase the transparency of the complaints adjudication process, the IECC should allow observers to monitor decision-making process with regard to complaints.
• The IEC should inform observer organizations when they assign male staff to female polling stations. During the first round of the elections, some female observers refused to go to polling stations staffed by male workers.
• The IEC should accredit new observers for the runoff election. Since observers that were connected to candidates in the first round may not participate in the second round, additional observers will be needed.
• Security forces should maintain the professional conduct that they exhibited in the first round of the elections. In addition, community leaders and civil society organizations should help recruit female body searchers for female polling stations.
• The media should continue to keep citizens informed about election-related developments and encourage Afghans to participate in the elections. In addition, the IEC’s media commission should continue to monitor the media to ensure that it complies with the country’s laws and regulations.

Brief Updates

• The IEC announced that it plans to open as many as 4,000 new polling sites for the second round presidential election, Tolo News reported. In the first round, 20,561 polling stations were opened, although 777 reported no votes.
• According to the timeline provided by the IEC, the presidential runoff election will take place on June 14 and preliminary results will be announced on July 2. The IEC will send final decisions on complaints to the IEC on July 16 and the final results will be announced on July 17.
• The IEC on May 18 notified its staff that employees will be dismissed if fraud takes place in the designated area under his or her supervision in the second round presidential election, Tolo News reported. The IEC dismissed approximately 3,300 employees involved in irregularities during the first round.
• All materials procured overseas for the second round election arrived in Kabul by May 12. Electoral workers began packing the materials on May 14.
Presidential candidates gather endorsements as campaign kicks off

Abdullah Abdullah and Ashraf Ghani Ahmadzai continued to receive endorsements from political powerbrokers this week as the two candidates kicked off their campaigns for the second round of presidential elections.

Ghani received the support of Ahmad Zia Massoud, who served as vice president to current president Hamid Karzai during his first term as president. Ghani promised to appoint Massoud head of the Economy Committee overseeing multiple ministries should he win the runoff election. Massoud ran in the first round presidential election as vice presidential candidate to Zalmai Rassoul, who placed third in the April 5 vote and endorsed Abdullah in the second round.

Abdullah received an endorsement from Mahmoud Karzai, a well-known businessman and brother to President Hamid Karzai. Abdullah also received the support of Amrullah Saleh, the former director of the National Directorate of Security and leader of Afghanistan Green Trend, an online youth political group that claims 50,000 members.

Ghani secured the backing of another former vice presidential candidate, Sayed Hussain Anwari, who ran alongside Abdul Rahim Wardak before he pulled out of the first round presidential election. Anwari is the leader of the People’s Islamic Movement Party of Afghanistan.

Twenty-five leaders of the Alekozai tribe also announced their support for Ghani. The majority of the tribe had previously backed Rassoul in the first round election. Ghani was also endorsed by Ahmad Shah Ahmadzai, a former mujahideen leader who served as Afghanistan’s prime minister from 1992 to 1996 and ran for president in 2004. Ahmadzai supported Abdul Rab Rassoul Sayyaf in the first round.

A representative of Sayyaf’s office confirmed that the presidential candidate had held meetings with both campaign teams. The representative said that Sayyaf is likely to make a decision on which candidate to support within days. Sayyaf received 7.04 percent of the vote in the first round, placing him fourth out of eight candidates.

On May 21, presidential candidate Mohammad Daoud Sultanzoi announced that he would support Ghani in the runoff election. Sultanzoi received 0.46 percent of the vote in the first round, placing him seventh out of eight candidates.

Brief Updates

- The IEC stated that it would make public the names of government officials accused of interfering in the elections if the president’s office does not take action against them, Tolo News reported.
- The IEC has issued as many as 70,000 accreditation cards to candidate agents to monitor the runoff vote, Tolo News reported.
- The movement of election materials from provincial centers to districts has not yet begun and is expected to start in the next 24 to 48 hours.
Final provincial council election results delayed

The announcement of the final results of the provincial council elections will be delayed as the Independent Electoral Complaints Commission (IECC) processes more than 3,000 complaints.

