



Islamic Republic of Afghanistan Independent Election Commission

Vote Counting Regulation

Legal Base:

This regulation is approved by the Independent Election Commission of Afghanistan (hereafter, the Commission) according to Article (79) of the Electoral Law.

Objective:

Considering Article (57) of the Electoral Law, this regulation is intended to regulate affairs related to counting of votes in the presidential and provincial councils' elections (2014).

Vote Counting

Article 1:

Vote counting shall be conducted on polling stations' level in the previously declared polling centers by the Commission.

Vote Counting Staff

Article 2:

- (1) The vote counting staff is the polling stations' staff who shall count the ballots in the polling stations after the voting process ends.
- (2) The polling station chairperson according to procedures of the Commission shall have the responsibility of leading the station and ensuring the accurate implementation of vote counting process.

Vote Counting Station Journal

Article 3:

Each vote counting station shall have a journal. The journal contains information about the complaints filed in the station, measures taken accordingly and the key incidents/cases taken place in the station that are regularly and timely recorded by the chairperson.

Attending Vote Counting Stations

Article 4:

No one except the below mentioned individuals, are authorized to attend the vote counting station:

1. Assigned vote counting staff, members of the Commission and the staff assigned by the Independent Election Commission Secretariat (IECS).
2. Representatives of the Electoral Complaints' Commission (ECC).
3. Agents and national and international observers as well as accredited representatives of media.
4. Special guests introduced by the Commission.
5. Security staff permitted by chairperson of the station

6. In 500 meters around the polling station, no one shall be allowed to appear with stab and fire weapons except the security staff authorized by the Ministry of Interior (MoI).

Agents, Observers, Media Representatives and Special Guests

Article 5:

- (1) Agents, observers, media representatives and special guests while attending vote counting stations shall respect secrecy of vote and shall not interrupt or cause delay of vote counting process.
- (2) Station chairperson is authorized in the cases mentioned below:
 - a. In case of violation of the Constitution, the Electoral Law, regulations and other documents approved by the Commission, the chairperson is authorized after confirmation of the polling center manager (PCM) to ask agents, observers, media representatives and special guests to leave the station.
 - b. In case of overcrowd of observers, media representatives and special guests, the chairperson shall take necessary measures to ensure their equal attendance in vote counting station.
- (3) Agents, observers, media representatives and special guests shall not have access to the documents and electoral materials unless the Commission's procedure predicts otherwise.

Reconciliation of Ballots

Article 6:

- (1) Vote counting station staff shall be required to present the ballot boxes to the full sight of the present bodies mentioned in article (4) except paragraph (6) of Article (4) of this regulation.
- (2) Vote counting station staff shall be required to categorize the ballots inside the boxes according to related procedures, as the following prior to everything:
 - a. Valid Ballots: Ballots used according to the procedures of the Commission in which the purpose of a voter is clearly marked.
 - b. Invalid Ballots: Ballots shall be considered invalid in the following conditions:
 - i. The ballot in which the purpose of the voter is not clearly marked
 - ii. The ballot which doesn't have the official stamp of the Commission
 - iii. The ballot which reveals the identity of the voter
 - iv. The ballot on which additional writing is done or signed
 - v. The ballots not distributed by the Commission and do not have the appearance of the original ballot
 - vi. The ballots torn in a way that the information of a candidate including the ticking box is completely removed.
 - c. White Ballots: Ballots cast without voting/putting a tick mark on the ticking box.

Further information related to categorizing the ballots is provided in the relevant procedure.

Vote Counting

Article 7:

A station's staff shall conduct vote counting considering the following standards:

- a. Facilitating the observation and monitoring of the vote counting process in the station for the persons mentioned in Article (4), except paragraph (5) of that article.
- b. Facilitating the at most transparency of the vote counting process.
- c. Vote counting according to the principles predicted in procedures of the Commission.

Managing Irregularities

Article 8:

- (1) The IECS, in its procedures, shall take all appropriate measures to ensure transparency of the process and prevent any misuse of authority.
- (2) Issues of irregularity and infringement on vote counting stations' levels, shall be first considered by the station's chairperson and PCM. In case the adjudication results done by the chairperson and PCM is not approved by the agents in the station, once the vote counting process ends, they shall have the right to file their complaint with ECC.

End of Vote Counting

Article 9:

- (1) Upon completion of the vote counting process, the station's chairperson shall record the results in the relevant form and receive signatures of all assigned candidates' agents on it, in the station. In case the agents are not present, the issue shall be recorded in the journal and approved by the PCM.
- (2) Making several copies of the result form and distribution method shall be regulated by the relevant procedure.
- (3) The PCM, shall put all the original result forms of vote counting related to polling stations (PSs) along with the documents specified in the relevant procedures in the temper evident bag (TEB) and would submit it sealed to the district field coordinator (DFC) to be transferred to the provincial office (PO) of the Commission.

Transferring Result Forms to National Tally Center

Article 10:

Provincial electoral officers shall send the temper evident bags (TEB) containing the forms and documents related to results of vote counting to the National Tally Center (NTC), Kabul after ensuring with reference to accuracy of the information presented on back of the bags. Method for evaluation and dispatch of TEBs shall be regulated through a separate procedure.

Entry into force

Article 11:

This regulation shall enter into force by the time it is approved and shall be published.