



Islamic Republic of Afghanistan Independent Election Commission

Regulation on Media Activities during Elections

Legal Basis:

This regulation has been approved by the Independent Election Commission (hereinafter referred to as the Commission) under Article 79 of the Election Law.

Objective:

This regulation shall regulate affairs related to activities of mass media (state and private) during 2014 presidential and provincial council elections under Articles 50 and 61 of the Electoral Law and subparagraph 9 of Article 14.1 of the Structural Law of the Commission.

Duties of Media as to Public Outreach:

Article 1:

1. The mass media shall comprehensively cooperate with the Commission and the Media Commission to inform people of the electoral process and boost their level of participation in the process and notify the public of the followings:
 - a) Importance of voting;
 - b) Programs, goals, manifestos, and platforms of candidates;
 - c) Subjects related to electoral campaigns;
 - d) Providing Information on electoral issues and participation of people in elections taking into account the regulations and procedures of the Commission, and
 - e) Providing information to inform the public of their political and civil rights in a way to encourage them to actively take part in the electoral process
2. The mass media and other relevant organizations (national and international) that cooperate with the Commission in providing information to inform the

citizens of the country of their political rights and active participation in the electoral process must strictly consider policies of the Commission while developing and disseminating their messages. They are not allowed to use symbols, signs and other electoral official logos in their electoral messages and publicity without written agreement of the Commission.

3. The state-owned media are to the extent possible, obliged, to set the stage for free of charge broadcasting/publishing campaign messages, manifestos, goals and platforms of all candidates equally and with taking into consideration the electoral timeline.
4. Candidates, during the gap between publishing the final list of candidates and beginning of electoral campaigns according to the electoral timeline, are forbidden to carry out any kind of electoral activity. Moreover, according to the electoral timeline, the print and electronic mass media, shall, during the gap, avoid covering election activities, reflecting viewpoints, publishing/printing candidates' pictures and messages in a way that will be considered an electoral campaign. During the gap, candidates are not allowed to participate in election related issues as experts, political, economic and social issues analysts in media debates. Furthermore, the mass media is not allowed to ask them for their participation.
5. The mass media is not allowed to disseminate or print figures and results of unscientific and nonstandard surveys related to candidates' influence and vote level among the public in a way that would be considered in favor or against a candidate or specific candidates. The Media Commission shall work on a particular mechanism to verify whether an electoral survey conducted is scientific and standard.
6. The Media Commission shall accurately follow complaints filed with regard to opinion polls. If any violation and or transgression are proved, the Media Commission shall treat the related parties according to the Electoral Law and the regulations approved by the Commission.
7. The Commission is committed to provide the media with similar information. The media are obliged to provide and broadcast/publish their electoral reports based on truth in a fair, precise and impartial manner.
8. The media are obliged to strictly avoid broadcasting/publishing any electorally related reports and programs that might trigger violence, discrimination or quarrels based on religion, race, ethnicity, language, region, and gender.

Respect for Personality of Individuals:

Article 2:

The mass media shall respect the personality and dignity of candidates, shall not damage their privacy in the absence of a court verdict or legal documents proving the crime, and shall strictly avoid publishing/broadcasting any issue that might result in insult, defamation, and irreverence towards a candidate.

Avoidance of Defamation

Article 3:

The issues published/broadcast by the mass media must be documented and be based on reality and the media are obliged to avoid conscious publishing/broadcasting of any defamatory and unreal expressions for influencing the result of elections. In case of publishing a baseless and defamatory report, in addition to a punishment imposed by the Media Commission , the media that published/broadcast the report, shall correct the report as soon as possible, and satisfy the parties that have been damaged.

Equal Treatment towards Candidates:

Article 4:

1. The private mass media must treat all candidates fairly and impartially observing social justice and citizenship rights of the citizens and provide as equal as possible conditions for reflecting views of all candidates.
2. During the electoral campaign, the state-owned mass media are obliged to publish/broadcast views, goals and platforms of candidates fairly, equally and impartially according to the procedures of the Commission for public information and provide them with equal required facilities.

Presenters of Radio and TV Programs:

Article 5:

Media owners and runners, journalists, radio and TV presenters and influential persons in the state-owned and private media and newscasters who are at the same time standing for presidential or provincial council elections shall not take part in radio and TV programs as presenters and or announcers during the campaign period.

Party Media:

Article 6:

According to Article 49 of the Electoral Law, the campaign expense ceiling has been set to be 10 million Afghanis for the presidential candidates and 500000 Afghanis for provincial council candidates. Thus, any media/press that have received a license from the Ministry of Information and Culture as the publishing organization of a political party, must at the end of the campaign period provide the Commission with a written report on the amount of the money they spend on the campaign of their favorite candidates.

Media Programs:

Article 7:

1. The mass media shall, to the extent possible, provide fair and equal conditions for participation of candidates in radio and TV round tables, debates and other similar programs that they hold for participation of candidates. Commercials during the campaign period shall be an exception to this rule.

Reporting

Article 8:

The mass media must report to the Media Commission on a monthly basis on how they cover the electoral activities, campaign messages and pictures of candidates, and also the amount of the money they receive for them. The report must differentiate between presidential and provincial candidates by mentioning their names.

Silence Period

Article 9:

The electoral campaign shall end 48 hours before the Election Day. After the end of the electoral campaign period and during the silence period, the media shall:

- a. Not cover activities related to electoral campaign of any candidate; and
- b. Not publish prejudgments about results or summary of results of electoral opinion polls.

Reporting Election Results:

Article 10:

The mass media must precisely and clearly publish/broadcast the election results announced by the Commission.

Inobservance of Provisions of this Regulation:

Article 11:

1. Inobservance of the provisions of this regulation shall be considered a violation. The Media Commission shall seriously treat the violators in accordance with the Electoral Law, regulations and procedures approved by the Commission.
2. In line with the Electoral Law, the Media Commission is the authority to address all media violations and complaints of real and legal persons with regard to media activities during the electoral campaign.

Entry into Force

Article 12:

This regulation shall take effect upon its approval and shall be published.