The IEC was scheduled to announce the final results on June 7, but it must wait until it receives decisions on complaints from the IECC, which says it will share its final decisions on June 12. Of the 3,000 total complaints on the provincial council elections, 1,636 were related to the preliminary results. The IECC stated that decisions on these complaints could change the final outcome of the vote.

The IECC provided a 24-hour period for the registration of complaints following the May 20 announcement of preliminary results, but extended the deadline to 48 hours due to the high volume of complaints it received. Most complaints suggested that the number of votes announced was lower than the number of votes counted on ballot sheets, according to the IECC.

“The subject of the complaints with us is mostly that the Independent Election Commission included a lower number of votes in its preliminary results,” IECC spokesman Nadir Mohseni said in a press conference. “If the cases carry evidence or can be affirmed, then there will be changes in the final results.”

The IEC said it audited more than 1,000 voting stations during the counting process for the provincial council elections, and votes at more than 1,500 stations were recounted. The IEC also invalidated votes from 588 polling sites.

The IECC will hold daily hearings regarding these complaints from May 31 to June 5. The sessions will be organized by region.

Provincial council election results demonstrate support for female candidates

Female candidates won 21 percent of the provincial council seats, according to the preliminary results of the April 5 elections. The percentage is slightly higher than the 20 percent quota of seats set aside for women in the electoral law, but less than the 25 percent required during previous elections.

According to the preliminary results, 18 of the 97 female candidates who won seats did so independently of the quota. Of those 18 seats, six were in Kabul, while three were in Daikundi and two in Helmand. Women also won a seat independent of the quota in Herat, Kunduz, Wardak, Samangan, Farah, Logar and Nimroz.

In Kabul, three women received the highest number of votes out of all of the candidates in the district, while one woman received the highest number of votes in Daikundi. A female candidate received the second highest number of votes in Nimroz.

In 27 provinces, female candidates received more votes on average on April 5 than they did in the 2009 provincial council elections. Female candidates received fewer votes in six provinces, and about the same in one province.

![](provincial_council_results.png)

Provincial Council Results – Female Candidates

- Total PC Seats
- Total Seats Allotted to Women
- Total Seats Won by Women

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Coalition of media outlets to boycott reporting of Taliban attacks

A coalition of Afghan media organizations has pledged not to report on Taliban attacks during the second round of voting on June 14. The organizations also stated that they would refrain from excessive reporting of attacks during the campaign period.

The decision to boycott news related to the Taliban on election day was one of 11 provisions included in a declaration issued at the end of the National Conference of Directors of Afghanistan’s Media Organizations on May 26. Approximately 120 representatives of media organizations attended the event, which focused on the role of the media during the runoff election.

Mujib Khalwatgar, Executive Director of the nongovernmental group Nai, told NDI that the Afghan media has been accused of overstating the influence and capability of the Taliban. The decision to boycott Taliban-related news on election day was an attempt to remedy that perception.

Fahim Dashti, Executive Director of the Afghanistan National Journalists’ Union and former editor of the now-defunct Kabul Weekly newspaper, told NDI that the decision to refrain from reporting on the Taliban could increase voter turnout. “If the media headlines are covered with insurgency attacks and chaos in polling centers, it would definitely impact people’s turnout in the election,” said Dashti.

Heshmatullah Radfar, deputy director of the Independent Electoral Commission’s Media Commission, told NDI that the Commission does not endorse the news blackout. He said that people have the right to know what is happening on election day and media organizations should report security-related news, as long as they refrain from “overstatement.”

Participants at the conference also pledged to avoid exploiting issues of ethnicity, religion or language during the runoff campaign. In addition, the 11-point declaration included promises to report news impartially, avoid the spread of rumors about candidates and educate the public about the electoral process.

