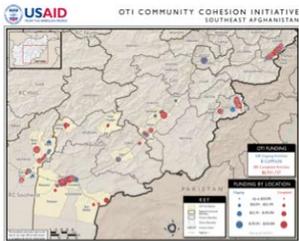




Office of Transition Initiatives **COMMUNITY COHESION INITIATIVE** **ELECTION AUDIT OBSERVATION FINAL REPORT** **JULY 15-SEPTEMBER 20, 2014**



PROJECT SUMMARY

On behalf of USAID’s Office of Transitions Initiative’s (OTI) Community Cohesion Initiative (CCI) program, Creative Associates International, Inc. (Creative) completed its International Election Audit Observation Mission (IEAOM). Over a period of nine weeks, Creative, along with other international observers, observed the 100% audit of results from the second round of the 2014 presidential election between Dr. Ashraf Ghani and Dr. Abdullah Abdullah on June 14, 2014. The audit was conducted by the Independent Election Commission (IEC) in Kabul with technical assistance from the United Nations Development Programme (UNDP) ELECT project.

Creative was tasked to observe IEC auditing during the examination of election materials and determine whether the audit conformed to IEC policies and procedures and national election laws. Materials included ballot boxes, results sheets, polling station journals, voter lists, ballots, and other documents. IEC auditors completed a checklist for each box to identify any associated irregularities in the presence of candidate agents, national and international observers, and Independent Election Complaints Commission (IECC) officers.

Creative deployed 40 observers between July 15 and September 20, 2014 (60 audit days) to observe: 1) ballot box audit and recount and 2) audit checklist data entry and evaluation. Creative observed 2,625 (12%) of all ballot boxes audited. Observers filled out a 30 question checklist, which Creative used to aggregate and analyze its findings.

The Creative final report covers July 15 to September 20 with analysis and recommendations¹ based on key observations from the IEC audit process.

OTI Mission Statement

To support U.S. foreign policy objectives by helping local partners advance peace and democracy in priority countries in crisis. Seizing critical windows of opportunity, OTI works on the ground to provide fast, flexible, short-term assistance

¹ The comments presented in this report henceforth represent solely the observations of Creative observers on behalf of USAID’s OTI CCI program and do not represent the views and experience of each international observer entity or international observers as a whole.

I. FINAL REPORT EXECUTIVE SUMMARY

The CCI IEAOM observed the Independent Election Commission (IEC) of Afghanistan manage and implement a credible but imperfect audit of 100% of the approximately eight million ballots from the second round of the 2014 presidential elections. Important shortcomings, noted below, compromised the credibility of the audit process, but did not completely discount its legitimacy and effectiveness. Over the course of nine weeks, from July 15 until September 20, 2014, Creative deployed 40 international election observers from 22 countries. The team observed the IEC ballot box audit which consisted of recounting of ballots, audit checklist data analysis, and audit results decision making. Analytical observations of IEC audit of 2,625 ballot boxes (12% of the 22,828 total) and data center operations in this report identified technical, operational, and procedural challenges to the IEC auditing process. This analytical observation consisted of a 30 question checklist filled out by each observer, as well as focus groups.

1. Key Election Audit Observations

The IEC developed policies and procedures to conduct the audit with substantial technical assistance and guidance from the United Nations Development Programme (UNDP) ELECT project. Implementing these policies and procedures adequately identified minor balloting irregularities, such as missing official IEC stamps and invalid ballot markings, though failed to conclusively identify all forms of fraud. Procedural implementation was adhered to throughout the audit, but the lack of clarity in procedures and absence of comprehensive training led to varied interpretations of procedure.

Also, the IEC and UNDP inputs to the 16-point audit checklist were merged without due consideration for proper data sequencing, which created difficulties during data collection.

The key obstacle to the audit was the significant presence of similarly marked ballots (SMBs). As the SMB issue grew in scope and intensity, the IEC and UNDP designed specific SMB identification and adjudication procedures. The reliance on a subjective interpretation of what constituted 'similar/not similar' ballot tick marks proved problematic. IEC auditors and UNDP advisors tended to adjudicate on the side of caution and voter franchise protection when confronted with doubt during results auditing and recounting. Creative observed numerous cases in favor of both candidates where potentially invalid votes were validated, and vice versa, even though those ruled as valid ballots far outnumbered the invalid ones. This was in large part because the ballot marks fell within the parameters of procedural interpretation. Regardless, Creative did not have the authority as observers to interact with the ballots in a way that would enable quantification of this phenomenon by counting the difference between SMBs challenged and those recommended as similar by advisors.

The SMB issue plagued the audit process throughout operations. The difficulties in identifying and adjudicating SMBs generated frustration, tension, and even violence among the opposing candidate agents as well as occasional contention between auditors and advisors. Creative observers witnessed the application of SMB procedures tended to be more in favor of Ghani, however they also witnessed more disputed ballots generally in favor Ghani. Accordingly, observers expressed their deep concern that the subjective nature of the SMB issue ran the severe risk of candidate agents questioning the reliability of the IEC audit. The IEC policies and procedures were in place to identify irregular or fraudulent balloting but the complexity of resolving the SMBs complicated auditing implementation and adjudication. Most boxes were prepared according to IEC procedures with only minor and infrequent discrepancies.

The only method available to observers to quantify potential electoral fraud involved comparison of observation data to macro-level first and second round results analysis. Creative's quantitative analysis (Annex 1) was compared to an analysis of the first and second round turnout and voter candidate voting percentages to correlate results. Evidence of balloting irregularity was consistent with data collected from observers. Creative's data, using information captured from observers' checklists, revealed that the most suspect provinces from macro-level data – Baghlan, Khost, Wardak, and Paktika – correlated with the most problematic provinces at a box-by-box level. Ballot boxes from Baghlan, Faryab, Ghor, Paktika, Paktia, Khost, and Wardak were all the most likely to go to a recount, most likely to have SMBs, take the longest to complete, have suspect voter lists (10 or more voter ID numbers in sequential order), and contain any number of criteria that triggered a recount under IEC guidelines. Even though this outcome is not definitive proof of irregular balloting, the results suggest a high level of consistent irregularity in those provinces.

Given these challenges and concerns, the IEC with the support of UNDP technical assistance implemented credible policies and procedures during the results auditing and recounting and audit checklist data analysis operations. IEC auditors and their UNDP advisors performed their job in a professional and consistent manner despite the technical limitations and operational constraints. Both candidates' agents were frustrated when decisions did not benefit their respective candidate and their subsequent behavior was disruptive until they withdrew from observing the auditing warehouses and data center in protest on August 27. Consequently, the pace of the audit increased as the remaining participants cooperated in a less disruptive process to complete the audit. The overall quality of audit checklist data collection improved, which benefited IEC evaluations on whether to include/exclude polling station results. The Independent Electoral Complaints Commission (IECC) also observed the audit and implemented its legal complaints review mandate.

The IEC issued nine official audit results decisions that verified 11,945 (49%), recounted 9677 (46%), and nullified 1,206 (5%) polling stations on September 21, hours after Ghani and Abdullah signed an agreement to form a national unity government, the IEC announced that Ashraf Ghani was the President of Afghanistan, but did not announce the margin of victory or final vote tallies for each side.

The IEC and IECC conducted the audit and complaints review in accordance with Election Law 2013 and corresponding policies and procedures. Managerial, technical, operational, logistical, and procedural improvements were possible throughout the audit and would have benefitted the audit's overall quality. The following lessons were identified by Creative for electoral stakeholder consideration and application during future electoral events. Specific recommendations for the IEC, UNDP, IECC, candidate agents, national and international observers, and the media are included in the final report's conclusion to further develop democratic governance institutions in Afghanistan.

2. Recommendations Identified during the IEC Audit Process

- 1.** The IEC should establish the results auditing policies in advance of elections to prevent candidate agent claims of policy bias that may favor one candidate over the other. Criteria for the runoff audit were developed after the election after negotiations with both candidate parties.
- 2.** When conducting electoral events, the IEC should make every effort to protect the voters' franchise by implementing anti-fraud mechanisms and removing any ambiguity in the voting system. For example, updating and modernizing the voter registration rolls, designing stronger polling center-station monitoring systems, ensuring ballot box seals

cannot be inverted and thus opened by force of hand and closed again, and enforcing existing electoral laws against fraudulent behavior would all strengthen electoral practice in Afghanistan.

3. A sub-quarantine process should be carefully designed and implemented early in the audit process with the intention of shortening the audit timelines and mitigating potential risk associated with politically contentious polling stations. This process should identify and provide additional scrutiny to boxes from such polling stations, in this audit known as special scrutiny boxes (SSB), which would enable regular auditing to proceed at a faster pace while recounting of SSBs is conducted by specialized teams.
4. Political contestants and civil society organizations should insist the IEC implement a thorough performance and systems evaluation process to identify areas for managerial, regulatory, technical, operational, logistical, and procedural improvements. An electoral reform process is necessary to reassure the voting public that Afghanistan's leaders and institutions are serious about establishing a credible electoral system.
5. International technical assistance providers and observer groups should conduct internal lessons learned exercises to identify areas for managerial, technical, operational, logistical, and procedural improvements. The workshop mechanism would benefit from participation and contributions from the IEC, UNDP ELECT, candidate agents, and national and international observer groups, as appropriate to the activities. Frequent coordination meetings should be conducted including all of these groups.
6. The IEC should establish regular channels of communication with political contestant agents and national observer groups so they can offer recommendations for improving operations and to receive regular updates on electoral developments and decision making processes. This can take the form of weekly or biweekly IEC-led meetings at an IEC venue that closely follow agendas delineating times for respective candidate agents' comments. Political agents and national observer groups should meet separately to avoid agents dominating the meetings. A regularly updated IEC website with decisions, developments and press releases would also serve this effort.

II. FINAL REPORT INTRODUCTION

Creative Associates implemented an International Election Audit Observation Mission (IEAOM) of the audit of results from the second round of the 2014 presidential election in Afghanistan. The mission achieved its objectives to observe and evaluate the process conducted by the IEC in Kabul from July 15 until September 20. Creative deployed 40 election observers from 22 countries and observed 2,625 ballot boxes, approximately 12% of the 22,828 polling stations that underwent 100% audit. The subsequent analytical observations and process recommendations were reported to OTI in five written reports, periodic updates, and briefings. The issues captured related to assessing legal and policy frameworks, auditing and recounting ballot boxes, entering data from audit checklists, and deciding the final audit results. Creative completed the mission and demobilized the team by September 15 in line with its expected level of effort. Final observations were conducted from outside Afghanistan until the IEC announcement of audited second round election results on September 21.

The final report presents the IEAOM's observation methodology and then outlines key election audit observations. An analysis of legal and policy frameworks guiding the audit is followed by a summarized assessment of the audit. Relevant quantitative data supports the qualitative observations. The impact of stakeholder participation is noted as observed throughout the process. Internal observer focus group results illustrate observer reflections on the character of the audit. Associated lessons identified and recommendations are provided in the conclusion for future consideration by electoral stakeholders in Afghanistan and globally. The annex attaches key reports and documents, summarizes observer deployment data, outlines election audit observation activities, and provides IEC auditing progress.

