



بنیاد انتخابات شفاف افغانستان
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Transparent Election Foundation of Afghanistan

TEFA's observation findings from the 2019 electoral changes occurred during the last two months

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Transparent Election Foundation of Afghanistan finds IEC's post-2019 E-Day workflow problematic and scattered.

TEFA's findings have revealed that IEC, despite all preparations held for the 2019 E-Day, failed to articulate its work for the ballot counting and on-time announcement of the election results, thus proved thoroughly disabled to properly manage post E-Day phases, resulting in breach of electoral law, procedures and calendar.

Election as a national process requires synergized contributions by all election stakeholders, but unfortunately, prior to the 2019 E-Day, IEC, with impeccable so called confidence, ensured all stakeholders of sufficient preparations for the 2019 elections, and thereby underestimating suggestions and recommendations and contradictions of observer groups, presidential candidates, political parties, and media, and it continues as IEC is now struck by a plethora of challenges, it tries to avoid concrete suggestions proposed by the stakeholders, which has formed a climate of mistrust that tries to push the stakeholders out of the electoral big picture.

Lack of preliminary and final results of elections according to the election calendar, breach of law, cessation in IEC's work in a certain number of provinces, electoral data being withheld, no proper consideration given to complaints adjudication on ballot audit and recount, and overloaded obscurities in the current electoral conditions is purely concern-worthy and has held IEC's work clearly questionable for the general public, domestic and international organizations.

TEFA as a domestic oversight body, during the last 2 months, has found the following matters with the highest rate of adverse impact on EMBs' operations:

1. Managerial setbacks in IEC's technical and professional assignments.
2. Disclosing contradictory statistics on voters' turnout in the 2019 elections, as originally, IEC valued voters' turnout by 2.6 million, followed by a reduction that concluded with merely 1.9m, and so on; leaving the actual rate of voter turnout with a clear segregation by male and female a puzzle yet to be solved.
3. Ambiguities on the use of back-up biometric devices on the 2019 E-Day; it is as because originally IEC had claimed that a significantly small number of back-up devices were used on E-Day; however, now disputes are emerging on 137,000 votes registered with the allegedly less-used back-up devices.
4. Validating votes casted outside the voting timeframe, and IEC's inability to justify or rationalize their decision.

5. DERMALOG Company's failure in being accountable to Afghan election management bodies.
6. Interventions made by a number of foreign organizations and countries in EMBs' operations.
7. Influence exerted on EMBs by presidential tickets.

Moreover, TEFA's observation findings show that during this period, IEC has done decisions and carried out such activities which have been against the electoral law and procedures, and there even have been cases where legal advices have been entirely neglected by the election commission resulting in the following problems:

1. Violation of the first election calendar, where the preliminary results were due by 19.Oct.2019.
2. Violation of the election calendar for the second time, where results announcement was due by 14.Nov.2019.
3. Withholding electoral data, while article 19 of the election law clearly stresses on ballots with biometric verification.
4. Lack of complaints adjudication corresponding to electoral violations, malpractices and fraud.

TEFA's observation findings also depict that IEC has no reliable mechanism for validating votes in the ballot recount and audit process, which is why a significant number of presidential tickets boycotted the recount and audit process, leaving IEC puzzled with no clue on how to legally content them.

Lack of mutual understanding and consensus among IEC commissioners and secretariat, lack of commissioners' punctuality, absenteeism, lack of technical capacity among IEC members to monitor IEC's secretariat, and time wasted by IEC secretary in disseminating electoral reports, are amongst the reasons why IEC has functioned so very poorly till date.

While all partner states and organizations are here to support transparent elections, TEFA, recommends the following for addressing the existing problems and taking the 2019 to an acceptable conclusion:

1. There has to be a legal and technical summit between the United Nations and Afghan election stakeholders including EMBs, presidential tickets, observer bodies, and political parties telecasted live by mass media for devising ways by which the current electoral crisis could be solved.
2. EMBs are responsible for announcing the election results with pure impartiality and away from all such political, tribal and other discriminations, whereby the results are expected to be characterized by biometric specifications including finger print, photo, copy of Nation ID, QR code and sticker.
3. Even though the international community is currently predominantly focused on the peace process, it is for them a reminder not to neglect elections and continue contributing their fair share in solving the 2019 electoral puzzle.
4. TEFA calls upon election stakeholders to work together on providing room for a legal, and transparent ballot recount and audit process, and to refrain from all sorts of interventions in IEC's operations, so that results are announced as due.
5. IEC's decision making processes need to public so that trust in IEC is restored.