Wages of first round female body searchers still outstanding as IEC recruits for second round

Payments are still being processed for female body searchers from six provinces who were posted to polling centers during the April 5 elections, according to the Independent Electoral Commission (IEC). Payments have been made for female body searchers from the remaining 28 provinces.

In addition to the body searchers from these six provinces, as many as 2,700 female body searchers from other provinces have yet to be paid. The IEC told NDI that the names of some of these body searchers were not on the final list of recruits, while others requesting payment did not report for duty on April 5. The Ministry of Interior (MOI) said that approximately 1,000 of 12,844 female body searchers trained for the April 5 vote did not turn up on the day of the election.

The IEC and MOI had aimed to recruit 13,000 female body searchers for the April 5 elections. For the second round, they plan to recruit 12,846, allowing for two female body searchers at each polling center. The Afghan Civil Society Network is assisting with recruitment.

The MOI said that female body searchers for the runoff election will be paid 1,750 afghanis (approximately USD $30), while male chaperones accompanying female body searchers will be eligible to receive 1,750 afghanis. Female body searchers recruited for the first round elections were paid 5,000 afghanis (approximately USD $86).
NDI launches interactive map detailing district-level results of April 5 presidential election

Afghan political actors, civic organizations and members of the international community are now able to analyze data from Afghanistan’s April 5 elections down to the district and polling center level using a new interactive map released by NDI. The map is available on NDI’s Afghanistan Election Data website at http://2014.afghanistanelectiondata.org/results/.

The interactive map provides an opportunity to analyze results data in more depth, and the website makes its data available for download in machine-readable CSV format for additional analysis.

The 2014 data complements data from every national election in Afghanistan since the fall of the Taliban, enabling users to examine voting patterns over five electoral cycles.

NDI plans to update the data website throughout the 2014 electoral cycle. Prior to the June 14 runoff vote, NDI will publish interactive visualizations on candidate performance and polling center closures.

The website uses 2014 results data made public by Afghanistan’s Independent Electoral Commission (IEC). The release of this data by the IEC marks an improvement in transparency over previous elections.

IEC’s Media Commission pushes media outlets to pay fines related to first round violations

All but two media outlets that were penalized for breaching electoral regulations during the first round elections have now paid their fines, according to the Independent Electoral Commission’s (IEC) Media Commission.

On May 12, the Media Commission called on 14 media groups to pay the fines they had received for failing to comply with electoral regulations during the official campaign period and silence period. Heshmatullah Radfar, the Media Commission’s deputy director, told NDI that the Media Commission had asked the IEC to revoke the accreditation of media organizations that refused to pay their fines. He added that most had paid their fines following a meeting with media representatives on May 28.

If the two remaining media groups do not pay their fines by election day, Radfar said, their accreditation will be revoked. As a result, the organizations would not have access to polling centers, press conferences or other election-related venues.

Media organizations will be subject to the same regulations during the second round election, said Radfar, including providing equal and unbiased coverage to both candidates. The Media Commission’s third-party media monitoring activities indicate that the majority of broadcast media outlets provided equal airtime to both presidential candidates during the first week of campaigning for the runoff.

However, the Media Commission noted bias in the coverage of media outlets that were sanctioned during the first round. Rah-e-Farda TV, Noor TV and Khawar TV showed bias in favor of Abdullah Abdullah, while Afghan TV, Aina TV, Batur TV and Negah TV favored Ashraf Ghani Ahmadzai.