III. ELECTION AUDIT OBSERVATION METHODOLOGY

The methodology for conducting the election audit observation mission was derived from international electoral principles, standards, and practices². The observers were experienced election practitioners representing 22 countries from Europe, Asia, Africa, Australia, and the Americas. The group contained diversity in both age (27-68 years) and gender (16 women, 24 men).

The observation approach required in-person presence during IEC auditing, recounting, and data entry operations to observe and assess activities and record findings on a 29-point checklist (Attachment A).³ Daily, individual observer reports captured qualitative and quantitative information that was analyzed to produce periodic updates, briefing points, and collective, analytical observer reports to OTI. These analytical observations form the basis of the final report and support key observations and recommendations over the course of the four IEC operational periods identified below. Some outside sources are referenced in this report, for information on periods outside of the audit observation mission.

IV. KEY ELECTION AUDIT OBSERVATIONS

Audit Background/Context

The IEC conducted the election results audit within a sensitive political context, with the 2014 presidential election as the first opportunity for a peaceful and constitutional transfer of presidential power to a democratically elected successor since the fall of the Taliban regime in 2001. The tense electoral setting³ was marked by the two leading contenders – Dr. Ashraf Ghani and Dr. Abdullah Abdullah; each represented diverse social, cultural, and political interests. Simultaneously, Afghanistan is home to an active insurgency, the International Security Assistance Force (ISAF) mission is drawing down. A smaller footprint of international forces will remain in country until the Bilateral Security Agreement (BSA) and Status of Forces Agreement (SOFA) are both signed. Given the political context of the electoral setting, the IEC was in the difficult position of managing and conducting a presidential election that would decide the future trajectory of the country.

² United Nations (UN), *Declaration of Principles for International Election Observers and Code of Conduct for International Elections Observation* (Oct 27, 2005); Organization for Security and Cooperation in Europe (OSCE), *Election Observation Handbook*, Sixth Edition, 2010.; European Union (EU), *Handbook for European Union Election Observation*, Second Edition, 2008

³ See [Attachment A](#): Creative Associates International Audit Observation Mission Checklist (Jul-Sep 2014).

The first round of the 2014 presidential election held on April 5 resulted in Abdullah receiving 45% (2,972,141), Ghani receiving 31.56% (2,084,547), and the next six candidates receiving 23.42% (1,547,858) of the vote.⁴ According to Election Law 2013, Article 20, the winner of the presidential election must secure an absolute majority (50%+1) to be declared the winner.⁵ Consequently, a second round election was conducted on June 14 between the top two candidates. The preliminary results announced by the IEC on July 7 contained a reversal from the first round with Ghani securing 56.44% (4,485,888) and Abdullah 43.56% (3,461,639).⁶ The early objections and claims of irregularity during tallying by the Abdullah camp and during partial auditing exercises set the stage for a political crisis that the 100% electoral audit was negotiated to resolve.

The European Union Election Assessment Team (EU-EAT) noted that the tallying of the second round was affected by changes in the rules guiding the audit from the first round. Accordingly, “the IEC did not apply most of the criteria used for the first round, missing the opportunity to apply additional anti-fraud measures” (e.g., high turnouts, ballot paper shortages, odd vote repartition, and procedural irregularity).⁷ Reportedly, the level of audit fell drastically with fewer criteria applied, from 2,774 polling stations in the first round to only 299 stations in the second. The irregularity charged during the tallying process resulted in Abdullah agents withdrawing from the tallying and questioning the sincerity of results before the announcement of preliminary results. Subsequently, two series of audits were conducted and reports from the IEC District Field Coordinators were considered between June 14 and June 30, representing 2,229 polling stations or 9.7% of the results, and 235 stations were excluded by formal IEC decisions.⁸ However, the Abdullah agents continued to object to the outcomes and the political crisis deepened with accusations of ‘industrial-scale fraud’ being conducted to overturn the results of the first round by approximately 2 million votes.

Diplomatic intervention by the United Nations Mission in Afghanistan (UNAMA) and the United States Secretary of State John Kerry on July 11 and 12 resulted in a political agreement for the IEC to conduct a 100% audit and for the candidates to abide by the outcomes, while considering paths to forming a government of national unity.⁹ As the International Crisis Group noted on July 11: “In the coming days, the behavior of the two candidates in the presidential contest – and the conduct of the Independent Election Commission (IEC) and Independent Electoral Complaints Commission (IECC) – will determine the credibility of what is meant to be the first peaceful handover of power in the country's history.”¹⁰

⁴ See IEC website for 2014 election results (first round): <<http://results.iec.org.af/en/elections>>.

⁵ *Election Law*, Official Gazette of Afghanistan, Serial No. 1112, 15/5/1392 (06/08/2014) [unofficial translation]. Law enacted in July 2013.

⁶ See IEC website for 2014 election results (second round): <<http://results.iec.org.af/en/runoff>>.

⁷ See European Union Election Assessment Team, Afghanistan 2014, *Audit of the Results, Observation Handbook* (Jul 16, 2014): p. 19.

⁸ EU-EAT, *Observation Handbook* (Jul 16, 2014): pp. 19-20.

⁹ Hammond, A. “Afghan Election Result Crisis Forestalled by US Intervention,” *Forbes Opinion* (Jul 17, 2014) <<http://www.forbes.com/sites/realspin/2014/07/17/afghan-election-result-crisis-forestalled-by-us-intervention/>>. See also: Rosenberg, M. “Afghans to Alter the Government,” *The New York Times* (Jul 13, 2014) <<http://www.nytimes.com/2014/07/14/world/asia/afghans-to-alter-the-government-constitution-following-election.html>>.

¹⁰ International Crisis Group. “Afghan Elections Statement,” Kabul/Brussels (Jul 11, 2014) <http://www.crisisgroup.org/en/publication-type/media-releases/2014/asia/statement-on-afghan-elections.aspx?utm_source=wu14july14&utm_medium=afghanistan-statement&utm_campaign=wuemail>.

The IEC initiated the 100% audit on July 17, following Decision No. 27-1393 (July 15) to conduct a 100% audit of the second round election results. Creative observers were present from July 15 to September 13. Analytical observations noted pros and cons to the IEC audit process that was supported with technical assistance and guidance from the UNDP ELECT project:

Observation Findings:

1. The IEC rapidly mobilized resources to retrieve 22,828 ballot boxes from 34 provinces with extensive ISAF logistical and security support. Audit capacity was expanded from one warehouse to four and from 122 personnel on July 22 to a high of 720 on August 26 before tapering off to 576 by September 3. Auditing of the ballot boxes and examination of ballots took place before candidate agents, national and international observers, IECC officers, and the media. The IEC conducted operations over 60 days with one 7-day break to organize activities and clarify procedures during the Eid al-Fitr religious holiday. The IEC's willingness to receive, consider, and accept technical assistance and guidance from UNDP throughout the process was laudable.



IEC Warehouse No. 2 and Inside Warehouse No. 3, July 25 and August 30, 2014
(Photographs by Robert David Irish)

2. Technical issues and political influences affected the IEC audit. A poorly designed 16 point audit checklist was put together out of logical sequence for adequately examining ballot boxes and results that would identify any irregularity before recounting ballots.¹¹ For example, the questions concerning matching results sheets and the contents of the voter list and polling station journal were points 14 and 15 rather than points 8 and 9, where they would have provided relevant insight into the character of the box earlier. The audit checklist was also not designed with the binary needs of a database in mind to ask questions with sufficient yes/no answers to enable more efficient data analysis after entry at the data center.

An additional deficiency was procedural reliance on recounting suspect ballot boxes that did not adequately identify irregularity or fraudulent ballots due to the subjective nature of

¹¹ See [Attachment B](#): IEC Decision No. 30-1393, "Criteria for 100% Audit of all Run-off Election Polling Station Ballots" (Jul 15, 2014). The decision reveals the 16-point audit checklist as an amalgam of IEC and UNDP inputs that does not consider logical audit sequencing.

procedural interpretation. Identifying irregularity in polling station procedures, stamping ballots, and completing results sheets was straightforward and generally well-done.

3. The most complex aspect of the audit was the IEC's approach towards identifying and adjudicating similarly marked ballots (SMBs) that required a subjective analysis. The IEC auditors and UNDP advisors were prone to inconsistency, caution, and even reluctance to identify SMBs due to their individual predilections towards procedural implementation.
4. The most polarizing aspect of the audit was the impact of political influence on IEC operations. From the start of the audit on July 17 until the withdrawal of candidate agents from direct warehouse observation on August 27, much of the IEC process and decisions was directed by agent politics and the attempt to seek political consensus on auditing policies. Agents drove the process, disempowering auditors and challenging advisors with contentious behavior that complicated and delayed auditing and recounting of ballot boxes. In addition, the general political pressure for an expedited audit often conflicted with the desire to conduct a quality process based on practical electoral practices to produce accurate audit results.
5. Creative's quantitative analysis during the audit was compared to an analysis of the first and second round turnout to correlate results. Evidence of irregularity was consistent with data collected from observers. While the audit was unable to detect all fraud, data revealed that the most suspect provinces from macro-level data – Baghlan, Khost, Wardak, and Paktika – correlated with the most problematic provinces at a box-by-box level. Ballot boxes from Baghlan, Faryab, Ghor, Paktika, Paktia, Khost, and Wardak were all the most likely to go to a recount, most likely to have SMBs, take the longest to complete, have suspect voter lists, and contain any number of recount criteria triggers. During the second round, only Baghlan and Ghor recorded an overall vote majority for Abdullah; the other provinces voted primarily for Ghani. Furthermore, these analytical observations were consistent with IEC auditing results and EU-EAT data analysis from June that identified polling stations with 599 or more votes cast as concentrated in five of the seven suspect provinces: Paktia, Paktika, Wardak, Ghor, and Khost.¹² Even though these outcomes are not definitive proof of irregular balloting, the results suggest a high level of consistent irregularity in those suspect provinces.
6. Despite the substantial procedural and operational challenges, the IEC auditors and UNDP advisors performed well. The initial policies and procedures of July 15 were rushed, amended while in action, and implemented under extreme pressure to produce results quickly. The subsequent policy Decisions No. 33-1393 (Jul 30) and 37-1393 (Aug 16) and IEC Audit and Recount Procedure (clarification) (Aug 8) took time to implement, explain, adjust, refine, and finally solidify among the audit participants. Regardless, inconsistency during implementation was a common observation throughout the process. The accommodating approach towards agent compromise when designing and modifying recount threshold criteria affected the ability of warehouse auditors and supervisors to assert their authority until the agents withdrew from the process.
7. The SSB process that provided further focus on approximately 6,000 suspect polling stations with approximately 3,000 identified by each agent group magnified the impact of the SMB

¹² EU-EAT, *Observation Handbook* (Jul 16, 2014): p. 20.

issue, which in turn, provided the basis for Abdullah agents to withdraw from direct audit observation. However, once the agents withdrew and national and international observer engagement increased, the overall pace and quality of ballot box examinations and data collection on the audit checklists improved, compensating for the lack of agent accountability and other constraints on the auditing and recounting operations.

