



Islamic Republic of Afghanistan Independent Election Commission

Decision of Independent Election Commission

Decision No:	1393-45
Subject:	Review of result forms from specified polling stations of run-off presidential election
Responsible Authority:	Independent Election Commission Secretariat
Date and Location of Meeting:	September 7, 2014, IEC HQ
Members Present:	Dr. Ahmad Yousuf Nuristani, Mr. Abdul Rahman Hotaki, Ms. Gulalay Asakzai, Mr. Sareer Ahmad Barmak, Prof. Mohammad Hussain Gurziwani, Mr. Muhammad Aziz Bakhtiari, Jurist Sulaiman Hamid, Ms. Laila Ahrari, and Ms. Sharifa Zarmati Wardak

Under Article 13 of the Structural Law of the IEC and IECC and Articles 58, 59 of the Election Law and Afghan Presidential Election Technical Framework agreed upon by both candidates of the run-off election with the mediation of the United Nations, and with reference to the following decisions:

- The IEC Decision No 27 on 100% audit of run-off election ballot boxes
- Procedure for audit and recount of run-off election ballots
- The IEC Decision No 33 on criteria for recount and invalidation of run-off election ballots
- The IEC Decision No 37 on audit and recount of ballot boxes in run-off election
- The IECAudit Procedure Clarification dated August 8 and 18, 2014

The Independent Election Commission decided as follows:

1) Review of result forms of specified group of Polling Stations in run-off elections

Result forms of specified group of Polling Stations in 2014 run-off presidential election shall be reviewed in the following cases:

- a) If the candidates' claim of fraud against a set of polling stations accompanied with evidences and proofs.

- b) If the complaint includes proof of obvious tampering with the result form such as forged signature or similar signature in those polling stations, or any other evidences that indicate tampering with the result forms and in the case that is a general issue in all polling stations of the group.
- c) If the specified polling stations in that group include more than one polling center.

2) Excluding the results of a specified group of polling stations from vote count process if there is obvious sign of tampering with the result forms.

After reviewing result forms of a specified group of polling station, completed result of each polling station in the relevant specified group shall be excluded from the vote count process if:

- a) At least one of the ballot boxes in the group of polling stations has already been excluded from vote count process by the IEC, based on its Decisions 33 and 37 regarding audit process, or
- b) At least one third of the ballot boxes in the group of polling stations has already been recounted, based on the IEC Decisions 33 and 37 regarding audit process, and as a result of recount, the irregularities and vast fraud was found there.

3) Creating a review panel

Reviewing result forms of a specified group of polling station shall be carried out by one or more review panels including senior staff of the IEC secretariat and UN advisors. Of course some other staff members shall be designated for providing assistance.

Observers who obtained credential will be informed of the review panel's performance and they will be allowed to introduce a person to observe meetings of the panel.

The Media that have obtained credential will be allowed to attend the meetings of the review panel and to inform the public of its work.

Review panel during its work shall refer to the information of the check lists which have provided during audit process and also to audit database which is based on the IEC Decision 37. The panel can also refer to other relevant information available to IEC or other groups relevant to the specified polling station.

In the case of claiming similar signatures on different result forms, the review panel will determine whether there is a really valid and procedural basis for justification of similar signatures on different result forms.

4) Recommendations for review Panel

The review panel will present its recommendations regarding decision about each group of polling stations to the Commission.

The review panel will be responsible for presenting its recommendations to the Commission stating that it has identified the following issues based on the evidences available:

- i) Whether there is obvious evidence of tampering with the result forms in a group of polling stations of more than one polling center and whether there is really valid and procedural basis for justification of similar signature on different result forms.
- ii) Whether audit database approves that at least one of the polling stations in the relevant group, based on one of the IEC Decisions, invalidated or at least one third of the mentioned group of polling stations indicating irregularities and fraud has been recounted.

In agreement with the Decision	Name of Members	In opposition to the Decision
	Dr. Ahmad Yousuf Nuristani	
	Mr. Abdul Rahman Hotaki	
	Ms. Gulalay Asakzai	
	Mr. Sareer Ahmad Barmak	
	Prof. Mohammad Hussain Gurziwani	
	Mr. Muhammad Aziz Bakhtiari	
	Jurist Sulaiman Hamid	
	Ms. Laila Ahrari	
	Ms. Sharifa Zarmati Wardak	