



Islamic Republic of Afghanistan
Independent Election Commission

**Amendment to
Regulation on Issuance of Accreditation Letter to Political Parties,
Candidates, Monitoring and Observer Organizations and Media for the
2019 Presidential Elections**

Basis:

This regulation has been enacted by the Independent Election Commission (hereinafter referred to as the Commission) according to the provisions of article 108 considering the provisions of section 2 and 10 of paragraph (1) of article 19 and article 83 of the Election Law.

Objective:

This regulation has been enacted to achieve the following objectives:

- 1) Facilitating the monitoring, observation and preparation of reports on the electoral process.
- 2) Defining the mechanism of issuance of accreditation letter and ID card to political parties, candidates, monitoring and observer organizations, media and their representatives and special guests.

Segregation of duties

Article 1:

- (1) The Legal Department shall be responsible for processing the affairs related to the issuance of accreditation letters.
- (2) The External Relations Department (ERD) shall be responsible for certifying the ID Cards of monitor, observer, reporter considering the database, and specifying the duties and responsibilities of monitors and observers. Moreover, this department shall share necessary information to the applicant entities on issuance of accreditation letter, ID Card and electoral processes and shall respond to their questions.
- (3) Further, the ERD shall be responsible for managing the affairs related to presence of monitors, observers and media at the National Tally Center and during audit and recount at the HQ.
- (4) The IT Department shall be responsible for developing database for issuance accreditation and ID Card and consolidation of the relevant reports.
- (5) The Information and Public Outreach Department shall be responsible for incorporating the important points of issuance of accreditation letter and ID Card in the public outreach messages and their publishing and broadcasting.

- (6) The Commission shall provide necessary resources for executing of the above duties to the relevant sections.

Issuance of accreditation letter to monitoring, observer and media organizations

Article 2:

- (1) Before the beginning of the election process, the Commission shall give an opportunity to political parties, monitoring and observer organizations, and media to submit their written application for receiving accreditation letter from the Commission for monitoring and observation and preparing of report. In case of online application, the entity shall present its original documents to the relevant section before printing and distributing of the accreditation unless otherwise decided by the Commission;
- (2) Political parties, monitoring and observer organizations, and media shall submit to the Commission or the provincial offices of the Commission, their written applications for accreditation that shall contain the information mentioned in the relevant procedures;
- (3) The provincial offices of the Commission shall submit the applications to the Accreditation Issuance Officer after ensuring their completion. The Accreditation Issuance Officer shall review and refer the applications for discussion at the Commission's meeting.
- (4) The Accreditation Issuance Officer shall review the following instances:
 1. The political parties shall be registered with the Ministry of Justice and the validity of the license shall not be less than six months.
 2. The media shall hold a valid license from the Ministry of Information and Culture.
 3. The election-related CSOs shall hold a license issued by the Ministry of Justice, the Ministry of Information and Culture or the Ministry of Economy with a validity of not less than 6 months.
 4. The constitution of the observer group shall include activity in one of the electoral areas, democracy, human rights, political participation of women and political participation of persons with disabilities and minorities;
 5. The observer organization shall have a special publication and/or website and shall have envisaged specific position(s) in its organogram for election observation that are filled;
 6. The observer organizations that had received accreditation letter during the last elections shall have presented their activity report on the relevant elections;
 7. The president, vice-presidents, chairpersons and members of the national assembly, the chief justice and members of the supreme court, ministers, leadership of the attorney general's office, deputy ministers, chairpersons of the independent commissions and agencies of the government and leaders of the political parties shall not be among founders and/or members of the observer organization;
 8. Incumbent (permanent and temporary) staff of the Electoral Commissions shall not be among founders of the monitoring and observer organizations;

9. International monitors and observers, in addition to holding valid Afghan resident visa and, if needed, they shall hold the permit to work in Afghanistan from the relevant authority; and
 10. Foreign journalists shall hold valid Afghan resident visa and shall present a document that certifies him/her being a journalist.
- (5) Accreditation letters for monitoring and observation shall not be issued to those coalitions of political parties, trade unions, Shuras, associations and social organizations that don't meet the requirements mentioned in paragraph 4 of this article;
 - (6) Political parties may only introduce as monitors their party members who hold the membership card of the party; and
 - (7) Considering the relevant documents, the Commission shall take the decision to issue an accreditation letter or reject the application by providing justifiable reasons.

Issuance of Accreditation Letter to Candidates:

Article 3:

- (1) The candidates included in the final list of candidates shall deserve to receive the accreditation letter;
- (2) The Secretariat shall prepare and print an accreditation letter for every presidential candidate included in the final list and after signing by the chairperson of the Commission and stamping, shall submit it to the candidate or the representative introduced by him/her;
- (3) The IT Department shall develop the database of issuance of the accreditation letter and printing and certification of the ID Card considering the intent of this regulation and the relevant procedure.
- (4) In case of the database not responding, the Commission shall take a decision as necessary.