8. Observers noted several dozen cases where numerous ballots that appeared “similar” were validated, and vice versa, cases where “not similar” ballots were invalidated. The former was the vast majority over the latter but remained difficult to quantify without physically interacting with the SMBs to count how many were challenged and subsequently identified or rejected. This level of ballot engagement was inappropriate for observers. Furthermore, insufficient or inconsistent SMB adjudication of irregular ballots also limited accurate audit checklist evidence collection based on other recount criteria that would trigger the IEC polling station exclusionary criteria. Consequently, the inconsistency of irregular ballot identification ran the severe risk of candidate agents claiming that IEC implementation and UNDP adjudication lacked reliability in resolving the potential for electoral fraud and thus naming the legitimate winner of the presidential runoff election.
9. Identifying potentially irregular or fraudulent ballots was complicated by the fact that the ballot boxes were generally prepared according to procedure (seal form filled out, results sheets signed, ballots rolled in 50-ballot bundles, voter list completed, etc.). If ‘industrial-scale fraud’ existed among the election results as suggested, the audit procedures could not sufficiently detect its presence.
10. Given the confluence of political, technical, and operational circumstances, observers noted that the IEC auditors and UNDP advisors implemented the process within procedural parameters. As a result, the IEC conducted a credible but imperfect audit operation. The IEC would have benefitted from additional planning and preparation time to design an audit system that properly sequenced ballot box review, sub-quarantined suspect boxes based on initial irregularity criteria, and maintained a more technical exercise versus one influenced by political interests and social incentives for expedited audit results decisions.

Conclusions are supported by analysis of the legal and policy frameworks empowering the audit and the key operational periods in which the process was conducted.

V. IEC LEGAL AND POLICY FRAMEWORKS ANALYSIS

Based on the legal framework provided by Election Law 2013 (Attachment Q), the IEC audit was intended to examine and investigate the quarantined ballot boxes for evidence of fraud and issue decisions on whether to exclude polling station results based on subsequent findings. In other words, the procedures for conducting the IEC audit should enable auditors to identify irregular or fraudulent or both types of ballots from the polling stations to support the IEC’s stated purpose: “transparency of the electoral process and acceptance of the results of the presidential runoff by the honorable candidates.”

1. **IEC and IECC Complaints Process:** The IEC implemented the first phase of the election auditing process by reviewing ballot boxes and recording outcomes on the audit checklist. The second phase involved the IEC assessing the checklists to decide on whether to

exclude ballots or polling stations. The final phase included the electoral dispute resolution (EDR) system for candidates filing complaints with the IECC.

In line with the IEC and IECC Structures Law 2013, Article 13, and Election Law 2013, Articles 58 and 59, and after formal IEC decisions, candidates have the right to file complaints with the IECC, whose decisions are considered final. There is no avenue for judicial appeal in the two legal frameworks:¹³

Online review of the eight IECC decisions tracked and recorded outcomes of the complaint process. A summary is provided in Section 5D of this report, but suffice to note here that only the Ghani agents submitted complaints and the IECC appeared to fulfill its legal obligations in a timely manner.

2. IEC Decisions and Policies: The IEC issued a set of three official decisions that contained the initial and modified policies for auditing, recounting, and nullifying polling station results and making formal decisions during the audit operations:¹⁴

- ◆ **Decision No. 27-1393 (Jul 15):** Listed the general provisions guiding the 100% audit of polling station results; established criteria for recounting ballot boxes; set the conditions for invalidating ballot box votes; and noted 16 investigative points for the audit checklist.
- ◆ **Decision No. 33-1393 (Jul 30):** Modified the audit procedures to qualify the recounting criteria with specific thresholds; clarify invalidation or exclusion of ballots, including treatment of similarly marked ballots (SMBs); and specify the eight polling station results exclusionary criteria based on conditions met through ballot box and ballot examination.
- ◆ **Decision No. 37-1393 (Aug 16):** Reaffirmed audit procedures in Decision No. 27-1393 and recount and exclusion criteria in Decision No. 33-1393; confirmed issuance of the August 8 IEC Audit Procedure Clarification; and provided procedure for data analyzing the audit checklists and announcing subsequent polling station investigation results based on the cumulative IEC procedures and criteria.

The procedural clarifications in Decision No. 33-1393 superseded the ballot box recount and polling station invalidation criteria from Decision No. 27-1393. Decision No. 37-1393 restates the key recount threshold criteria:¹⁵

Under the IEC Decision No. 33, ballots of a polling station will be recounted in the following cases and the Commission will issue a new decision on its result:

- ◆ *If the result sheet copy does not exist inside a ballot box or there is evidence of tampering with the result sheet.*
- ◆ *If the total number of ballots recorded on the result form (valid, invalid, spoiled, or blank) exceeds 600.*

¹³ IEC and IECC Structures Law, Article 13 (2013) and Election Law, Articles 58 and 59 (2013). Note that articles quoted earlier were paraphrased here to avoid repetition.

¹⁴ See [Attachments C-E](#): IEC Decision No. 27-1393, "Audit of the 100% ballot papers of the second round of the Presidential Elections," (Jul 15, 2014); IEC Decision No. 33-1393, "Recount and Invalidation Criteria for the audit of all polling stations of the 2014 Presidential Election Run-off" (Jul 30, 2014); and IEC Decision No. 37-1393, "Decision-making on audit and recount results of run-off election ballot boxes" (Aug 16, 2014).

¹⁵ IEC Decision No. 37-1393, August 16, 2014: p. 2.

- ◆ *If there is an obvious discrepancy between the number of ballots recorded on the result sheet copy inside a ballot box and the one obtained from the National Tally Center.*
- ◆ *If the voter list is missing, blank or there are 10 or more ID card number logged sequentially.*
- ◆ *If there is a 50% discrepancy between the number of voters on the result sheet and the number of voters on the list of voters.*
- ◆ *If a ballot box is broken or damaged to the extent that a hand could be placed inside the box or the seals are sufficiently loose that a hand could be placed inside the box.*
- ◆ *If two or more ballot box seals on the side of the box are damaged or broken or show obvious signs of tampering; or the serial numbers of two or more of the ballot box seals on the side of the box do not match with the seal serial numbers recorded on the record of seal form inside the ballot box.*
- ◆ *If there are at least 20 ballots in one ballot box, which are obviously similarly marked or marked not in accordance with the procedure.*

During the physical examination of the ballot boxes and ballots, the IEC audit teams filled out an audit checklist that collected evidentiary data on the condition of the box, seals, results sheets, voter list, journal, type/number of ballots inside the box, and ballot/seal serial numbers. Upon completion, the IEC requested that the agents, national observers, and IECC representatives confirm and sign the checklist. International observers do not sign the checklist. The IEC supervisor for that team also confirmed the entries were complete and signed before copies were made and distributed to the signees and placed inside the ballot box, which was then resealed under observation.

The completed audit checklists were forwarded to the data center for data processing and analysis by the IEC to decide whether to verify, recount, nullify, or re-examine the results of that polling station. The IEC exclusionary criteria required the presence of a physical scenario, qualified by additional conditions, to meet the standard. The following eight polling station exclusionary criteria from Decision No. 33-1393 were restated in Decision No. 37-1393 (emphasis added):¹⁶

In case the following findings are found during the audit, the Independent Election Commission based on its Decision No. 33 will invalidate the entire box:

- ◆ *If the ballot box is not of the same type distributed by the Commission for presidential run-off election.*
- ◆ *If there are no ballots in the ballot box, OR none of the ballots are stamped, OR all ballots are not marked in accordance with the procedure, OR all ballots are obviously similarly marked, OR all ballots are not separated from the stub.*
- ◆ *If there are reports in the journal of the Station Chairperson in regard to exertion of force, occurrence of fight, AND loss of control of the electoral material from the electoral staff.*

¹⁶ IEC Decision No. 37-1393, August 16, 2014: p. 3.

- ◆ *If the list of voters is missing or blank AND at least (33%) of the all ballots in the box are not stamped, OR are not marked in accordance with procedure, OR are obviously similarly marked, OR not detached from the stub.*
- ◆ *If there are 10 or more voter registration card numbers logged sequentially on the list of voters, AND at least 33 % of all the ballots are not stamped, OR are not marked in accordance with the procedure, OR are obviously similarly marked, OR are not detached from the stub.*
- ◆ *If the ballot box is broken or damaged to the extent that a hand could be placed inside the box, AND there is visual evidence of tampering with the result sheet or bundled ballots.*
- ◆ *If two or more ballot box seals on the side of the box are broken OR show obvious signs of tampering; OR the seals are sufficiently loose that a hand could be placed inside the box AND there is visual evidence of tampering with the results sheets or bundled ballots.*
- ◆ *If the numbers of two or more of the ballot box seals on the sides of the box do not match with the numbers recorded on the record of seals form in the ballot box, AND there is visual evidence of tampering with the results sheets or bundled ballots.*

The procedural approach of the IEC towards the audit relied on a physical examination of the polling station ballot boxes to investigate for irregularity or fraudulent results. However, based on the audit checklist sequencing, the condition of the boxes and seals was followed by a review of the results and a sampling of at least four bundles of 50 ballots each (2 from each candidate or 3 and 1, if results were disproportionate) to determine potential triggers for an immediate recount. The matching of results sheets data and examination of the voter list and polling station journal occurred at the end of the checklist. The information required from the voter list and journal were not adequately explained in the checklist and thus key information (e.g., the number of voters to number of votes used or occurrence of violence at the station) was often overlooked or underreported by auditors and agents, and thereby did not capture important data related to the exclusionary criteria.¹⁷

Moreover, requiring an immediate recount at the first trigger also prevented the auditors from assessing the total number of possible triggers in a box, which would have provided a more comprehensive assessment of the character of the box before recounting. Consequently, many boxes that might have been highly suspect due to several recount triggers were not fully identified as such due to the poor sequencing and procedural instruction to recount on the audit checklist.

The review for SMBs, followed by agent identification and advisor adjudication, was a subjective process prone to inconsistency and competing interpretations of what consisted as 'similar/not similar' ballots. Despite attempts by the IEC and UNDP to standardize procedural application, the implementation of the SMB review and subsequent special scrutiny box (SSB) processes experienced numerous cases of potentially irregular ballots being invalidated by recounts that failed to identify suspect ballots from contentious polling stations. Quantifying the number of potentially irregular ballots that were validated was

¹⁷ See [Attachment F](#): CCI-IEAOM Issue Report No. 1 that alerted the IEC to inadequate data collection by the audit checklist.

impossible given the limitations on observers for physically interacting with the challenged ballots or audit process generally.

Overall, the IEC policies and procedures were in line with the legal frameworks and contained the potential to sufficiently identify irregular or fraudulent ballots; however, implementation was challenged by the SMB identification and adjudication issues. Consequently, observers reported their concern about the impact of these difficulties on the perception of agents and other observers on the overall reliability of the IEC audit process. As identified in the fourth observation report, the risk of agent objections to the SSB process challenged by the SMB issue was demonstrated by the Abdullah agents withdrawing from the process in protest due to these same procedural issues.

The evolution of procedural implementation by the IEC and UNDP is illustrated by the identification of distinct operational periods and an analysis of the key observations noted over the nine weeks of the audit process.