Brief Updates

- The IECC stated that it would not be able to process all complaints related to the provincial council elections by June 12 as planned, further delaying the announcement of final results.
- The Ministry of Defense announced that 3,000 new security personnel have been trained to provide security for the June 14 presidential runoff election, Tolo News reports.
- The Ministry of Interior is conducting a security assessment of polling centers, which includes determining whether those closed during the first round can be opened on June 14.
- The IEC’s head of field operations was injured by an improvised explosive device that detonated while he was travelling in Kabul on May 29.
PRELIMINARY STATEMENT
OF THE NATIONAL DEMOCRATIC INSTITUTE’S ELECTION MISSION FOR
AFGHANISTAN’S 2014 PRESIDENTIAL RUNOFF ELECTION

Kabul
June 16, 2014

This statement is offered by the National Democratic Institute’s election mission for Afghanistan’s 2014 elections. On June 14, 100 NDI Afghan staff observers visited 312 polling stations in 26 provinces. Many of these observers had served as trainers in an NDI program that helped prepare over 49,000 candidate and political party polling agents in the lead up to the April 5 presidential and provincial elections. They also 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 previous 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 mission included a pre-election assessment in December 2013 (see NDI Afghanistan Pre-Election Assessment Mission Statement, December 2013) and observation of the April 2014 elections (see NDI Afghanistan Preliminary Election Day Statement, April 2014). Information and data maps on the April elections, and all other Afghan elections since 2004, are available on NDI’s Afghanistan election data website, Afghanistanelectiondata.org.

Other NDI programs include assistance to five Afghan election monitoring organizations that mobilized thousands of citizen monitors across Afghanistan for the runoff election.

Overview

On June 14, Afghans again came out in large numbers to participate in the nation’s first presidential runoff election. As in the first round voting on April 5, voters defied attempts by extremist groups to disrupt the voting, setting the stage for the historic transfer of power from one democratically elected government to the next.

Both presidential candidates – former foreign minister Abdullah Abdullah and former finance minister Ashraf Ghani Ahmadzai – conducted vigorous campaigns throughout the country, which included large rallies, town hall meetings, posters and campaign brochures as well as the use of social media. The candidates also attempted to gain the endorsements of the first round

¹ Due to security constraints confronted in this election, 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 mission 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.
losing candidates as well as other prominent political figures. The runoff campaign did not include candidate debates, which had helped generate broad interest in the April elections.

NDI’s observers found that polling throughout the country was largely calm and orderly. Domestic election monitors and candidate agents were present at most polling stations visited. The vast majority of polling stations opened on time and were properly equipped. The Independent Election Commission (IEC) implemented several reforms since the elections in April, including adding 2,341 new polling stations to help ensure access to the polls; excluding all first round IEC staff who had been implicated in acts of fraud or whose performance was substandard; and increasing transparency by explicitly permitting cameras and recording devices within the polling stations, as long as they did not interfere with the voting process. The IEC’s reforms, however, were sometimes controversial. Some of the criteria used for selecting the location of the new polling sites were unclear since they also included areas that did not experience ballot shortages in the first round. This fueled questions among civil society groups on whether the placement of the sites was influenced by political bias. NDI observers witnessed some violations of the election laws and regulations, such as campaigning within the polling station area and the deployment of police within the polling station. The police, however, did not appear to be interfering with the electoral process. The problems NDI observed did not appear to be widespread or systematic.

Since the counting and complaints process are still ongoing, it is too early to make a final evaluation of the electoral process. Allegations of fraud and irregularities, as well as IEC partisanship, have emerged from both presidential campaigns and civil society groups. As of time of writing, 568 complaints have been filed with the Independent Electoral Complaints Commission (IECC), and some of these involve allegations of serious misconduct. Article 62 of the Electoral Law empowers the IECC to initiate an investigation of a suspected electoral violation in the absence of a complaint. This authority can be used to address a wide range of violations including suspected misconduct of electoral staff.

Candidate teams and observer groups should closely follow the tallying of votes and processing of complaints in the weeks ahead to ensure the integrity of the election. It ultimately will be the Afghan people who determine the credibility of this election. An electoral process that has the public’s confidence greatly increases the prospects that the losing candidate will accept the result of the polls.

The next government of Afghanistan will face enormous economic, political and security challenges. Steps have already been taken by the president’s office and the presidential campaigns to facilitate the transfer of power. The international community should support these efforts, as needed, so that the new government can assume responsibility for all aspects of government as rapidly as possible.