Validity of the Accreditation Letter

Article 4:

- (1) The accreditation letter for monitoring, observation and report preparation shall be valid until the end of the 2019 elections. The Commission may decide on extending the validity of these accreditation letters;
- (2) The accreditation letter for candidates and the ID Cards of their monitors shall be valid for the relevant elections only; and
- (3) Other details relevant to this section shall be regulated in the relevant procedure.

Monitor, Observer and Reporter

Article 5:

Political parties, candidates, monitoring and observer organizations and media shall provide the following information about the persons who will represent them:

- (1) Name, father's name, address, number of Tazkera, mobile number and photo of the person;
- (2) ID card and/or a document that indicates the affiliation of the person with the accredited organization;

- (3) Shall acknowledge that their representatives have completed 18 years of age and have not been registered as a candidate in the elections. Elections-related CSOs may not introduce the immediate relatives of candidates in the relevant constituency as observer in the election process;
- (4) Shall sign the code of conduct and a declaration in which the political party, candidate, observer organizations and media assert that their representatives have read and accepted the contents of the relevant code of conduct.

Coordinator

Article 6:

- (1) Every accredited observer and monitoring organization may, depending on the geographic extent of every district, introduce at most two persons in every district/*nahia* as coordinators to coordinate the activities of their representatives.
- (2) The presidential candidate may introduce two coordinators for every district/Nahia of the country;
- (3) The ID card of the coordinators shall be designed in a way to be easily distinguished from the ID cards of monitors and observers; and
- (4) The coordinators shall ensure the observance of laws, regulations, procedures and codes of conduct by the respective monitor and observer. Other details related to the coordinators shall be regulated in a separate procedure.

ID Card

Article 7:

- (1) Accredited political parties, monitoring and observation organizations may introduce two monitors and observers (one male and one female) for every polling center;
- (2) Candidates may introduce their monitors equal to the number of polling stations;
- (3) The monitors and observers shall at least know how to read and write (or have passed 12th grade??);
- (4) The Commission shall certify and stamp the ID cards of those monitors and observers who have been properly registered in the database;
- (5) Given the expiry date, certified ID cards may be valid for one or more than one election that are conducted within one year. Decision will be made to extend the old ID cards in case of a written application by accredited monitoring and observation organizations and media;
- (6) The ID Cards of candidates' agents shall be valid for the relevant elections only and their validity is not extendable;
- (7) The ID card shall have photo of the person, shall be printed by the political parties, organizations, media and candidate and certified and stamped by the Commission. The Card shall not be valid without the stamp.
- (8) The ID card of one person shall not be transferable to another.

Issuance of ID Card to Special Guests, International Observers and Journalists

Article 8:

The IT Department shall create two separate user accounts for preparation of accreditation and ID Card for special guests and international observers and journalists. The General Officer of Management of International Observers and Monitors of the ERD shall print and issue ID Cards to special guests and international observers and journalists according to this regulation and the applicable procedure and after approval by the Commission.

Online Collection of Information

Article 9:

- (1) The Information Technology Department shall take necessary measures for online collection and processing of the information required for issuance of the accreditation and ID card, unless otherwise decided by the Commission.
- (2) If possible, the IT Department shall develop the accreditation issuance database in a way that enables the monitoring and observer organizations to access and print ID cards for their monitors and observers online and which stores the information in the Commission's database.
- (3) Once reconciled with the Commission's database, the ID cards printed by the monitoring and observer organizations and candidate shall be stamped by the provincial offices of the Commission according to the relevant procedure.
- (4) The budget and resources necessary for execution of this activity shall be provided to the IT Department.
- (5) The manner of access to the Commission's database, printing of ID cards issued online and getting them stamped at the Commission's provincial offices are regulated through the relevant procedure.

Cancellation of the Accreditation

Article 10:

The issued accreditation letters shall be revoked in the following cases:

- (1) Presence of evidence and proofs indicating that the requirements stated in paragraph (4) of the article 2 of this regulation are not met;
- (2) Presence of evidence and proofs on non-observance of the code of conduct and or negligence and violation of the electoral laws and regulations;
- (3) Decision made by the ECC to cancel the accreditation letter issued;
- (4) Written request made by a political party, candidate, monitoring and observer organizations and a media to cancel their accreditation.
- (5) Dissolution of a political party, monitoring and observer organizations and the media and a candidate's withdrawal from his/her candidacy.
- (6) Expiration of the work license of the national and international monitoring and observer organizations.
- (7) Expiration of the date of validity of the accreditation letter unless extended by the Commission.