VI. KEY ELECTION AUDIT OPERATIONAL PERIODS AND ANALYSIS

Creative observed the IEC auditing process evolve over four operational periods during the auditing, recounting, and evaluation of ballot boxes and audit checklists and deciding on the audit results based on subsequent findings:

- A. Initiation Period (Jul 15-26):** Decision No. 27-1393 (Jul 15) established the policy framework for conducting the audit with IEC personnel undergoing training on July 16 and initiating operations on July 17. The ramp-up period experienced unforeseen challenges in the procedural approach towards auditing boxes and recounting SMBs, both of which encouraged contentious candidate agent behavior and objections. A break in operations was called for on August 26 to reorganize warehouse functions and clarify the audit policies and procedures with UNDP guidance.
- B. Clarification Period (Aug 3-26):** Decision No. 33-1393 (Jul 30) and IEC Audit Procedure Clarification (Aug 8)¹⁸ were implemented to adjust and calibrate the audit in response to the SMB issue and agent objections to the subjective nature of the auditing and advising processes. Instituting consistency across four warehouse operations remained a challenge but gradually stabilized over time; however, Abdullah agents continued to object and withdrew from observing the audit activities in protest on August 27. Ghani agents followed suit at the request of UNDP to avoid a one-sided agent observation.
- C. Modification Period (Aug 27-Sep 4):** Decision No. 37-1393 (Aug 16 but released on Aug 25) confirmed the previous decisions and established policies for data analyzing audit checklists. The post-agent withdrawal period was qualitatively different as the role of audit participants modified to become more engaged in the audit and recount of boxes. The pace of warehouse auditing also increased until completion on September 4. Data center operations were also in full swing and experienced challenges as thousands of problematic checklists emerged from the database filtering process. The IEC issued its first five audit results decisions and the IECC issued the first six complaints review decisions.

¹⁸ See [Attachment G](#) and IEC website for IEC Audit AND Recount Procedures: <http://www.iec.org.af/pdf/legalframework/2013-procedures/runoff_audit_recount_procedure_eng.pdf>.

D. Completion Period (Sep 5-15): IEC Audit Checklist Data Entry Procedures (date unknown)¹⁹ guided data center operations, enabling the IEC to issue a total of nine decisions to verify, recount, nullify, or further examine polling station results. The completion period experienced delays in resolving the problematic and suspended checklists that contained a variety of issues, from duplicate polling station-center (PC-S) numbers to clerical errors to similarly marked results sheets (SSRS). UNDP advisors were instrumental in assisting the IEC data center auditors to review, resolve, and finalize the checklist data entry process. The ninth and final IEC audit results decision was issued on September 14 and the IECC complaints review process was completed on September 18.

Creative observers were present throughout the operational periods and prepared daily reports. The five observation reports provided to USAID-OTI form the basis of the following analytical assessment of IEC ballot box auditing and recounting and audit checklist data entry operations:

A. Initiation Period Analysis (Jul 15-26):²⁰

The audit operations conducted from July 17-26 experienced slow progress as the IEC ramped up its activities on an expedited basis. IEC officials initially struggled to develop an organizational approach towards auditing while also implementing procedural systems that were not fully understood by the IEC auditors and UNDP advisors, as well as the candidate agents and national and international observers. The implementation of organizational and procedural improvements witnessed in the second week of operations introduced slow and steady increases in the number of IEC audit teams; review warehouses; and corresponding advisors, agents, and observers. However, observers noted inconsistencies in understanding and applying the evolving management of audit procedures.

The first two weeks of the audit were complicated by a general misunderstanding of the audit process and specifically the difference between a ballot box sample “audit” and a full results “recount.” Candidate agents consistently demanded a recount when encountering any and all suspicious issues (e.g., mismatching seals, results forms, or voter list numbers to ballots used, etc.). Consequently, some auditors audited what should have been recounted, while others recounted what should have been audited. The agents did not appear to understand the reason for conducting a sample audit check and recording issues on the audit checklist for later assessment by IEC Commissioners.

The recounts resulted in contests over valid/invalid ballots and generated disagreements on how to record discrepancies or identify irregularities or both during ballot box review. Subsequently, heated arguments resulted as agents challenged or defended the validity of their respective ballots. Furthermore, inconsistent application of procedures fuelled these debates. As auditors, advisors, and agents developed clearer understanding of the process, the flare-ups decreased but were not entirely eliminated by the end of the second week.

¹⁹ See [Attachment H](#) and IEC website for IEC Audit Checklist Data Entry Procedures: <<http://iec.org.af/pdf/legalframework/2013-procedures/audit-checklist-data-entry-procedures-eng.pdf>>.

²⁰ See [Attachment I](#): Creative Associates, Election Observation Report No. 1 (Jul 15-31, 2014).



IEC Warehouse No. 2 operations and ballot boxes, Kabul, Afghanistan, July 22, 2014
(Photographs by Robert David Irish)

During the audit initiation period, there were two points of results auditing contention:

- ◆ **Ballot Markings:** Agents initially disagreed on what constituted a valid ballot mark when the voter did not use a standard check or tick mark, instead using another form of conveying their intended candidate choice. Over time, agents agreed that numbers were valid ballot marks; however, legible words, signatures, or fingerprints would invalidate a ballot and these would be recorded as such on a revised results form. Later, signatures were accepted as valid as long as the name could not be recognized.
- ◆ **Similarly Marked Ballots:** Agents made numerous claims of identical or patterns of SMBs, particularly in the contentious provinces of Paktika and Paktia. IEC officials, supported by UNDP advisors, developed an iterative approach towards identifying and recording the number of ballots that contained “similar/not similar” markings. If the two candidate agents did not agree, they would request input from agent supervisors, but if they still did not agree, then UNDP advisors provided a final recommendation on the disputed issue(s), which would be recorded on the audit checklist. However, the lack of procedural understanding by agents, coupled with inconsistent procedural application by auditors, created confusion and tension among agents, advisors, and auditors.

The IEC stopped audit operations on July 23 and 26. The first stoppage was primarily related to agent disagreements and altercations over SMBs and aggressive agent behavior. Auditing continued on July 24 after intervention by the UNAMA leadership and negotiations with agent representatives. The second pause was reportedly associated with agent disagreements on valid/invalid ballot criteria and the lack of international observers at the IEC audit. Auditing continued on August 3, after the Eid al-Fitr religious holiday and additional agent negotiations over clarified auditing criteria proposed by UNDP, which were approved by the IEC on July 30 without agent consensus.

B. Clarification Period Analysis (Aug 3-26):²¹

AUGUST 3-14:

²¹ See [Attachments J-L](#): Creative Associates, Election Observation Report Nos. 2-4 (Aug 1-26, 2014).

Implementation of the clarified procedures by IEC auditors and UNDP advisors was difficult as auditors, advisors, agents, and observers all struggled to understand the application of the adjusted procedures. Observers noted implementation inconsistencies in all four warehouses as auditors and advisors attempted to explain the threshold criteria to agents and observers. The lack of printed procedures at each table created additional difficulties in the ensuing discussions and debates as auditors had no formal point of reference. Subsequently, procedural misinterpretations and arguments over the same were common. As a result, inconsistent or even incorrect guidance from advisors contributed to confusion among the auditors, agents, and observers. Additional delays in processing contentious boxes was prevalent and concerns regarding the reliability of the international technical assistance was reported by agents and noted by observers.

The previous contention points were procedural issues regarding ballot markings and identifying SMBs. The first issue diminished significantly during the process, but the second continued to cause disagreements, arguments, and delays in processing boxes. A new issue emerged related to applying recount threshold criteria to unstamped, non-procedurally marked, and misallocated ballots:

- ◆ **Similarly Marked Ballots:** Agents continued to challenge identical and/or patterns of SMBs, particularly in polling stations with high turnout for one particular candidate (e.g., 500+ votes out of 600). IEC auditors attempted to apply the clarified procedures with support from UNDP advisors; however, the lack of understanding the new rules by agents, coupled with inconsistent procedural application by auditors and advisors, created confusion and tension among agents, advisors, and auditors.



SMBs laid out by IEC auditors for UNDP adjudication in IEC Warehouse No. 5, August 15, 2014
(Photographs by Ingrid Halmova)

- ◆ **Recount Threshold Criteria:** The threshold criteria for determining whether ballots are stamped or marked to procedure was 20 or more per sample set of two ballot bundles per candidate or one and three bundles if the results were disproportionate. Application of the criteria was fairly consistent; however, observers reported conflicting approaches to recording the discrepancies. Sometimes they were recorded on a new results form, and at other times, only noted on the audit checklist. Furthermore, there was no procedural guidance on how to record valid ballots for one candidate mixed in with the valid ballots for the other candidate and counted in the respective tallies. Some auditing tables issued a new results form, while others applied the 20 or more criteria and

recorded discrepancies on the checklist. Clarification was later issued on how to record valid/invalid votes discovered during sampling to avoid inaccurate polling station results.

AUGUST 9-15:

The period from August 9 until 15 was marked by IEC efforts to implement adjustments to the clarified recount and invalidation criteria and audit procedures. The second phase of auditing – assessing completed IEC audit checklists – was initiated on August 14 with data entry operations in the IEC Data Center.

Addressing inconsistencies when assessing SMBs and implementing recount threshold criteria remained consistent observation concerns. The issues related to unstamped, non-procedurally marked, and misallocated ballots was generally resolved by the introduction of new auditing thresholds on August 9, and thereby improved throughout the rest of the audit process.

In an effort to address the SMB issue, IEC and UNDP supervisors underwent additional training on August 9 and new explanatory tools were introduced to the auditing tables on August 10 and 14 to calibrate SMB review and adjudication. Assessing whether the new SMB adjustments expedited auditing was complicated by the disruption of operations from August 13 to 15. Late auditor deployments, agent work stoppages, and consistent challenges by both candidate agents related to suspected SMBs and identification of SSBs reduced the pace of auditing operations. The high of 727 boxes on August 11 was reduced to 497 boxes on August 15.²²

Furthermore, UNDP advisor capacity to adjudicate SMB challenges expeditiously was low due to an insufficient number of advisors in country. This lack of advisors further delayed box processing times as auditors had to wait sometimes more than an hour for adjudication. Regardless of agent boycotts, SSB procedural debates, and UNDP advisory capacity, the question of how to review and adjudicate SMB challenges consistently remained the most significant obstacle to expedited auditing operations.



Ballot bundles by candidate and auditing tables and ballot boxes, IEC Warehouse No. 1, August 9, 2014
(Photographs by David Jandura)

Observers received an informal briefing from the IEC Data Center supervisor on August 15, a day after commencement of operations on August 14. The data entry process appears to

²² IEC Daily Updates (Aug 12 and 16, 2014).

generally adhere to standard data international practices (e.g., checklist intake and scanning, double-blind data entry, quality control auditing, international advisory monitoring, and stakeholder observation), with several exceptions discussed below.