**OBSERVATIONS AND FINDINGS**

**Runoff Preparations**

In the lead up to the runoff election, the IEC implemented several measures to improve the electoral process and address issues that affected voter participation in the first round election. Polling stations were increased to 23,136 and 40 percent of these were designated for female voters. Similar to the first round election, each polling station is designed to accommodate up to 600 voters. In response to the ballot shortage issue that affected the first round election, the IEC
publicized that all its provincial offices will have resources, equivalent to an additional 5 percent of voting materials, to put up contingency polling stations for the runoff, should they be needed.

A total of 5,380 IEC staff members from the first round were blacklisted from being employed for the runoff, due to poor performance or suspected involvement in fraudulent acts.

Candidates and Campaigns

The campaign period for the second round election ran from May 22 to June 11. Similar to the first round, all campaign activities were legally required to be discontinued 48 hours before the start of polling. The IEC timeline for the runoff mentions that preliminary results will be announced on July 2 and final results on July 22. The inauguration of a new president is expected to take place on August 2.

The three-week campaign was hotly contested. Both candidates conducted large rallies and town hall meetings in all regions of the country. They used posters, billboards and banners prominently in urban and rural areas, and utilized traditional and new media to reach out to voters. Both presidential tickets involved a range of perspectives and ethnic representation. As in the first round, candidates focused mainly on messages that reflected the general concerns of Afghans regardless of ethnicity. These included economic development, political stability and national unity. The tone of the campaign period was harsher compared to the first round, as both candidates publicly criticized the campaigns and credentials of their rivals. Unlike the first round, no televised debates were held between the two contenders.

The candidates sought and received endorsements from former presidential candidates and influential political figures. Zalmai Rassoul and Gul Agha Sherzai endorsed Abdullah while Qayum Karzai, Dawoud Sultanzoi and Qutbodin Helal endorsed Ghani.

Conduct of Voting on Election Day

NDI observers reported that over 90 percent of the polling stations visited were properly set up to enable the efficient processing of voters, election materials were kept secure, and ballot boxes were clearly visible to domestic monitors and candidate agents. Observers also noted that more than 90 percent of election personnel followed procedures properly – voter queues were organized in an orderly fashion, voter registration cards were examined, and the hands and fingers of voters were thoroughly checked for ink upon entry into the stations. Approximately 25 percent of stations visited had experienced overcrowding in the initial hours of polling day.

Procedures for the issuance of ballot papers were generally followed. Voters had the index finger of their left hand marked with indelible ink first before being issued a ballot. For the first round election, as an anti-fraud measure, both indelible ink and invisible ink (marked on the right thumb of the voter) were used. For the runoff, the use of invisible ink was not mandatory. NDI noted that less than half of the stations visited across the country had both types of ink present.

While NDI observers noted certain irregularities, they did not find systemic wrongdoing. In most stations, polling officials generally conducted closing and counting procedures according to IEC regulations. NDI also noted the presence of security personnel within many polling locations, although security officials did not appear to interfere with the voting process. About 20 percent of the stations visited had missing administrative materials such as voter registration card punching tools.
The IEC held three press conferences during the course of polling day to provide updates on the voting process. At the end of the day, the IEC publicized a turnout estimate of over 7 million voters – a figure higher than the turnout for the April elections. The commission also stated that more than 96 percent of polling stations planned were open on June 14 and over 33 percent of contingency polling stations were necessary to accommodate voter turnout.

Security

In comparison to the wave of high-profile attacks in the lead up to the April elections, the weeks preceding the runoff saw fewer security incidents. However, a major attack on Abdullah’s vehicle convoy just days before the polls, which killed six and injured several supporters accompanying Abdullah, led President Hamid Karzai to issue a statement calling for increased security for the presidential candidates.