Cancellation of the ID Card

Article 11:

- (1) The Commission shall cancel the ID cards issued, in the following instances:

1. If a political party, candidate, monitoring and observer organizations and the media makes a request to cancel the ID card issued to their representative;
 2. If there is any evidence that a monitor, observer or reporter has not acted in accordance with the relevant code of conduct and or committed an electoral violation;
 3. If the observer is among the immediate relatives of a candidate;
 4. Cancellation of the accreditation of a political party, candidate, an observer and monitoring organization and a media represented by the person; and
 5. If the ID card is expired.
- (2) In case the accreditation or ID cards of a political party, candidate, a monitoring and observer organizations and a media or their representatives are cancelled, the Commission shall inform them of the reasons for cancellation of their accreditations or ID cards.
- (3) Manager of a VR Center, a Polling Center and a Counting Center or any other electoral staff who is authorized by the Commission may in the following cases cancel the representative's ID card by writing "cancelled" on and signing of the ID Card and shall inform the Commission of the matter immediately:
- 1) If it is instructed by the Commission;
 - 2) If there are evidence and proofs showing that a representative has acted against the relevant code of conduct;
 - 3) If an electoral violation is committed;
 - 4) If the observer is among the immediate relatives of the candidate; and
 - 5) If an unreal report is submitted by the media reporter.
- (4) The bearer of a cancelled ID Card shall not have the permission to be present in the electoral process.

Presence of Monitors, Observers and Reporters at Registration, Polling and Counting Centers and Stations

Article 12:

- (1) Those monitors, observers and reporters who have obtained ID Cards from the Commission and who visibly bear them, shall be allowed to take part in the electoral process to monitor and observe the process and prepare a report in the predetermined stations and centers;
- (2) Presence of monitors, observers and reporters in different electoral phases shall be regulated by the relevant regulations, procedures and codes of conduct;
- (3) Due to security reasons or to prevent congestion of monitors, observers and reporters, chairperson of the VR stations, polling and counting stations may adopt and take measures for establishing a rotation system for their presence in VR stations and polling and counting stations.
- (4) Monitors, and observers may be present at the polling centers and stations written on their cards; and
- (5) Considering the lack of congestion of monitors and observers at the relevant polling stations, the polling center managers shall decide on presence of those monitors and observers who have not been linked to the respective polling centers.

Presence of Monitors, Observers and Reporters at the National Tally Center and the Commission's Compound

Article 13:

- (1) During the tallying of votes at the NTC, presidential candidates, accredited political parties, observer groups and mass media may introduce at most two monitors and observers according to the (results tallying) regulation, the applicable procedure and guideline for monitoring, observation and report preparation. Two monitors and/or observers of the accredited entity may not be present at the same time at the NTC;
- (2) The ERD shall print and provide to the candidates and entities, ID Cards for the monitors and observers who are introduced by candidates and accredited entities for visiting the NTC. These Cards shall be different from the ones which are designed and printed for monitoring and observation of the polling centers and stations;
- (3) In case of audit and recount of votes at the HQ or provincial office level, the ERD and the provincial offices shall pave the way for presence of a specific number of monitors, observers and reporters, according to the applicable procedure and guideline considering the number of stations and centers being audited and recounted and capacity of the venue. In such a case, equal requirements shall be applied to all organizations with accreditation (of monitoring, observation and report preparation);
- (4) Presidential candidates and accredited entities may introduce and assign a specific number of their monitors and observers with ID Cards according to the applicable procedure and plan of the provincial office for monitoring and observation of the recount and audit process;
- (5) The requirements related to the above instances shall be regulated through separate procedure and guidelines; and
- (6) The presence of monitors and observers in the open session of the Commission shall be regulated according to the relevant regulation and procedures.

Assigning of Monitors and Observers to Polling Centers

Article 14:

- (1) The accredited monitoring and observation organization and candidates shall assign their representatives to specific polling centers when entering their details in the accreditation system.
- (2) The monitors, observers and candidate representatives with ID Card may monitor and observe only the centers and stations specified on their ID Cards.

Non-Responsibility of the Commission

Article 15:

The Commission does not bear any responsibility in relation to securing the life and property of monitors, observers and reporters as well as providing vehicles, accommodations, food and similar facilities to them.

Compliance with the Laws

Article 16:

No provisions of this regulation can be construed in contradiction with provisions of the effective laws. In case of contradiction, the applicable laws shall prevail.

Entry into Force:

Article 17:

This regulation shall enter into force after its approval by the Commission.