The IEC developed a unique software system to intake, log, input, verify, and archive data from the audit checklist. The following process summary outlines the functional systems that appeared in line with international electoral practices:

- ◆ **Intake:** Audit checklists and results forms first arrived at the processing center, which was in a separate building, across from the main data center building. The intake team reviewed each set of paperwork and organized them in batches of 20 by province. Paperwork that was incomplete or had errors were stacked in envelopes marked "problem" and did not enter the data center. Rather, they remained pending IEC examination. Throughout this process the intake team separated problematic paperwork into four categories: 1) duplicate polling center or polling station numbers, 2) polling centers or stations that were not opened according to IEC records, 3) polling centers or stations that were not found in any IEC records, and 4) paperwork with clerical errors.
- ◆ **Data Entry:** The batches of 20 went to the main data center, where they were scanned by a team and placed back in the envelope. The envelope then went to Data Entry A, where they were entered. After Data Entry A, they moved across the aisle to Data Entry B, for the same exercise. This was a double-blind mechanism to prevent fraud. Data center personnel logged checklists into the computer with a unique audit number so any issues could be traced back to them at each stage of the process.
- ◆ **Correction/Verification:** After completing Data Entry A and B, the checklists entered the corrections section, which checked for any discrepancies between the two entries. If there were discrepancies, they consulted the original checklist and ensured the two entries matched. If one data set was incorrect, the clerks corrected the entry. If both entries were incorrect, then the checklist was sent back to Data Entry A to restart the process. Once the checklist matched, the next step was the verification section, where a team checked the final audit checklist to verify the work of the previous section.
- ◆ **Quality Control:** The data entered checklist entered the Quality Control section, which was referred to as the "Legal Section." Here a team of IEC legal officers and candidate agents entered an online form. The staff reviewed the completed checklists, including the comments, and answered questions (usually via checking boxes) to determine whether the box met recount criteria or if the box should be excluded.
- ◆ **Archive:** The final audit checklist resting place was the archive, where each checklist was logged by its unique audit number and organized by province. Paperwork was filed in batches of 20, and files were only stored by province. In other words, much like the physical ballots boxes themselves, paperwork can be located by province, but looking for the specific paperwork of a district, or even polling center, required searching through the paperwork of the entire province until the sought after form(s) were located.
- ◆ **Narrative Review:** On August 24, UNDP established terminals for advisors and translators to review e-checklists to confirm that narrative data contained in the original checklists were being captured in the data entry process. The intention was to ensure the IEC had all relevant information to base decisions upon. UNDP also used these terminals as part of an additional quality review and corrections process.



IEC Data Center: Data Entry A and B (left) and Checklist Archive (right), August 20, 2014
(Photographs by David Jandura)

Notably lacking in this process is what is known as a “clearance” section, which is a standard feature in many other election results tally centers. Clearance team members are responsible for correcting any issues with incoming paperwork, issues that are often simply clerical in nature, to prevent a backlog from building up in Intake.

The data entry process was open to observation by agents, national and international observers, and media. Creative observers maintained a daily presence in coordination with other USAID implementing partners – Democracy International (DI) and National Democratic Institute for International Affairs (NDI) – and provided analytical observations throughout the data center operations.

AUGUST 16-26:

The period from August 16 until 26 further demonstrated the challenges and limitations of the IEC audit process that relied primarily on recounting ballot boxes to identify irregularity at polling stations. Analytical observations of the SSB implementation and checklist data entry processes revealed the associated risk to the overall reliability of the process from insufficient identification of irregular or fraudulent ballots:

- ◆ **SSB Implementation:** The SSB recount process inevitably led to SMB challenges by both sets of agents. The difficulties with assessing SMBs noted in previous reports – slow processing, subjective adjudication, heated arguments, and rising tensions – were showcased and magnified as SSBs were from contentious polling stations. As a result, observers noted several deficiencies and consequences: 1) insufficient number of UNDP advisors per recount table; 2) inconsistent advisory capacity to adjudicate SMBs; 3) agents arguing, threatening, and fighting at tables; and 4) agents rejecting advisory recommendations and refusing to sign checklists.

The primary complaint by both agents was SMB adjudication that tended to validate ballots within a box that also contained enough other irregularity triggers to be suspected of irregular ballots (e.g., mismatching box seals, sequential voter list ID numbers, ballots from other polling centers/stations, etc.). If the SMBs and any other discrepancies were not taken into full account and consistently identified by auditor review and advisor adjudication, then the IEC polling station results exclusionary criteria ran the risk of not being recorded on the checklist and thus not triggered during the data entry process to determine the extent and consequence of any balloting irregularity.



SMBs under review by IEC auditors and UNDP advisors in IEC Warehouse No. 3, August 5, 2014
(Photographs by Robert David Irish)

- ◆ **Checklist Data Entry:** A crucial component of the IEC audit process was the transfer of checklist data and evaluative narrative into a database that generated reports on whether ballot box results would be verified, recounted, or nullified. The formal decisions issued by the IEC, based on the checklist results, would determine the presidential runoff election winner.

Data center observers identified two primary areas of concern involving the intake and data entry stages during this operational period:

- **Problematic Checklists:** Involved the stockpiling of “incomplete” checklists in the intake section that numbered in the thousands and were separated only by province. As of August 26, the intake officers were under no managerial direction to count, number, or log current or additional incomplete checklists coming from the warehouses or being rejected from the data center. They were collected for later resolution. On the same date, the difference between the number of checklists in the system – 11,886 (52%) – and those processed – 16,311 (71%) – was 4,425 (19%).

Observers were concerned by the IEC not knowing how many of these pending checklists were complete and awaiting intake or incomplete and awaiting resolution of any issues. This lack of knowledge could have created additional agent concerns that the IEC was not addressing in an organized manner a substantial number of polling station results that could potentially affect final results.

- **Agent Objections:** Involved the apparent lack of IEC procedures for agents to record and submit objections to archived checklists that contained discrepancies. Agents from both candidates expressed frustration and concern that the IEC did not adequately address their discoveries when reviewing the e-checklists provided at data center terminals. For example, Abdullah agents recorded a contradiction between data indicating that the voter list was present and handwritten narrative that it was not. Ghani agents also claimed discrepancies in the e-checklists. Agents recorded the issues but claimed there was no standard IEC procedure for submitting and resolving claims, only an ad hoc process that fuelled tension and suspicion.

Overall, the procedural clarification period was marked by systematic attempts by the IEC and UNDP to implement auditing and data entry procedures that addressed agent concerns over the review and adjudication of SMBs. Despite the gradual stabilization of procedural application over time, the Abdullah agents in particular protested perceived auditor and advisor inconsistencies and withdrew from the auditing process.

C. Modification Period Analysis (Aug 27-Sep 4):²³

The period from August 27 until September 4 experienced a qualitative difference from the previous periods due to the withdrawal of both candidate agent groups on August 27. Analytical observations of the agent withdrawal from standard box auditing and special scrutiny box recounting noted the subsequent impact on the auditing process. Observation of the audit checklist data entry operations confirmed prior reporting and recorded the resolution of thousands of “problematic” and “suspended” checklists.

- ◆ **Agent Withdrawal Impact:** The IEC auditing operations had been observed by candidate agents since its launch on July 17 until August 26. Their role was to observe auditing and recounting to identify and challenge any irregularities discovered inside ballot boxes and confirm the subsequent outcomes by signing the audit checklist. These activities provided accountability and transparency to the IEC auditors and UNDP advisors who conducted and advised operations. However, the agents demonstrated varying levels of cooperation and contention during their duties.

The agent presence was often antagonistic towards the auditors/advisors and each other as both agent groups defended or challenged their respective ballots. Even though the agents added accountability, their behavior was typically disruptive, the source of tension and arguments, and delayed auditing activities.

The decision by Abdullah agents to withdraw from warehouse auditing observation and the subsequent withdrawal of the Ghani agents resulted in a qualitative change to auditing operations. The agent withdrawal had at least three results:

- **Audit Participant Role Changed:** Auditors, advisors, and observers all experienced an increased engagement in the audit process with enhanced scrutiny of the process to compensate for absence of the agents.
- **Pace of Audit Increased:** Standard auditing and special scrutiny recounting processes required national and/or international observer presence and thus the number of active auditing/recounting tables depended on the number of available observers. Regardless, the IEC increased the pace of auditing as there was less agent disruption and more UNDP encouragement to complete auditing activities.
- **Auditor Bias Reveled:** Agent withdrawal removed the balancing effect of mutual accountability and observers noted examples of IEC auditor bias towards both candidates during ongoing auditing/recounting operations.

Despite the loss of agent observation, the change in other participant roles generally compensated for their absence, as advisors and observers increased their engagement with the process. The additional awareness and interaction with auditors supported greater diligence towards collecting and recording accurate and complete evidentiary data on the

²³ See [Attachment M](#): Creative Associates, Election Observation Report No. 5 (Aug 27-Sep 15, 2014).

audit checklist. The added benefit was a faster pace of audit, especially in the SSB process, as auditors, advisors, and observers exhibited greater cooperation to process the troublesome SMBs but with the same level of agent scrutiny.²⁴

Moreover, observers were deeply concerned that no agent presence might have encouraged biased preferences among IEC auditors to influence their activities for either candidate in ways that observation alone could not mitigate. Despite the availability of Pashto and Dari speaking interpreters, the inability to follow the intricacies of the process in the local language limited international observer awareness and knowledge. The following examples are a sampling noted by observers:

- ◆ **Warehouse 1:** Observer noted that the IEC auditor was much more forthcoming with arranging ballots for Abdullah's SMBs. However, when the UNDP advisor was questioning Ghani ballots, the auditor showed them per bundle without organizing them. There appeared to be a different process for assessing the different candidate votes.
- ◆ **Warehouse 2:** Observer requested the polling center name for a SSB from Khost province with 599 votes for Ghani but the IEC auditor response was "what are you an Abdullah agent?" Later he tried to hide similar ballots that the UNDP advisor had previously separated. The observer and UNDP worked together to mitigate the apparent bias of the IEC auditor. This behavior was not consistent but occurred when auditing SSB boxes from certain provinces, such as Khost.
- ◆ **Warehouse 5:** IEC auditor incessantly challenged the UNDP advisory and several IEC supervisors' recommendations to invalidate Abdullah ballots but offered no resistance to invalidating Ghani ballots. The behavior was reminiscent of agent actions.

Such auditor behavior was not observed to be endemic or systematic but may have reflected selected political preferences that were previously accounted for by the presence of both agents. Regardless, the overall quality of auditing and recounting was likely improved in those cases where observers exercised stronger engagement in monitoring checklist preparation, thereby enhancing the ability of the IEC and UNDP to evaluate the polling station examination during the data center audit results analysis.

Overall, the auditing modification period was marked by the withdrawal of agent observation that encouraged more accountability from national and international observers. Consequently, the role of observation changed as the auditors, advisors, and observers all adjusted their activities to accommodate the absence of agents. The IEC and UNDP increased their diligence when auditing and recounting, while observers tended to increase their engagement in the process with IEC and UNDP encouragement. The more interactive observation assisted the auditors and advisors in maintaining a balanced approach to collecting audit checklist information and thereby supported a more reliable audit process.

D. Completion Period Analysis (Sep 5-20):²⁵

²⁴ The SMB issue detailed in the third and fourth Creative observation reports continued to plague the auditing and recounting process with the same problems, namely inconsistency and subjectivity in identification and adjudication, except for the disagreements from agents, as they were no longer present.

²⁵ See [Attachment M](#): Creative Associates, Election Observation Report No. 5 (Aug 27-Sep 15, 2014).

The period from September 5 to 20 experienced the resolution of problematic audit checklists, finalization of checklist data entry, and the IEC issuing its last set of audit results decisions. The IECC also continued its review of complaints filed and issued a total of eight decisions over the course of the audit.