On polling day itself, and similar to the first round election, different parts of the country experienced a number of security-related incidents. These were fewer compared to elections in previous years, but more than those that took place on April 5. On election day, the IEC identified 130 security incidents, including the death of six IEC officials. Major Afghan cities, including Kabul, experienced rocket and IED attacks in the early hours of polling day – a tactic meant to intimidate and prevent voters from going to the polls. NDI observers and domestic monitoring groups noted that although security incidents took place across the country, these attacks appeared to be unsuccessful in deterring Afghans from participating on election day in significant numbers.

Candidate Polling Agents

In advance of election day, the IEC implemented new accreditation procedures for the candidate agents of Abdullah and Ghani. Each candidate was allocated 50,000 accreditation cards and had until June 13 to provide the details of their polling agents. Ultimately, Abdullah had 42,160 (28 percent female; 72 percent male) and Ghani had 45,186 (30 percent female; 70 percent male) polling agents accredited.

On election day, polling agents for both candidates were present in nearly all polling stations observed and were able to monitor voting and counting procedures. Across various regions, some supporters of both candidates did not comply with regulations that prohibit campaigning within polling sites. Some supporters wore vests printed with candidate photos and actively sought votes while voters were in queues or as they entered polling stations. NDI observed that while many candidate polling agents complied with monitoring procedures, there were a few instances where agents interfered with the counting process and badgered polling personnel, demanding that spoiled or invalid ballots be counted as valid.

Non-Partisan Monitors

Several domestic monitoring groups were active in the lead up to the second round polls. Shortly after the IEC had announced the runoff election timeline, domestic election monitoring groups discussed lessons learned from the first round election and jointly put forward a number of recommendations to the IEC and IECC to improve the electoral process. The recommendations included: the accreditation of new observers to enable the participation of additional monitors in the runoff; and the need to ensure that observers are allowed to monitor all stages of the electoral
process, including the adjudication of complaints. In response to these recommendations, the IEC provided measures to accredit additional monitors before June 14.

On election day, members of 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) and other groups were present in most polling stations. Collectively, these monitoring groups deployed more than 18,000 observers and covered all 34 provinces. Most reported that their monitors were able to access stations and observe polling activities without hindrance. However, there were some reports of monitors being harassed in various areas, including in Kabul, Jawzjan and Herat.

ANPO, FEFA, NLO and TEFA issued statements on election day and reported on the opening of the polls, voting procedures, the closing of the polls and ballot counting. Ballot shortages were reported in several provinces including Badakshan, Bamiyan, Ghazni, Jawzjan, Kabul, Khost, Kunar, Nangarhar, Paktia and Samangan. Candidate agents who conducted campaign activities within polling stations, and some instances of serious irregularities such as ballot box stuffing, also were highlighted.

**Participation of Women and Youth**

The Ministry of Interior planned to recruit 12,846 female body searchers for the runoff election, enabling two female body searchers to be present at each polling center. On election day, 29 percent of the stations NDI observers visited did not have female searchers.

There are varied reports on the participation of female voters on polling day. Of its estimated voter turnout of 7 million, the IEC stated that 38 percent were female voters – a figure higher than the number of women who voted in the first round election. NDI observers and domestic monitors noted lower levels of female voters in various provinces, including Bamiyan, Helmand, Kabul, Kandahar, Logar, Nangarhar and Samangan. In Khost, there was a shortage of ballot papers in female polling stations. Despite preparations for voting contingency materials, no additional stations were established to address this shortage.

Similar to the first round election, there appeared to be a high degree of participation of young people as voters, monitors and candidate agents in all regions of the country.

**Electoral Complaints**

On election day, the IECC received 275 complaints, including 135 formal written complaints and 140 registered by telephone. Most of the complaints relate to the shortage of ballot papers, low quality of ink, lack of neutrality of IEC personnel, and interference of influential individuals in polling stations. According to IECC regulations, voters and candidates have 48 hours after polling day to register complaints on election-day violations. Complaints that have been filed will then be investigated within 10 days. Preliminary results of the runoff are expected to be announced on July 2, and final results on July 22.

