

## Islamic Republic of Afghanistan Independent Election Commission

### Regulation on Top-up Voter Registration and Preparation of Voters List

#### **Basis:**

This regulation has been enacted by the Independent Election Commission (hereinafter referred to as the Commission) pursuant to article 108 and considering the provisions of articles (6, 8, 37, and 72), paragraphs (1 and 2) of article 5 and section 5 of article 4 of the Elections Law.

#### **Goals:**

This regulation has been enacted for realization of the following goals:

1. Registration of those citizens, based on citizenship Tazkera, who will be eligible to vote until the upcoming elections and/or who have not been registered before;
2. Registration of those eligible voters who have registered themselves before and have moved from one constituency to another;
3. Registration of those eligible voters who have registered themselves before and moved from their current place of residence (Nahia/district) to a new place of residence (Nahia/district);
4. Linking voters to polling centers; and
5. Preparation of the voters' list.

#### **Requirements for Registration:**

##### **Article 1:**

Such a person may be registered as a voter who meets the following requirements:

1. Has citizenship of Afghanistan;
2. Completes 18 years of age on the Election Day (29 Saratan of 1398);
3. Has not been deprived of the civil rights by the order of the law or court;
4. Has not been registered before as a voter;
5. Has been registered before and moved from one constituency to another constituency;
6. Has been registered before and moved from their current place of residence (Nahia/district) to a new place of residence (Nahia/district); and
7. Has been registered before, but his/her Tazkera has lost or damaged in a way that the basic specifications of the person on Tazkera have rendered illegible.

## **Documents Valid for Registration as a Voter**

### **Article 2:**

1. The persons eligible to vote, may only apply for registration by presenting their Citizenship Tazkeras;
2. The persons who do not present their Citizenship Tazkera for establishing of their identity and age, may not be registered as voters;
3. In case, the Citizenship Tazkera presented seems to be suspicious, the voter registration staff shall refer such Tazkera to the relevant authority for verification;

## **Voter Registration Teams**

### **Article 3:**

- (1) At least one male and one female team shall be assigned to each of the VR centers for a specific period as determined in the operational plan; and
- (2) The registration teams shall be responsible for implementation of the registration program in each of the polling centers.

## **Date and Duration of the Voter Registration**

### **Article 4:**

- (1) The start and end date of the top-up voter registration program shall be determined in the electoral calendar;
- (2) If necessary, and considering that the voters list is prepared and displayed at polling centers according to the law, the Commission may extend the period of the top-up voter registration throughout the country; and
- (3) The Secretariat of the Commission shall prepare the voter registration procedure and operational plan and shall implement them after approval by the Commission.

## **Linking of New Voter to a Polling Centers**

### **Article 5:**

- (1) In the voter registration center at the district/Nahia level, one registration book shall be allocated to every male and female station for registration of voters of all the centers of that district.
- (2) The list of polling centers of every district/Nahia shall be provided to the top-up voter registration teams.
- (3) The registration staff shall write on back of the book the specifications of the district/Nahia and codes of polling centers of that district/Nahia.
- (4) The registration staff shall write on the voter registration form and certificate the name and code of the polling center as requested by the registration applicant.

## **Linking of a Moved Voter to a Polling Centers**

### **Article 6:**

For registration and linking an eligible voter who has been registered before and who wants to change his/her polling center, the following actions shall be taken:

1. The details of the applicant for registration as a moved person shall be recorded in the voter registration book next to the new registration.
2. The word “*inteqali*” [*moved*] shall be written with a red pen on the registration form and the registration certificate section.
3. The specifications of the previous center and the center to which the person is linked shall be recorded in a separate table and processed attached to the registration book. This table shall be prepared by the Commission and provided to the voter registration staff.
4. The new registration certificate shall be stuck on back of the Tazkera in a way to cover at least 1/3 of the previous certificate.
5. The details of the manner of registration of moved voters shall be regulated by the relevant procedure.

## **Preventing Duplicate Registration**

### **Article 7:**

- (1) The IT Department shall develop an application which shall enable the staff to identify the pre-registered individuals based on name, father’s name, grandfather’s name and/or the VR Certificate.
- (2) The Commission shall provide this application to the VR teams.
- (3) If the VR staff face any doubtful case, he/she may search the case to address the doubt and ensure that the applicant has not been registered before and take a decision as necessary.
- (4) The manner of developing and using of the abovementioned application shall be regulated by a separate guideline.