Data center operations made steady progress entering audit checklists until 22,417 (98%) were reported archived and decided upon as of September 12. The remaining 405 polling stations²⁶ were identified as missing ballot box checklists and were located in the IEC warehouses, re-reviewed, and resolved on September 13 under international observation. In addition, a set of approximately 2,200 archived checklists that were considered “suspended” by the IEC, received further examination to resolve issues that had prevented a formal audit results decision. The resolved checklists incorporated two main categories:

- ◆ **Problematic Checklists:** The ‘problematic’ and ‘rejected’ checklists that were stockpiled in the data center intake section contained at least four problem types:
 - Duplicate polling center-station (PC-S) numbers.
 - PC-S numbers not found on open or closed polling center lists.
 - PC-S numbers found on closed polling center list.
 - Clerical errors (e.g., transposed numbers, incorrect station numbers, misread handwritten numbers, etc.).
- ◆ **Suspended Checklists:** As checklists were data entered and analyzed, discrepancies emerged that required further IEC examination to resolve. Key examples included but were not limited to the following:
 - Ballot boxes that triggered recounts but were not recounted.
 - Ballot boxes that were recounted but did not warrant a recount.
 - Ballot boxes that contained similarly signed results sheets (SSRS).
 - Ballot boxes that were processed prior to being identified for special scrutiny but were not recounted.



²⁶ The IEC and UNDP explained the missing 6 polling station ballot boxes to total 22,828 as those that were damaged or lost in transit from the provinces to the headquarters in Kabul and would be nullified accordingly.

“Problematic” checklists pending review and resolution in the IEC Data Center Intake Section, September 5, 2014 (Photographs by Robert David Irish)

As of September 5, observers was informed by the IEC data center director that there were approximately 1,200 problematic and 2,200 suspended checklists pending an IEC decision on how to review, resolve, and intake into the audit database.

The IEC, with UNDP support and guidance, worked to resolve the pending checklists with SSRS review activities commencing on September 8. Creative observers attended this first day but security risks during the September 9 through 12 period prevented further in-person observation until September 13 when observers returned to the IEC. However, IEC and UNDP contacts were tapped daily to stay abreast of developments by telephone and during informal meetings. Simultaneously, the IEC also initiated review of the problematic checklists to resolve issues where possible.

Observers were unclear how boxes were removed from suspended status. This was due partly to security concerns preventing observers from travelling to the data center in the final days of the audit, but also due to the fact that no policies or procedures were publicized for how the IEC would deal with such cases. Moreover, no explanation or press release provided the agents, observers, or public with information on what steps the IEC and UNDP were taking to resolve the pending checklist issues.

Accounts from UNDP advisors assisting the data center team suggested that the IEC Commissioners had decided to accept all recounts, even those where the checklists indicated that no recount should have been performed according to IEC procedures. Additionally, boxes that should have been recounted but were not, but which had a difference in votes below a certain threshold (threshold unknown) were also removed from the lists of suspended boxes.

On September 10, the IEC intake supervisor reported that approximately 800 checklists had been resolved for clerical and PC-S errors and 300 checklists remained unresolved with duplicate PC-S cases as the most common issue pending an IEC decision whether to exclude if not resolved. On September 11, the intake supervisor reported that all but a small portion of problematic checklists had been cleared and intaken for data entry that night. However, UNDP sources reported on the same day that approximately 400 polling stations have been identified in the database for which there was no audit checklist or results form to record whether they were audited during the warehouse operations. The IEC searched for these ballot boxes in the warehouses and located a copy of the checklist or re-reviewed the boxes if no checklist was found. Resolving the various types of problematic checklists generally took place without national or international observation, decreasing transparency and increasing the potential for unaccountable decisions. However, a large portion of the suspended checklists were observed, with UNDP informing that a final set of 1,683 SSRS checklist recommendations were submitted to the IEC on September 11.²⁷ The eighth IEC decision on September 12 included these recommendations among more than 4,000 checklist decisions.

On September 13, the IEC located the polling stations that were identified with missing checklists. The process was not well-organized with observers waiting several hours before

²⁷ Email to international observer groups from UNDP advisor Richard Chambers on September 11, 2014.

the IEC produced a list of the boxes that needed to be retrieved following the IEC instruction to locate 368 boxes (276 incomplete checklist data and 92 missing checklists). The boxes were eventually located despite the overly dusty conditions of the warehouses. Observers watched the process of confirming that the checklists were present and complete. If incomplete, an audit was undertaken by the IEC, under UNDP supervision, and in some cases, a recount was held to complete the process.



Creative observers at the IEC warehouses on the final day of auditing, September 13, 2014
(Photographs by Markus Thessing)

The ninth IEC decision issued on September 14 included the 405 remaining polling stations that were identified with missing checklists and nullified 78 polling stations with SSRS.

The audit checklist data entry process resulted in a series of nine formal IEC decisions to include/exclude ballots based on the database analysis. According to IEC polling station auditing decisions as of September 14, the IEC audited and verified 11,237 (49%) stations, recounted and accepted 10,546 (46%) stations, and nullified 1,117 (5%) stations. The total number of decisions issued as of September 14 was 22,900 (100 %). The following table summarizes the nine decisions:

IEC Audit Results Decisions (Aug 25-Sep 14)²⁸

Decision Date	Ballot Box Type	Audited-Valid	Recounted-Valid	Nullified-Invalid	Requiring Further Investigation*	Total Decisions**
Aug 25	Standard	2,876	697	72	0	3,645
	Special	0	0	0	0	0
Aug 27	Standard	1,853	498	64	83	2,415
	Special	0	263	11	226	274
Aug 29	Standard	1,807	628	69	496	2,504
	Special	0	0	0	0	0

²⁸ IEC audit results decision tables (Aug 25-Sep 14, 2014) <<http://iec.org.af/runoff-audit>>.

Decision Date	Ballot Box Type	Audited-Valid	Recounted-Valid	Nullified-Invalid	Requiring Further Investigation*	Total Decisions**
Aug 31	Standard	1,837	915	191	514	2,943
	Special	0	1,250	45	248	1,295
Sep 2	Standard	520	287	37	256	844
	Special	0	783	13	104	796
Sep 4	Standard	562	344	48	146	954
	Special	0	789	24	87	813
Sep 8	Standard	279	259	41	121	579
	Special	0	1,444	53	103	1,497
Sep 12	Standard	1,459	2,304	95	405	3,858
	Special	0	0	0	0	0
Sep 14	Standard	44	85	276	0	405
	Special	0	0	78	0	78
TOTALS						
	Standard	11,237	6,017	893	2,021*	18,147**
	Special	0	4,529	224	768*	4,753**
	Combined	11,237 (49%)	10,546 (46%)	1,117 (5%)	2,789* (12%)	22,900** (100%)

*Polling stations suspended for further examination not included in decision totals

**Total polling station decisions exceeds the total number of opened stations by 8 ballot boxes

Observers noted the following observations and critiques of the IEC decision-making process:

- ◆ Open sessions were merely decision announcements with no actual deliberation process observed by agents, observers, or media.
- ◆ No reasons for nullifications were provided in decisions based on exclusionary criteria (e.g., no reference to any of the eight Decision No. 37-1393 criteria).²⁹
- ◆ No results impact tally provided to track the numeric or percentage change for each candidate based on audit results decisions.
- ◆ No IEC/UNDP briefing on policy/procedure for reviewing and resolving problematic/suspended checklists.
- ◆ IEC/UNDP provided procedures for reviewing/resolving SSRS checklists only.³⁰

²⁹ The decision tables posted to the IEC website were checked for specific nullification reasons; however, none were identified on the "Runoff Audit" page: <<http://www.iec.org.af/runoff-audit>>.

³⁰ See Attachments N and O: IEC Procedure for the Review of Claims of Similarly Signed Results Sheets (SSRS) (Sep 7, 2014).

- ◆ Lack of IEC/UNDP communications to agents/observers in general but particularly during data center operations and in the post-warehouse audit period.

The IECC received formal complaints from the Evolution and Continuity (E&C) party led by Ghani on polling station nullifications following the official IEC audit results decisions. Abdullah agents did not file any complaints and thereby adhered to their withdrawal from the official process.

In line with the Election Law 2013, Article 58, the IECC received complaints within 24 hours of the IEC decisions and issued its own decisions within 48 hours. The following table summarizes the IECC decisions, which are considered final by law:

IECC Audit Results Complaints Decisions (Aug 28-Sep 18)³¹

IEC Decision Date	Total Boxes Nullified	No. of Complaints	Complainant	IECC Decision Date	IECC Decision
Aug 25	72	25	E&C	Aug 28	Overturn 2
Aug 27	75	15	E&C	Aug 31	Overturn 4
Aug 29	69	16	E&C	Sep 2	Overturn 2
Aug 31	236	81	E&C	Sep 3	Overturn 6
Sep 2	50	15	E&C	Sep 6	Overturn 1
Sep 4	72	28	E&C	Sep 7	Overturn 2
Sep 8	94	21	E&C	Sep 13	Overturn 1+*
Sep 12	95	16	E&C	Sep 18	Pending**
Sep 14	276	172	E&C	Sep 18	Pending**
TOTAL	1,039	389	--	--	18

*IECC reported that "one polling station and some ballots from five stations were overturned"

**IECC reported insufficient reasons to decide and requested additional data from IEC

Overall, the auditing completion period was marked by a significant decrease in transparency as the IEC and UNDP evaluated checklists and made decisions behind closed doors with less opportunity for national or international observation. The resolution of the approximately 1,200 problematic checklists took place without observation or any formal updates on their status. The approximately 2,200 suspended checklists, particularly the SSRS claims were observed for a portion of the time, but security restrictions between September 9 and 12 prevented full-time observation. Regardless, the IEC and UNDP diligently pushed forward to clean-up and resolve all remaining checklists to enable the IEC to issue its final set of decisions on September 14. These decisions were subject to the 72-hour adjudication process by the IECC to review the complaints filed by Ghani agents.

³¹ IECC audit results complaints decisions (Aug 27-Sep 16, 2014) <<http://www.iecc.org.af/en/index.php>>.

VII. ELECTION AUDIT OBSERVATION QUANTITATIVE ANALYSIS

Methodology: Data in this section is derived from 2,537 boxes observed by Creative from August 3 until September 4.³² No margin of error can be calculated, as observer seat placement was not random. The quantitative analysis is intended to support the qualitative assessment to provide a holistic picture of the ballot boxes observed and thereby identify relevant issues. There may be slight variation between numbers presented and the data figures or tables due to rounding. The difference is never greater than 1%.

1. First and Second Round Election Results

Examining the first and second round of the Afghanistan election reveals several provinces that produced results inconsistent with nationwide trends. In particular, Khost, Wardak, and Paktika consistently stand out as outliers with results that raise suspicions. In addition, the provinces of Baghlan, Faryab, Ghor, and Paktia, also produced suspect numbers, though not as consistently, and not as dramatically. This analysis suggests evidence of potential electoral fraud. While there are many types of electoral fraud, the most basic is ballot stuffing,³³ which is also the method with the most allegations in this election. Ballot stuffing is amateur in nature and is thus one of the easiest to detect through macro-level forensics.³⁴ The simplest way to find evidence is to examine the relationship between the percentage of the voters who cast a ballot for a candidate and the turnout results in the first round of the election to those of the second round.

