



Press-Statement

Sunday, October 21, 2018

Kabul, Afghanistan

First of all, we thank the Afghan citizens, observers, and the media for their greater role in the process. The widespread public participation of committed Afghan citizens' is highly appreciated. Despite serious security threats and management shortcomings, the Afghans went to the polls to cast their votes in favor of democracy and a legal government. The meaningful public participation in the elections was a sign of political growth and development in the country and herald a better future for Afghanistan. Survival of democracy depends on widespread public participation in the democratic process and decision makings.

We hearty thank the brave and devoted Afghan security forces for the efforts they made to provide security of elections. For the first time, the Afghan security forces managed to provide security of elections without the cooperation of foreign forces. However, the terrorists put all efforts to destabilize the process but fortunately the Afghan security forces didn't allow them to achieve their ominous goal. The ability and commitment of the Afghan security forces enhanced public trust.

We pray for the martyrs and hope the injured get well soon. We appreciate and thank the FEFA volunteer observers and all its staffs, civil institutions, political parties, and the ones who took step to enhance transparency and legitimacy of elections. Despite all the difficulties and limitations, they monitored the voting process and accurately recorded and reported the shortcomings, violations, and electoral crimes. The role of the people, security forces and civil society institutions is very important in such process. We hope to institutionalize the culture of political participation in the country.

The second word is with the Independent Election Commission (IEC) and the Independent Electoral Complaints Commission (IECC). Unfortunately, the IEC was unable to meet the expectations of the people and election observation organizations. Minor shortcomings and problems are natural parts of the process but the extent and volume of yesterday's shortcomings and failures and final extension of the polling process for one day was unimaginable and unexpected.

The IEC experienced the bitter taste of failure in terms of management and technicality and imposed it on the people as well. The monitoring findings of FEFA's observers, election watchdog organizations, media and the people suggest mismanage and technical/operational failure. However, the IEC had promised to take conduct a better election but FEFA repeatedly warned of poor planning of IEC for conducting the elections. Unfortunately, the Election Day's turmoil has cast a shadow over the passionate epic of people and the great devotion of the security forces of the country.

We briefly highlight some shortcomings of the process:

1. Dysfunction and absence of the biometric devices: IEC had promised to utilize 22 thousand biometric devices in all polling stations across the country but biometric devices weren't utilized in all polling stations. Some devices were mistakenly transferred to other centers or provinces. Printers of the biometric devices were not working properly or required QR code. Additionally, the batteries of biometric devices could keep the charge for a few hours and then failed to operate. Failure of the biometric devices led to the closure of some polling stations. However, the voters' list was used instead of the biometric devices in some stations. Unfamiliarity of polling staffs to utilize the biometric devices was another considerable problem observed by FEFA.

2. Shortage of elections materials: Generally, all the provinces have been affected by the shortage or transfer of wrong packages of materials. Shortage of biometrics devices, voter's lists, journals, markers and ballot papers negatively impinged upon a considerable number of polling stations. Lack of receiving electoral materials was the most common problem which delayed the opening of some stations.

Hundreds of voters waited for hours behind the closed doors of the polling stations to cast their votes but the stations were not open. The polling workers were attributing the problem to the leadership of the IEC. In some polling centers, due to excessive breakdown of affairs, the staff of the polling centers had to leave the centers in order to be saved from wrath of the people. Shortage material was not limited to remote hard terrain provinces. Dozens of polling centers remained closed for several hours, in the closest geographical distances, without any security or physical obstacles or have not been opened at all. The transfer of materials have other common phenomena that have disrupted the voting process. For example, the voter's list of *Ghorian* district of Herat province was transferred to Wars district of Bamyan province, biometrics devices of Farah province were sent to sub-districts of Kabul.

3. Delays in the opening: According to the monitoring findings, some citizens were at the gates of the polling centers at 7:00 am, but only a few centers began to work at their appointed time. The long delay in the opening of many centers, in addition to creating serious trouble for the present voters, has also caused a general frustration reduction in the number of voters and the deprivation of a large number of voters. Extending polling hours, of course, could not fully compensate for this defect, since in most areas, waiting in the queue after the darkening of the air, was difficult to increase with cold and lack of brightness.