## **Voter Registration Form and Certificate**

### **Article 8:**

- (1) The unused VR books from the last round shall be used for the top-up voter registration;
- (2) The detailed information of the voter shall be recorded in the voter registration form;
- (3) The voter registration form consists of the (counterfoil and certificate);
  - A. The original VR form (counterfoil) shall contain at least the following information:
    1. Full personal details of the voter (name, father’s name and grandfather’s name);
    2. Electoral constituency (province, district/*Nahia*, village/*Guzar*);
    3. Voter’s unique number which the same number shall appear on the registration certificate as well;
    4. Number of page, registration and book volume of Tazkera;

5. Date of birth;
  6. Sex (Gender)
  7. Options for specification of Kuchi/Hindu or Sikh;
  8. Polling center name and code;
  9. Place for the voter's signature or thumbprint; and
  10. Afghanistan's flag and the IEC logo.
- B.** The registration certificate, which after recording of the voter's information shall be detached from the registration book and stuck on the back of the voter's citizenship Tazkera, shall contain at least the following information:
1. Unique VR number;
  2. Electoral constituency (province and district/*Nahia*);
  3. Polling center name and code as chosen by the voter;
  4. Options for specifying of Kuchi.
- (4) In case of registration of moved persons, the word "*inteqali*" [*moved*] shall be written on the registration form and certificate;
- (5) For better safety, certain security features have been included in the registration certificate;
- (6) The unique registration number for each voter on the certificate may be used for showing the voter's support to candidate; and
- (7) In case of need for reprinting of the VR books, the paper of the registration book shall be of good quality and further attention shall be paid to their printing.

### **Preparation of the Voter List**

#### **Article 9:**

- (1) The Information Technology Department shall develop the necessary databases and software for collection and management of information in a speedy, accurate manner and in the required formats;
- (2) The IT Department shall implement the table of registration of moved persons according to the relevant procedure. This department shall, before linking the person to new moved center, invalidate the link of the person with the previous center.
- (3) The specific databases and software shall have the capability of identifying duplicate registrations based on the registrant's full personal details (name, father's name, grandfather's name, Tazkera number);
- (4) In case of identification of more-than-once registration, the latest registration of the voter shall be considered valid and his/her name shall be included in the voter's list of the center which is chosen during the latest registration center, the list of these individuals shall also be sent to the Electoral Complaints Commission for suing;
- (5) The Voter List shall be prepared in a way that is easily useable;

- (6) The Commission shall prepare the voter list of each polling center within the period specified in the electoral calendar, and shall display it in the relevant polling centers;
- (7) The Commission shall prepare and print the voter list of Kuchi, Hindu and Sikh separately and shall display it in the relevant polling centers; and
- (8) Other matters related to preparation of the voters list shall be regulated in the relevant procedure.

### **Damaged or Lost Tazkera with Registration Certificate, Correction and/or Change of Information**

#### **Article 10:**

- (1) If a person requests correction or change of his/her information during the top-up voter registration process or if his/her Tazkera with the Registration Certificate is lost or destroyed in a way that the information written on it is not readable, such a person may refer to the relevant registration center by presenting the registration certificate; and
- (2) Any changes related to the voter and the polling center, shall as soon as possible and considering the relevant regulations and procedures be recorded/entered into the database and software related to the voter registration and preparation of the voter list.

### **Public Outreach**

#### **Article 11:**

- (1) The Commission shall conduct public outreach programs related to the time and manner of implementation of the voter registration;
- (2) The public outreach programs shall be encouraging and shall cover all the groups (men, women, persons with disability and all strata of the society);
- (3) In the public outreach program, the topic of voter registration based on Tazkera shall be very clearly communicated to the people for them to refer to the voter registration teams with their original citizenship Tazkera;
- (4) The Secretariat shall have the duty to plan and execute the public outreach programs according to the electoral calendar; and
- (5) The public outreach programs shall be implemented in compliance with the approved plans and programs of the Commission.

### **Monitoring and Observation of the Voter Registration Process**

#### **Article 12:**

- (1) The process of voter registration and preparation of voter list for the upcoming elections shall take place under supervision of the commissioners;
- (2) The voter registration shall be considered a part of the electoral process, and for ensuring further transparency of this process, accredited monitors, observers of national and international

organizations, and media may monitor and observe this process considering the conditions set out in the law, regulations, procedures, and the relevant codes of conduct.