As of the time of writing, 568 complaints have been filed with the IECC, including 141 against IEC staff.
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 for future elections in Afghanistan. For the immediate post-runoff period and in preparation for a transition to a new government, NDI offers the following, in the spirit of international cooperation:

1. **Transparency in the Electoral Process**

   The IEC and IECC should ensure that the presidential candidates and their supporters, nonpartisan observers and the broader public have easy and timely access to information on the vote tally, the processing of complaints and the results certification process. These efforts are critical in enhancing public confidence in the electoral process, strengthening the prospect that the losing candidate and his supporters will accept the results of the runoff polls.

2. **Investigation of Suspected Electoral Violations**

   For suspected electoral violations in the absence of a complaint, the IECC could consider exercising its authority under Article 62 of the Electoral Law to initiate an investigation. This authority can be used to address a wide range of violations including suspected misconduct of electoral staff.

3. **Transition Planning**

   As NDI noted in its earlier statements, the outgoing administration and the presidential candidates should continue preparations for a transition plan that will facilitate the transfer of power to a new government. This will assist the next government in rapidly assuming responsibility for all aspects of the government.

4. **Review of the 2014 Electoral Process**

   NDI commends the election bodies and domestic monitoring groups for conducting sessions to review the April 2014 elections in order to inform and improve preparations for the second round election. A similar effort could be conducted after the entire runoff process has been completed, and lessons learned from the 2014 electoral cycle could be determined and applied to preparations for the 2015 Wolesi Jirga elections.

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.

This mission is made possible through a grant funded by the United States Agency for International Development (USAID).
June 20, 2014

FOR IMMEDIATE RELEASE
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NDI EXPRESSES SERIOUS CONCERN ABOUT AFGHANISTAN RUNOFF ELECTION DISPUTE

KABUL – The National Democratic Institute (NDI) today expressed deep concern over the dispute emerging from Afghanistan’s June 14 presidential runoff election. Candidate Dr. Abdullah Abdullah has withdrawn his supporters from observing the vote tally and threatened to reject the election results, citing what he asserts is the Independent Election Commission’s (IEC’s) high estimated turnout rate as well as bias on the part of IEC officials.

NDI hopes that the ongoing electoral process would continue to be supported by all stakeholders and that every effort will be made to ensure that the vote tallying and counting, along with the complaints and adjudication process, enjoy broad confidence in order to promote the widespread acceptance of the election’s results. Election authorities and political contestants must work to preserve the important electoral gains that have been made in recent years.

NDI conducted an election assessment mission and fielded 100 Afghan staff observers on June 14 who visited 312 polling stations in 26 provinces. As in previous elections, security constraints prevented observation in all parts of the country. The NDI mission was informed by a pre-election assessment the Institute conducted in December 2013 and observation of the April elections. Other NDI programs include assistance to five Afghan election monitoring organizations that mobilized thousands of citizen monitors from across Afghanistan for the runoff.

Although the IEC has not yet released any official provincial numbers, unofficial voter turnout estimates – which were obtained from provincial IEC offices – are, in some places, significantly higher than those of the first round election. This includes provinces such as Khost and Paktika. While these findings do not necessarily indicate misconduct, they require special scrutiny to ensure the integrity of the electoral process.

Following the June 14 runoff, the Independent Electoral Complaints Commission (IECC) has received 2,558 complaints. Additional complaints may be filed after July 2, when the preliminary results are announced by the IEC. The complaints process should be conducted transparently, thoroughly and fairly, NDI said. Afghans should be confident that the results of the election truly reflect how voters freely cast their ballots. This is essential to the mandate of any government that emerges from the polls.
September 24, 2014

FOR IMMEDIATE RELEASE

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ROBUST AND PUBLIC REVIEW NEEDED FOR AFGHAN ELECTORAL REFORM

The National Democratic Institute (NDI) welcomes the conclusion of the 2014 presidential electoral process and the political agreement that enables the first democratic transfer of power in Afghanistan’s history. The establishment of the national unity government provides a critical framework for political leaders to work in tandem to address the country’s political, economic and security challenges.