4. Lack of publishing the voters' list and its impacts: According to Article 72 of the Election Law, it is necessary to establish a ballot list in the polling stations few days prior to the election, in order to pave the grounds for evaluation and amendment of the list and the protests of the plaintiff citizens. But the commission did not do this. Eventually, it resulted in prolonging the process of voters' identification. In addition, the voter's list that was made available to Commission staff, in many cases have been incomplete. In some of the centers, names have not been listed in a special alphabetical manner, a number of names were not found in the existing alphabetical list, or the number of the stickers were different from the ones on the list. Many people had to visit several places to find their names, but eventually, they left the center with despair and without voting. The pre-review of this list could have prevented this difficulty and disorder.

5. Security Threats: A large portion of the temporary electoral staffs have been selected among the school teachers or employees of Ministry of Education. In some parts of the country, these people faced high-security threats. It was necessary for the Commission to identify vulnerable neighborhoods and to coordinate with the security agencies for their protection. Unfortunately, as expected, IEC staffs were directly threatened in a number of areas and are likely to face a security constraint in the future. In addition to long-term threats, unfortunately, yesterday's security incidents have also inflicted the casualties to observers.

6. Violating the principle of impartiality by IEC staffs: IEC staffs in a number of centers have obviously worked in favor of particular candidates. Using a biometric device for a group brought by a particular candidate to the center and refusing to use it for other people, giving priority to certain individuals during the polling process, not paying attention to their documents, permitting direct and indirect campaign for specific candidates and others are examples of violating the principle of impartiality by IEC staffs, which have been observed in a number of centers. Some employees, because of their family affiliation with a number of candidates, have endangered the IEC's impartiality principle.

7. Influence / Interventions of power brokers: Direct observation by FEFA's observers suggest that in some polling centers, local influencers and irresponsible armed groups have threatened voters to vote for a particular candidate. The observers have noticed distribution of money to people to vote in favor of specific candidates. Contrary to the principle of competition and free choice, a number of citizens have been affected by the influence and threat of particular groups or been deprived of their right to vote.

8. **Prevention of observation:** In many cases, security forces or IEC staffs have prevented the presence of FEFA observers and other civil society organizations, political groups and candidates' observers. This is a clear violation of the law and a factor in increasing the likelihood of fraud. In some centers, observers have been

expelled from the polling stations by force and with grievance. This prevention has taken place in both polling and vote counting. In a number of cases, observers and monitors have been told that the vote boxes will be opened and counted tomorrow, but an hour after the departure of observers from the polling place the votes have been counted. This indicates the lack of proper communication to the security authorities and the lack of training of the Commission staff.

9. **Lack of order/balance in the number of Candidate Observers:** A number of candidates had appointed several observers at the same center but not prevented by the IEC's staff. This number sometimes reached 10 to 20 observers of for a candidate in one polling center. While a number of candidates have been told that, they have the right to introduce only 100 observers. This, in addition to the violation of balance and fairness, has paved the way for irregularity and chaos. In a number of centers, the number of observers has number of v been more than the number of present voters and has contributed to an increase in irregularities and maladministration.

10. **Problem in the ballot profile:** A sample ballot was issued prior to the election for public awareness and candidate screenings, but on Election Day it became clear that in some provinces the name, electoral symbol or photo of some candidates were changed. For this reason, some supporters of the candidates were not able to vote for their favorite candidate.

11. **The dysfunction of operational room:** The operating room lacked the capacity needed to properly manage this complex process. At the very early hours of the day, it became clear that the IEC was unable to resolve the problems. The follow-up cases, the immediate reports of which were sent to the IEC, showed that the IEC had not taken any further steps to resolve the problems. FEFA and other civil and political institutions have proposed and made recommendations to the Commission on better management and more detailed planning, but the IEC overlooked the prospect of possible challenges and did not prepare enough for the prospect. Lack of preparation for emergency situations should be a useful experience for the future planning of the Commission, but unfortunately, the process that people have been waiting for, for years was weak.