### **Objections Against the Voter Registration Process**

#### **Article 13:**

- (1) During the registration, all persons eligible to vote and national monitors may object to eligibility of a registration applicant using the objection form.
- (2) The designated official of the Complaints Commission, after contacting the person against whom the objection is filed shall decide on acceptance or rejection of the objection considering the documents and evidences provided by both the parties. If the objector is not satisfied with the decision of the designated complaints official, he/she may refer to the provincial office of the Electoral Complaints Commission.
- (3) The registration official shall record the matter in the registration station journal.
- (4) The Electoral Complaints Commission shall send its decisions to the Commission before printing of the voter list and considering the electoral calendar.

### **Display of the Voter List, Corrections and Objections**

#### **Article 14:**

- (1) The Secretariat of the Commission shall, after approval by the Commission, display the voter list in the relevant polling centers in accordance with the period specified in the electoral calendar;
- (2) The voter may refer to the polling center where he/she has registered himself/herself and make sure that his/her name appears in the voter list of the relevant polling center;
- (3) If the name of the person does not appear in the list of the polling center chosen by him/her, he/she, while having his/her citizenship Tazkera containing the registration certificate with him/her, may refer to the representative and/or provincial office of the Commission for adding his/her name in the voter list;
- (4) All persons eligible to vote, monitors and responsible authorities may object to the ineligibility of persons included in the voter list; and
- (5) In case of objections against persons included in the voter list, the designated official of the Complaints Commission, after contacting the person against whom the objection is filed shall decide on acceptance or rejection of the objection considering the documents and evidences presented by both the parties.

### **Complaints Against the Voter Registration Process**

#### **Article 15:**

- (1) All persons eligible to vote, national monitors and responsible authorities, using the complaint form, may file their complaints with the Electoral Complaints Commission regarding occurrence of

any negligence and violation of the Election Law, decisions of the Commission and/or in case they are not satisfied with the decision of the designated official of the Complaints Commission on their objections;

- (2) The complaint shall be examined and investigated by the Electoral Complaints Commission who shall present its decision to the Commission in accordance with the Election Law and the electoral calendar; and
- (3) The Commission shall implement the decision of the Electoral Complaints Commission.

### **Final Voter List**

#### **Article 16:**

- (1) The final list of voters shall be prepared alphabetically for every polling station with due attention and certified by the Commission after including the corrections and decisions on the objections and complaints;
- (2) The voter list shall be sent to the polling centers along with the other electoral materials to be used on the Election Day; and
- (3) Other matters related to preparing and providing of the final voter list shall be regulated by the relevant procedures.

### **Emergency Conditions**

#### **Article 17:**

In case, the voter registration teams are unable to carry out their duties due to security threats, flood, storm, earthquake and other unpredicted conditions, they shall report the matter to the relevant provincial office. Considering the conditions, the Commission shall take the decision as necessary.

### **Provisions Related to Kuchi, Hindu and Sikh**

#### **Article 18:**

- (1) Those Hindus and Sikhs who are eligible to vote may choose the polling centers where they want to vote and shall ask for registration by presenting their citizenship Tazkera.
- (2) Those Kuchi who are eligible to vote shall be registered as voters considering the relevant procedures.

### **Confidentiality of Information**

#### **Article 19:**

The Commission shall take necessary measures to preclude the use of the information collected during the voter registration process for purposes other than those predicted in the law.

## **Enacting Procedures and Guideline**

### **Article 20:**

The Commission may enact separate procedures and guidelines for paving the way for better implementation of provisions of this regulation.

## **Miscellaneous Provisions:**

### **Article 21:**

- (1) The unused voter registration books left over from the previous voter registration process shall be fully listed (number, serial number of each book and the location) and presented to the Commission;
- (2) Official documents shall be used for inventory, movement, handover and receipt of the book and other materials of the voter registration according to the relevant law and procedures of the Commission;
- (3) The Provincial Electoral Officers (PEOs) shall present clear report during and after completion of the top-up voter registration program on distribution, handover and receipt of registration books and other registration materials; and
- (4) The PEOs shall have legal responsibility for not moving of the voter registration materials without a justified reason, improper and unfair distribution of electoral materials, loss of electoral materials and/or misuse of electoral materials in the relevant constituency.

## **Enforcement**

### **Article 22:**

This Regulation shall be enforced and published from the date of its approval.