



Joint Electoral Management Body

Regulation on Polling

The Joint Electoral Management Body (JEMB), pursuant to the authority granted to it by Articles 45, 56 and 57 of the Electoral Law and by Presidential Decree No. 24 *on Holding Wolesi Jirga, Provincial, and District Council Elections* of 7 June 2005, issues the following Regulation on Polling:

Article 1

Polling Locations

Polling shall be conducted throughout the country at Polling Centers and Stations established by Decision of the JEMB.

Article 2

Right to Vote

- 1) A person presenting a valid Voter Registration Card may vote at a polling facility serving the constituency for which the voter is registered, in accordance with procedures issued by the JEMB.
- 2) The JEMB may establish special rules to facilitate voting by specific groups of voters.

Article 3

Polling Times

- 1) Polling facilities shall open at 07:00 hours and close at 16:00 hours on the day of the election.
- 2) Any eligible person who is in the queue to vote at a polling facility at its closing time shall be allowed to vote on that day. No person may join the queue to vote after the Polling Station closing time.

- 3) The JEMB may issue a Decision extending the polling time at a polling facility if that would best serve the interests of the electoral process.

Article 4

Polling Officials

- 1) Polling shall be conducted by polling officials directed by Polling Center Chairpersons and Polling Station Supervisors.
- 2) The Polling Station Supervisor may:
 - a) order an accredited Observer, Candidate and Political Party Agent, or Media representative to leave a polling station if, in his or her opinion, the Observer, Candidate and Political Party Agent, or Media representative has violated the Electoral Law, an applicable Regulation, or Code of Conduct, or any lawful instruction from a JEMBS official; and
 - b) limit the number of accredited Observers, Candidate and Political Party Agents, or Media representatives who may access an a polling station for reasons of safety or space, provided that he or she establishes a schedule or other method of ensuring that Observers, Candidate and Political Party Agents, and Media representatives have equitable access to the Polling Station.
- 3) The Polling Center Chairperson:
 - a) may suspend polling at a particular Polling Center or Polling Station if it is threatened by riot, violence, storm, flood, or any other contingency that makes the proper conduct of polling impossible;
 - b) may extend the polling time at a particular Polling Center or Polling Station if polling has been suspended pursuant to Article 4(3)(a), for a time not to exceed the amount of time polling was actually suspended, provided that doing so would best serve the interests of the electoral process; and
 - c) must communicate any decision made in accordance with sub-paragraphs (a) or (b) above to the JEMBS Provincial Electoral Officer as soon as possible.

Article 5

Polling Station Journal

Each Polling Station shall have a Polling Station Journal, which shall contain a record of complaints and objections made to the Polling Station Supervisor, any decisions or orders made by the Polling Station Supervisor, and any other important information or incident regarding the conduct of polling.

Article 6

Persons Authorized to be in the Polling Center and Polling Station

- (1) No person may enter or remain in a polling facility except:
 - a) polling officials, JEMB members, ECC members, and authorized JEMBS and ECC staff;
 - b) PEC members;
 - c) voters with a valid Voter Registration Card for the purpose of voting;
 - d) accredited Media Representatives;
 - e) registered Candidate and Political Party Agents and Observers;
 - f) guests specially authorized by the JEMB;
 - g) persons authorized to assist disabled voters in accordance with Article 9; and
 - h) on duty police officers or duly authorized security officials upon invitation by a Polling Center Chairperson.
- (2) No person present in the polling facility shall do anything to compromise the secrecy of the vote.

Article 7

Verification of Voter Eligibility

- 1) Polling officials shall verify the eligibility of each prospective voter and record the serial number from each eligible voter's registration card before delivering a ballot to the voter.
- 2) Polling Officials shall not record any other information specifically identifying the voter.

Article 8

Objections to Voter Entitlement

- 1) Registered Candidate and Political Party Agents may raise an objection regarding a voter's entitlement to vote with a Polling Station Supervisor before that voter receives a ballot, whereupon the Polling Station Supervisor shall issue a decision regarding the objection and record such objection, decision, and reason for the decision in the Voting Station Journal.
- 2) Persons who are not satisfied with a decision regarding an objection shall not object any further, but may file a complaint with the Electoral Complaints Commission in accordance with its procedures.

Article 9

Casting a Ballot

- 1) A voter shall mark his or her ballot in secret.
- 2) Polling officials shall provide information to voters before they enter behind the voting screen on how to mark and cast their ballot, but shall not in any way attempt to influence a voter's choice.
- 3) A voter who is disabled may request and receive assistance to mark a ballot from another competent person of his or her choosing including, if necessary, a Polling Station Supervisor, as follows:

- a) A person assisting a disabled voter will mark the ballot in the voter's presence and indicate the voter's will.
 - b) No person except for the Polling Station Supervisor may assist more than two disabled voters.
 - c) Any assistance given to a voter in accordance with this Article shall be recorded in the Polling Station Journal.
 - d) The person giving assistance must not communicate the voter's choice to anyone at any time.
- (4) Each voter shall receive an indelible ink mark on their finger before casting a ballot. Any individual with such a mark shall not be permitted to enter a polling station or polling station queue unless they are authorized to assist a disabled voter.
- (5) Voters may each cast no more than one ballot for the Wolesi Jirga election and no more than one ballot for the Provincial Council election.
- (6) Registered Kuchi voters may each cast no more than one ballot for the Wolesi Jirga election and may not cast a ballot for any Provincial Council election.
- (7) The ballot issuer shall issue a replacement ballot to a voter if a ballot is spoiled, upon return of the spoiled ballot.

Article 10

After Polling

- 1) After the last ballot has been cast, the Polling Station Supervisor shall seal the ballot boxes, secure the voting materials, and account for the ballots in accordance with JEMB procedures.
- 2) After a ballot box and voting materials are sealed, secured, and recorded in accordance with applicable procedures they shall be transported to designated Counting Centers.
- 3) Ballot accounting, ballot box sealing, and transportation of the ballots to the designated Counting Centers may be observed by registered Observers, Candidate and Political Party Agents, and accredited Media Representatives.

Article 11

Complaints

Except for objections under Article 8, complaints regarding the voting process shall be made to the Electoral Complaints Commission in accordance with its procedures.

Article 12

Entry Into Force

This Regulation shall enter into force on the day of its signature.