12. **Illegal extension of the polling process:** Extension of the electoral process for the second day is explicitly against the paragraph (1), Article 84 of the Election Law, and increases the probability of fraud and violation. Although the current situation is against the practice, the IEC needs to take the necessary measures to protect the citizens' votes and prevent fraud in the second day, vote count and transferring ballot papers and execute them decisively.

13. **Delay in vote counting:** In accordance with law, vote count in polling stations must start immediately after the end of the voting period, and the results of votes should be registered and copies of them should be given to observers and placed at the polling station. Yesterday evening, unfortunately, in many neighborhoods, the counting of votes didn't take place and postponed to the second day. Considering the fact of committing fraud in within this period, this was illegal and extremely alarming.

14. **Fraud:** Unfortunately, there have been many gaps for committing fraud. The polling procedure recommends that the IEC staffs shall show the empty ballot boxes to the observers before voting begins so that everyone can be sure of the vacancy. Unfortunately, the prohibition of monitoring in some polling stations increased the potential for fraud. In a number of other centers, the ballot boxes contained ballot papers before the start of the polling, which is clearly against the law and explicit fraud. Although the reports that came to us have not yet been fully validated, cases fill out ballot boxes away from the eyes of observers and transfer them to polling centers have been reported. Another factor which paves the ground for fraud is the unregistered names of voters. Discrepancies in the biometrics, the ballot list, or the secondary list containing the sticker codes provide the grounds for the presence and vote of people with fake stickers. This is generally facilitated by a number of influential candidates. Now it's virtually impossible to trace who has voted because the ballot list is incomplete in many centers, the biometric devices contains only a fraction of the information, and the secondary list is not

the main basis for voting. This paves the way for illegal voting and there was no technical mechanism for tracking voters and linking them to the number of those who had previously registered.

In the last word, considering the above cases, what the IEC can do now is to prevent the spread of fraud and protect the safety bags. These boxes contain ballot papers and must be transferred

to the commission's office and stored in the database as soon as possible. This reduces the likelihood of future fraud and prevents further invalidity of the process. In addition, the received complains that contains serious cases that the commission must respond to. Citizens' complaints and protests, and reports from observers' reveal things that, if not addressed, will undermine the credibility of the whole process. On the other hand, attempts to revive people's confidence can reduce the effects of disability and maladministration, otherwise, in addition to the fact that the great process of elections is questioned and the country's political stability is undermined, it will further affect the credibility and performance of the commission.

In addition to what was said about the inability and weakness of the IEC administration, the ECC did not do well to monitor and receive complaints. Making a complaint file that does not even require a complicated planning formulation or extensive logistics, has encountered a problem. In most polling stations, polling agents were not able to get complaint forms from the representatives of the Electoral Complaints Commission. In many cases, people were told to write their complaints on plain white paper, while according to the law, time complaints were tracked through an official channel, using standard forms and specifications. To compensate for this, the Independent Election Commission (IEC) needs to provide facilities to complaints of all citizens, observers, and candidates during the statutory period. In addition, addressing the complaints must be prompt, serious, and accurate in order to heal part of the burden of yesterday's and today's mismanagement.

We call on candidates, polling agents, political parties and citizens of the country to present the relevant complaints to the Electoral Complaint Commission ECC with evidence and documents available. This is the right of the stakeholders to challenge and, on the other hand, is the right of citizen to be responded by the decision-makers, and in fact, it helps protect the genuine vote of the people and promote democracy.

Although the polling is officially ending today, but the election process is not over. The addressing of complaints, the vote counting and announcement of the results are another important steps that require the attention, precision, and determination of the IEC and ECC. We call on the EMBs and all stakeholders to further engage in the process with the commitment and precision of the next steps in order to properly carry out the mission of maintaining and strengthening democracy in the country.

FEFA is Dedicated to Promote Transparent Democratic Process in Afghanistan.

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