NDI also commends the new government’s plan to form a special commission on electoral reform. The commission should examine the root causes of serious flaws in the electoral process and offer recommendations for reforms that, if adopted, could promote Afghan confidence in the country’s electoral and political institutions. Such reforms could include constitutional, legislative, operational and institutional aspects as well as accountability mechanisms. Political will must be exercised and adequate resources allocated to implement such reforms.

In addition to the appraisal of reforms needed to prevent the recurrence of abuses in future elections, the Afghan people deserve a full and public account of the 2014 electoral process, including timely release of all data related to the runoff audit. While electoral fraud as well as certain problems in the audit process make it impossible for any official results to precisely reflect the votes cast, evidence was not unveiled that would cause the outcome to be reversed. The review of the 2014 electoral process should include a thorough inquiry into the vulnerabilities that allowed high levels of fraud to take place, and the identification and prosecution of those responsible for it.

NDI’s election assessment mission fielded 100 Afghan staff observers in 26 provinces for the April first round elections and the June presidential runoff. The Institute mobilized 25 international and 25 Afghan observers to monitor the presidential runoff audit. The NDI mission was informed by a pre-election assessment the Institute conducted in December 2013. NDI supported the efforts of multiple domestic monitoring groups that mobilized thousands of citizen monitors for the two elections and the comprehensive audit. The Institute will issue a final report on the 2014 elections, including recommendations to strengthen the electoral process, in the near future.
APPENDIX 10:
NDI Afghanistan 2014 International Observation Mission Personnel

April 2014 Presidential and Provincial Council Elections

Country Director
EOM Manager
EOM Deputy Representative
EOM Report Coordinator
EOM Short-Term Observer Coordinator
EOM Technical Support Officer
EOM Operations Coordinator
EOM Finance and Administration Coordinators

Country Operations, Resident Director for Security

Country Operations, Resident Director for Finance and Administration

Washington DC Regional Director for Asia Programs
Washington DC Director for Afghanistan Programs

Long Term Observer/Analyst Teams – Thematic
Election Administration – IEC
Election Complaints – IECC
Electoral Security
Participation of Women and Minorities

Media

Conduct of Candidates, Parties, and Coalitions
Youth Engagement
Observer Engagement

Regional Trainer/Observer/Analyst Teams
North and Northeast Regions
Program Staff: Mohammed Edrees Masoom
Long term Observers/Regional Analysts: Nenad Marinkovic
Central and Eastern Regions
Program Staff: Najibullah Ghalib
Long term Observers/Regional Analysts: Upekshi Fernando, Sandi Gale

Central and Western Highlands Regions
Long term Observers/Regional Analysts: Luis María Duarte

South and Southeast Regions
Program Staff: Abdullah Haidari
Long term Observers/Regional Analysts: Azura Mohd Noor

2014 Audit of the Presidential Run-off Election

Country Director
EOM Analyst Coordinator
EOM Operations Coordinator
EOM Technology Advisor
EOM Data Coordinators

Ans Zwerver
Vildan Plepi
Adib Faris
Chris Doten
Phil Brondyke
Curtis Palmer

Washington DC Regional Director for Asia Programs
Washington DC Director for Afghanistan Programs

Peter Manikas
Raissa Tatad-Hazell

Long Term Observers/Analysts

Pipit Apriani
Dale Archer
Pat Atkinson
Paul Binkley
Stephen Coman
Ghada Donahue
Upekshi Fernando
Sandi Gale
Christina Hartman
Mohammed Konneh
Elmedin Kurtovic
Lauren Loveland
Paolo Maligaya
Nenad Marinkovic
Budimir Milic
Jud Nirenburg
Azura Mohd Noor
Nour Nourey

Sasha Pajevic
Shekh Mohammad Altafur Rahman
Nadia Samet
Kristine Marie Tapiz