



FREQUENTLY ASKED QUESTIONS: AUDIT-RELATED DECISION-MAKING AND DETERMINING WHICH BALLOTS ARE COUNTED

Afghanistan's Independent Election Commission (IEC) is currently conducting an audit of all ballots cast in the 2014 Presidential Election run-off. A total of 22,828 ballot boxes from all polling stations across the nation have been returned to the IEC headquarters in Kabul and every ballot cast subject to audit.

Based on audit findings, IEC Commissioners will decide whether ballot boxes should be validated, invalidated or partially invalidated. Their decisions will be implemented at the National Tally Center (NTC), where election results are tallied to determine which candidate received the majority of votes.

When will IEC Commissioners make audit decisions?

IEC Commissioners will meet at the NTC at 2pm, daily, from 25 August until all audit findings have been reviewed.

On what do IEC Commissioners base their decisions?

In making their decisions, IEC Commissioners are guided by IEC Decision 33-1393, which describes the cases in which ballots should be invalidated. Commissioners make their decisions after having reviewed all audit findings, as recorded on the audit checklist form. The audit checklist form, completed by Audit Teams during the audit process, indicates whether the contents of a ballot box are valid, invalid or partially invalid, according to Decision 33-1393. The form also provides a space in which additional comments can be provided – including comments received from candidate agents, citing unusual circumstances or drawing attention to irregularities warranting special attention.

How do IEC Commissioners ensure that their decisions are consistent and impartial?

The IEC has custom-designed and developed software to ensure that the decisions of IEC Commissioners are consistent and impartial. This software captures objective data recorded in each checklist form (mainly in the form of numbers and questions that may only be answered with “yes” or “no”). It consolidates evidence gathered during audit, indicating which boxes are valid, or need to be fully or partially invalidated, according to IEC Decision 33-1393; and IEC Commissioners will apply these criteria.

Do IEC Commissioners make a decision on every individual box?

The Commission will consider groups of boxes with similar audit findings, as detailed in NTC reports (cases in which no major irregularities were found; cases meeting criteria for invalidation; and cases meeting criteria for recount). When they feel it is necessary, the Commission may also examine individual audit checklist forms (electronic copy or original) for further clarification.

They will then make their decisions, according to the following categories:

- Decisions on ballot boxes in which no irregularities were found;

- Decisions on ballot boxes in which irregularities should lead to the invalidation of the entire polling station result;
- Decisions on ballot boxes in which irregularities should lead to a recount (the result of which should be determined in the meeting on the following day);
- Decisions on recount of ballot boxes identified for recount, the day prior;
- Decisions on the result of ballot boxes that are lost or missing, damaged or destroyed; and
- Decisions on polling stations which, as defined by the IEC, do not fall under any other category.

What measures are in place to ensure the integrity of IEC Commission decisions?

United Nations (UN) Advisory

In accord with IEC Decision 37-1393, “The United Nations (UN) will provide advice, based on international best practices, to the Commission, throughout the entirety of the audit process.” The UN will be present in the decision-making forum, in order to provide advice, upon request of the Commission.

Open Forum

According to the Law on Structure, Duties and Authorities of the IEC and the Independent Electoral Complaints Commission (IECC), Article 12, audit decisions are to be made in an open forum, in the presence of candidate agents, observers and media. To enable those present to carefully follow the decision-making process, all documents used by Commissioners will be displayed in large format on the meeting room wall, with the use of an LCD projector.

Transparency and Impartiality

IEC Decision 37-1393 cites the importance of exercising regional balance, and the IEC Chief Executive Officer will employ this principle as he determines which ballot boxes will be presented for decision making, each day:

In each Commission meeting, polling stations of different provinces across the country will be processed. The intake sequencing process for deciding on polling station cases will be conducted in a balanced manner, with polling stations identified for data entry and adjudication selected for parity between areas of traditional strength between the two Presidential candidates.

The IEC will announce the polling station cases on which it will make decisions, 24 hours in advance, on its website (www.iec.org.af/).

Justification of Decisions

All IEC decisions (to validate existing results, approve of the conduct of a recount or exclude any polling station results) will be posted on the IEC website, daily. Moreover, the IEC must clearly explain the reasons for its decisions.

Publication of Results

Periodically, quantifiable (numeric) results of validation, recount/partial-invalidity, and invalidity will be posted on the IEC website, in a matrix that enables users to compare new polling station results to those announced prior to the audit.

Can candidate agents or observers raise questions or voice objections during a decision-making session?

Having had the opportunity to raise questions during the audit process, agents and observers should refrain from comment or interaction with those involved in the decision-making process. Respecting the role of Commissioners and the need for their careful attention to the task at hand, no candidate agent, observer or member of the media should cause distraction or interfere in the decision-making process.

What if candidates or their agents do not agree with the decisions of the IEC Commission?

According to the Afghan Electoral Law, either candidate or any of their agents may lodge an official complaint to the IECC within 24 hours of Commissioners having published their decisions. The IECC is required to address that complaint within 48 hours of receipt.

How will the audit affect election results?

Only ballots declared valid by IEC Commissioners will be included in the tally of Presidential Election results. This could mean that figures are different than those previously announced; and will also ensure that results more accurately reflect the choices of Afghan voters.

When will election final results be announced?

Once the audit and decision-making processes are complete and results are tallied at the National Tally Center, the IECC will complete its adjudication of electoral complaints. After the IEC has received recommendations from the IECC, the IEC will announce final election results.

Will both Presidential candidates accept the outcome of results?

On 12 July, in a meeting facilitated by US Secretary of State, John Kerry, both Presidential candidates agreed to a complete audit of results of the 14 June Presidential run-off election. This complete audit is a means to separate valid from invalid votes and, ultimately, to determine the will of Afghan voters, as expressed on their ballots. In addition to agreeing to participate in the audit, the candidates also agreed to accept its results, and to form a government of national unity.