First round election turnout figures should predict second round turnout figures with little variance, as polling stations remained constant and the elections were only months apart. This should protect the data from endogenous variables that cannot be accounted for, such as security conditions. If there was an overall increase or decrease in turnout, uniformity across the entire country should be recognizable. If any area experienced a much higher rate of turnout; however, this could be evidence of ballot stuffing, as such irregularity would produce a significant number of 'new voters.

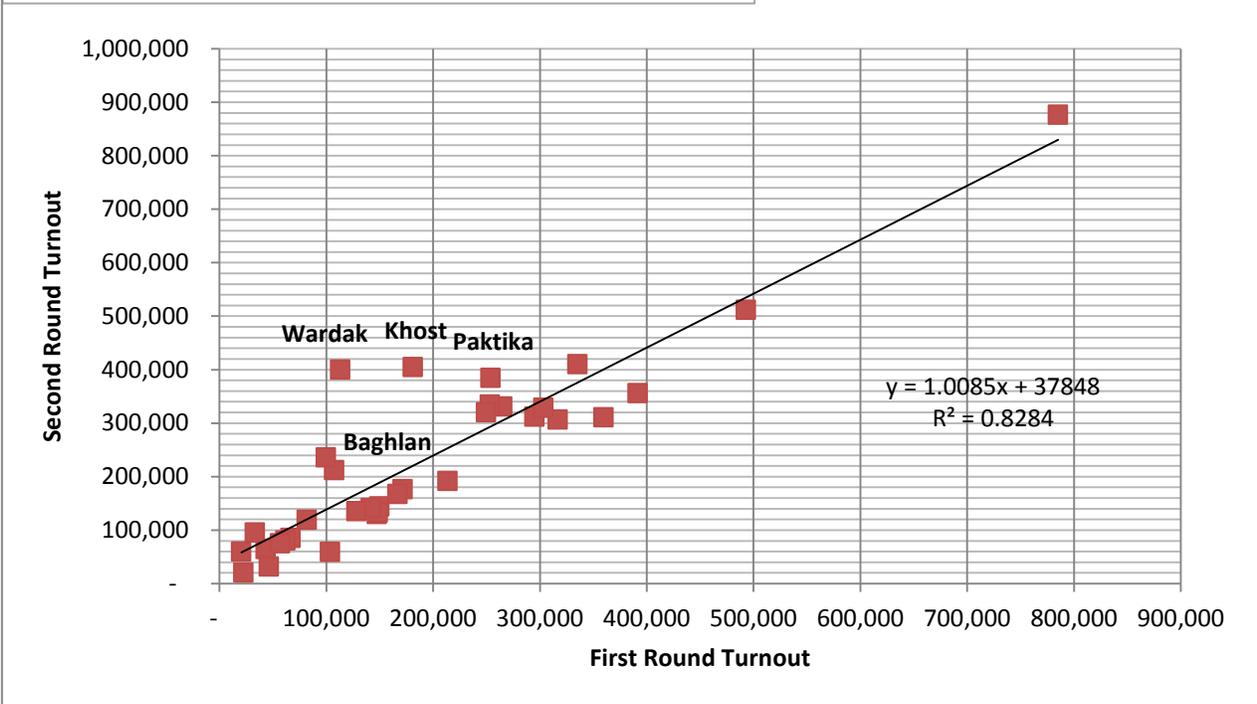
Examining turnout data by province reveals that turnout in the first round predicts 82% of the variation in turnout for the second round: a strong relationship. However, several provinces are outliers: Baghlan, Khost, Wardak, and Paktika. These demonstrate higher percentage increases in turnout than other provinces. In these provinces, Ghani also increased his vote total over the national average in the second round. While Ghani increased his percent of the vote by 13% nationwide, his increase in Baghlan was 24%, Khost 23%, Paktika 23%, and most revealingly, Wardak 64% (Figure 1).

³² Data from the first 87 boxes observed (July 17-26) were not included as the initial observation checklist was based on the EU-EAT checklist. Creative developed a more comprehensive checklist to record observations for the period from August 3 to September 4.

³³ IFES defines "ballot stuffing" as "deliberate wrong-doing by election officials or other electoral stakeholders, which distorts the individual or collective will of the voters." Vickery, C, and Shien, E. *Assessing Electoral Fraud in New Democracies: Refining the Vocabulary*. Washington: IFES, 2012: p. 9.

³⁴ Deckert, J. *Patterns of Fraud: Tools for Election Forensics*, A Dissertation presented to the Department of Political Science and the Graduate School of the University of Oregon (Jun 2013): pp. 3-4. See also: Myagkov, M. G., P. C. Ordeshook, et al. *The Forensics of Election Fraud: Russia and Ukraine*. Cambridge, New York, NY, Cambridge University Press (2009).

Figure 1: Relationship Between Increased Turnout and Ghani Gains
By Province

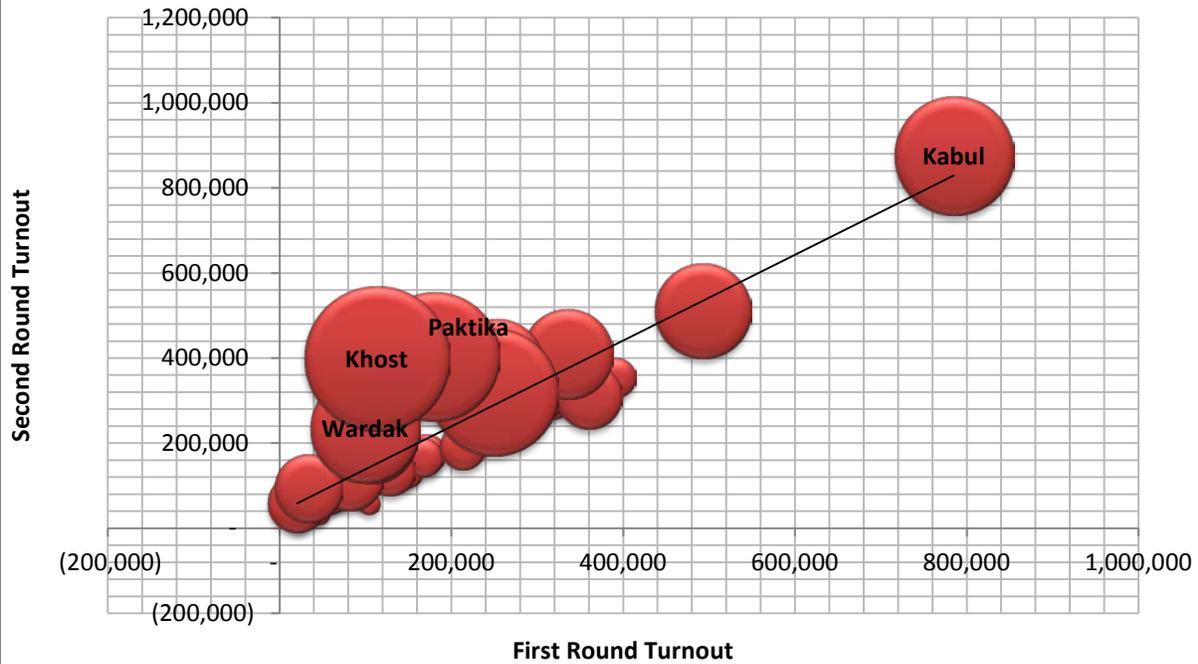


Source	SS	df	MS	
Model	6.7833e+11	1	6.7833e+11	Number of obs = 34
Residual	1.4050e+11	32	4.3907e+09	F(1, 32) = 154.49
Total	8.1883e+11	33	2.4813e+10	Prob > F = 0.0000
				R-squared = 0.8284
				Adj R-squared = 0.8230
				Root MSE = 66262

var17	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]
var18	.8214295	.0660871	12.43	0.000	.6868145 .9560445
_cons	2241.553	19177.49	0.12	0.908	-36821.72 41304.83

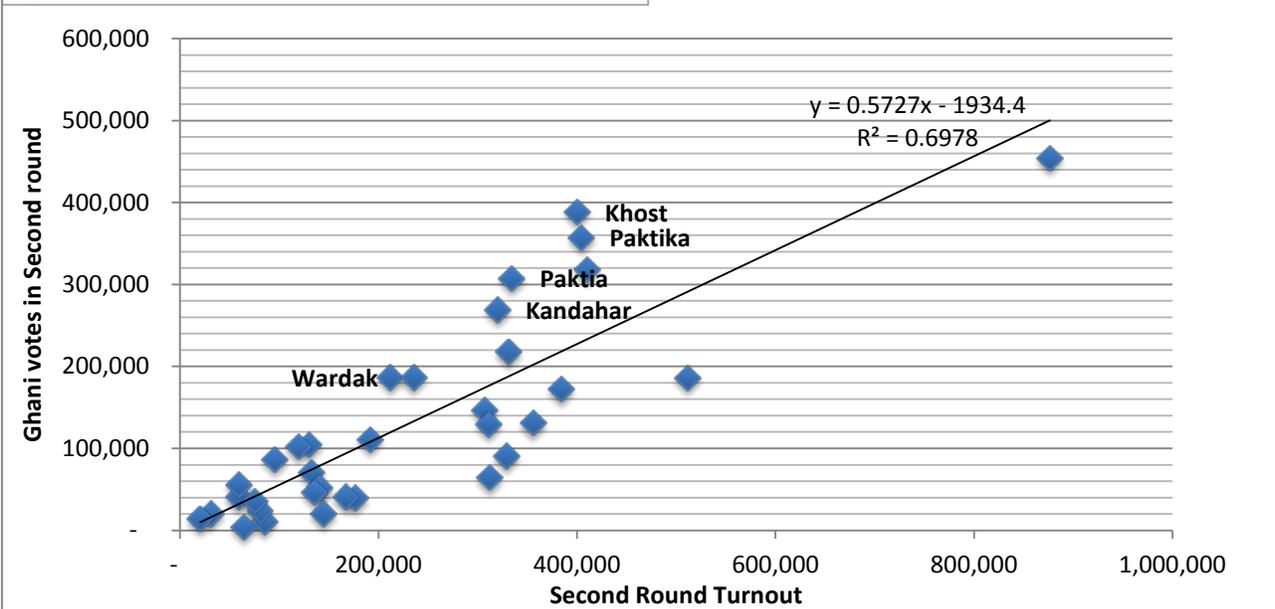
Furthermore, the provinces that outperformed others in relation to increased turnout also provided Ghani with the highest number of votes in the second round: Khost, Paktika, and Wardak (Figure 2). These provinces are relevant as they largely correlate with the provinces where observers noted the most problems. Boxes from these three took much longer to complete, on average, than boxes on a whole. Moreover, observers noted a higher than average number of boxes from these provinces going to a recount. While an average of 27% of all boxes observed triggered a recount, that same number is significantly higher for the outlier provinces: Baghlan (45%), Khost (65%), Paktika (54%), and Wardak (63%).

Figure 2: Relationship Between Increased Turnout and Ghani Gains
 By Province (Size of bubble represents number of votes for Ghani)



Similar outliers are found when comparing the increase in second round turnout with Ghani’s vote share in that round. Once again, these two variables should be a strong predictor of each other. There is a mildly strong relationship with increase in turnout responsible for 69% of the variation in Ghani’s vote total. We can observe strong outliers, however, most notably with the provinces of Khost, Paktika, Paktia, and Wardak. This indicates that Ghani gained votes in these provinces and at a much higher rate than the model should predict (Figure 3).

