



Islamic Republic of Afghanistan Independent Election Commission

Regulation on Cancellation and Invalidation of the Votes as a Result of the Audit and Investigation

Basis:

This regulation is enacted pursuant to the article (79) of the Election Law, by the Independent Election Commission (hereinafter referred to as the Commission).

Objective:

This regulation, while taking into account the essence of articles 58 and 65 of the Election Law, regulates affairs related to the cancellation and invalidation of the votes based on the results of the audit and investigation of the ballot boxes containing the votes of the 2014 presidential and provincial council candidates, carried out in the field based on the decision of the Commission.

Audit and Investigation:

Article 1:

The audit and investigation process is normally carried out to confirm the correctness and incorrectness of the allegation and the matter of suspicion. Because, as a result of the audit and investigation, the real facts are explored and clarified.

Cancellation of the Votes of a Candidate

Article 2:

The votes of a candidate are cancelled in the following conditions:

1. In case, the candidate and or his/her first degree relatives take possession of the electoral materials and ballot boxes with force in a way that others cannot make use of them.
2. Use of fire arms or injuring tools in order to gain benefit or to disrupt the electoral process.
3. Existence of evidence in regard to offering or giving bribe.



Islamic Republic of Afghanistan Independent Election Commission

4. Using the voting cards of other persons collectively, in the absence of the holders of the cards.

Instances of Invalidation of Votes of a Station

Article 3:

1. Marking of one hundred ballot papers with one marker.
2. Unfolded ballot papers in favor of a candidate.
3. Ballot papers marked in favor of a candidate, but not torn off from the stub.
4. Similar or identical tick marks on the ballot papers, with 1 % of tolerance.
5. The ballot box is not sealed, or is intentionally damaged.
6. In case the reports of the provincial electoral commissions, DFCs, Candidates, agents and observers are proved to be true in regard to the existence of irregularities, intimidation and beatenning of the electoral staff by the candidates and or their supporters.
7. Marking of the ballot papers contrary to the regulations of the Commission.
8. The back of the ballot papers are not stamped.
9. Interference of irrelevant persons in the electoral process within the polling center or station.
10. In case the female polling stations have beyond the limits the most casted votes compared to the male polling stations in the same center.
11. Falsification in the result form, in which the entered number of votes and the reconciliation part of the form has been intentionally changed in favor of a candidate.
12. Entry of results on any other type of paper, except for the results form prepared by the Commission.
13. Evidence of adding votes of candidates who have withdrawn or of other candidates in favor of another candidate.



**Islamic Republic of Afghanistan
Independent Election Commission**

14. Any other instances, that the Commission while providing justified legal reasons count them as a fraud.

Enforcement

Article 3:

This regulation shall be enacted from the date of its approval.