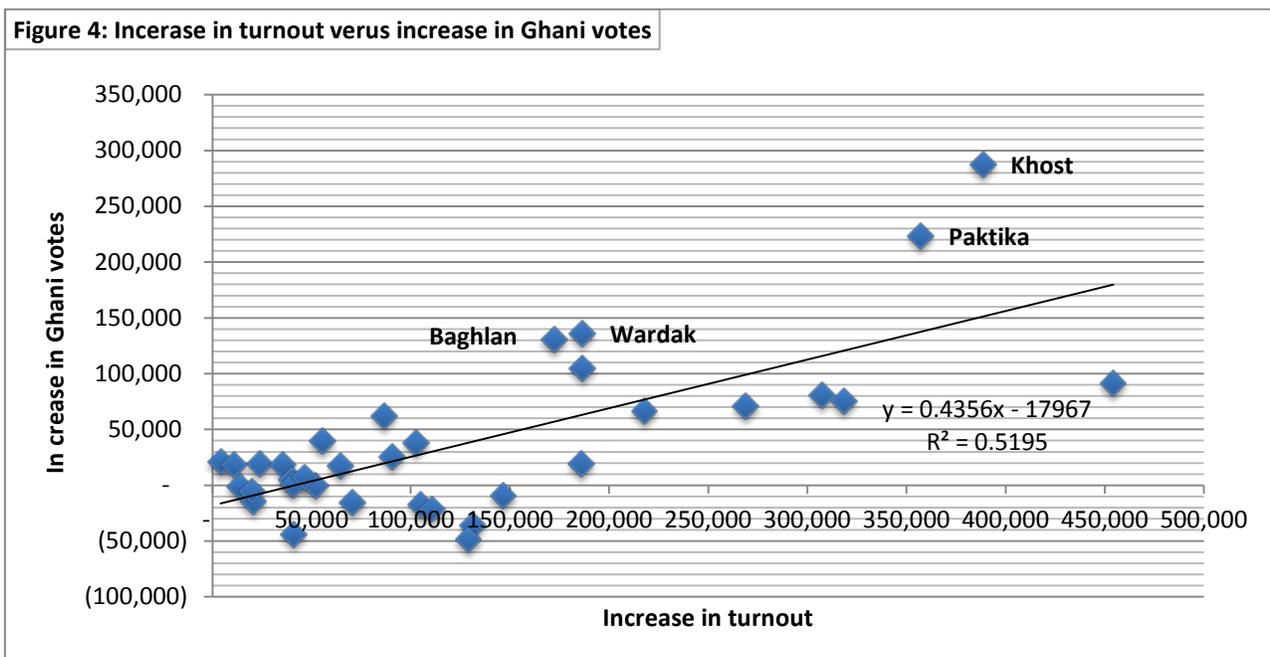
Figure 3: Ghani vote total versus turnout in second round



Source	SS	df	MS			
Model	8.9652e+10	1	8.9652e+10	Number of obs =	34	
Residual	8.2907e+10	32	2.5909e+09	F(1, 32) =	34.60	
Total	1.7256e+11	33	5.2291e+09	Prob > F	= 0.0000	
				R-squared	= 0.5195	
				Adj R-squared	= 0.5045	
				Root MSE	= 50900	

var19	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]
AGvotesec-d	.435558	.0740438	5.88	0.000	.2847358 .5863803
_cons	-17967.16	13101.09	-1.37	0.180	-44653.21 8718.886

Furthermore, using a similar metric, Baghlan, Khost, Paktika, and Wardak remain strong outliers when comparing Ghani's increase in vote percentage in the second round to increase in overall turnout in the second round (Figure 4).

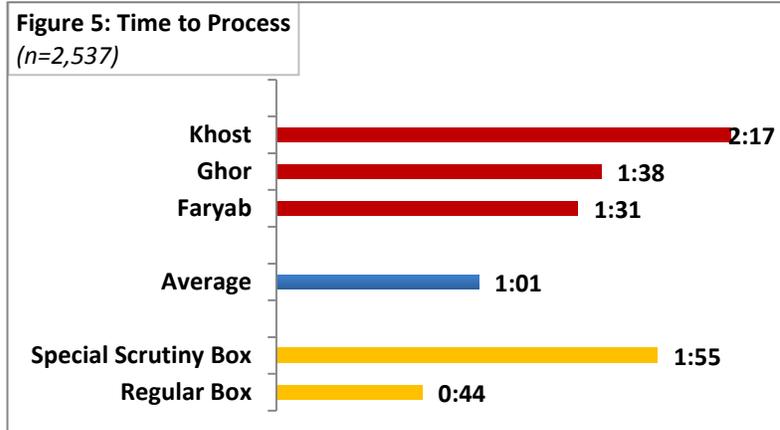


Together, this data shows that Baghlan, Paktika, Khost, and Wardak all saw an increase in voter turnout in the second round at a noticeably higher rate than the rest of the country. At the same time, they experienced a higher increase in Ghani's vote share than that increase in turnout should predict. This is evidence, though not definitive proof, of potential ballot stuffing in favor of Ghani.

This evidence is also consistent with data collected from observers. While the audit was unable to detect all fraud, much less invalidate a substantial number of ballots from boxes that were suspect, data shows the most suspect provinces from examining macro level data that were also the most problematic at a box-by-box level. Ballot boxes from Baghlan, Faryab, Ghor, Paktika, Paktia, Khost, and Wardak were all the most likely to go to a recount, most likely to have similarly marked ballots (SMBs), take the longest to complete, have suspect voter list, or contain any number of recount criteria.

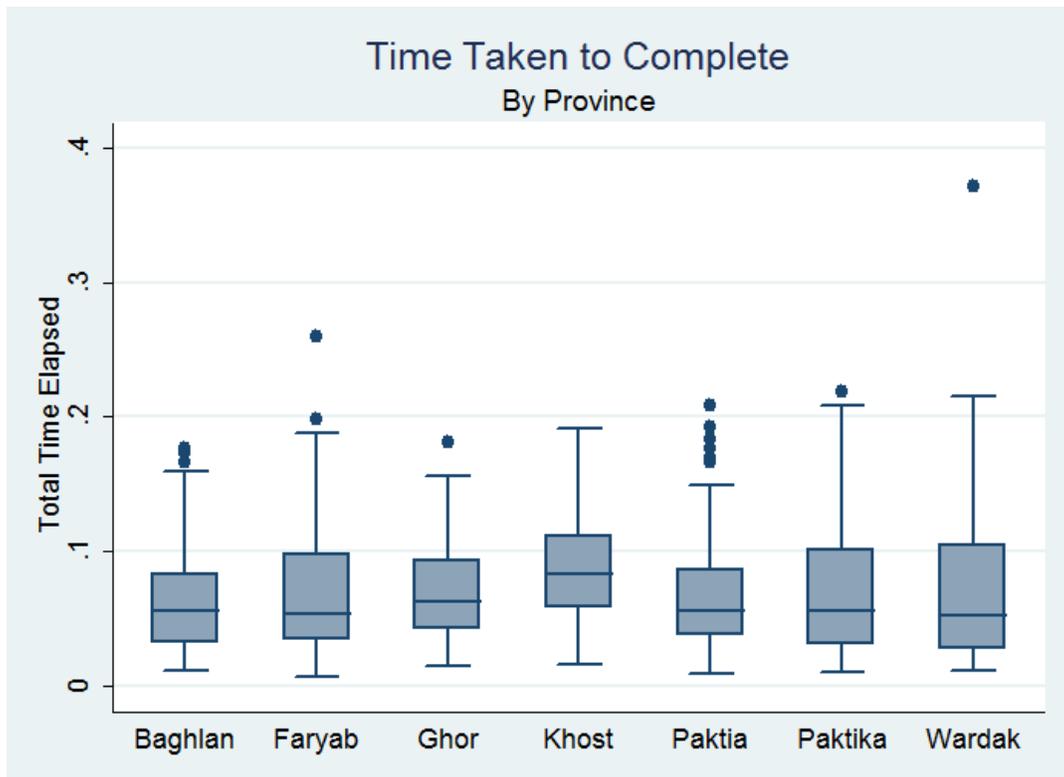
2. Creative Election Audit Observation Data

Pace of Audit: Since August 3, boxes observed by Creative took on average 1:01 hours to complete. Broken down by province, Khost boxes took the longest to complete with an average of 2:17. This was followed by Ghor (1:38) and Faryab (1:31) (Figure 5). Predictably, the SSBs skewed the data. SSBs took 1:55 to complete, while standard boxes took just 0:44 minutes to complete.



The withdrawal of agents resulted in a decrease in time to complete SSBs. When agents were present, the average was 2:28 hours, but only 1:42 hours when not present (Figure 6).

Figure 6: Ballot Box Completion Time



Absence of Candidate Agents: Most metrics Creative recorded did not fluctuate noticeably in the periods before and after the agents withdrew from the audit. Standard boxes audited without agents present were 15% more likely to go to a recount than those audited before. This relationship may be a result of endogenous factors such as ballot box integrity, though it could also point to increased scrutiny by IEC and UNDP in an attempt to compensate for the absence of agents. In addition, Ghani lost 26 less votes on average per recount than he did during the period where candidate agents were present. This number, however, should also be treated with caution, as it does not take into account potential variables such as ballot box integrity.

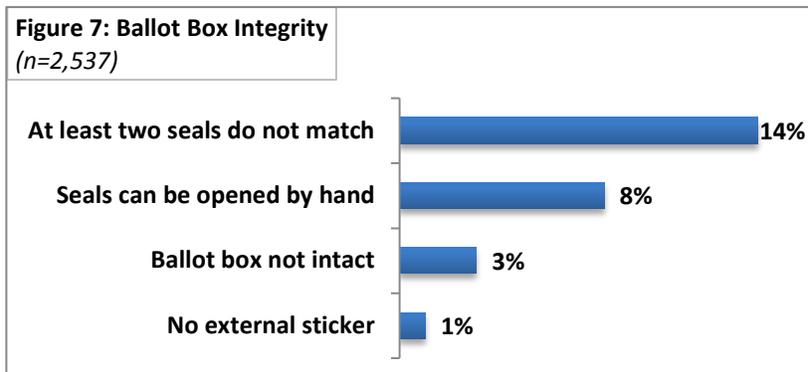
Observers also recorded their perception of the IEC and UNDP conformity with procedural application. Accordingly, according to observers, UNDP advisors were 6% less likely to correctly follow the rules and procedures when the candidate agents left. IEC auditors were 3% less likely. Generally, auditors and advisors implemented the audit in line with procedures.

Special Scrutiny: Since the opening of the special scrutiny process on August 16, 25% of boxes observed by Creative were designated SSBs. This slightly underrepresents the time spent observing as SSBs took longer to complete (1:31 hours longer), and therefore less boxes were observed overall during the rest of the audit.

The highest percentage of observed SSBs originated from Khost (16%), Ghor (9%), and Paktika (6%). Supporting the special focus of the Abdullah campaign on Khost, 85% of all boxes observed from that province underwent special scrutiny. Male polling stations represented 61% of SSBs. This is consistent with previous findings throughout the audit that male polling stations were more likely to be contested or go to a recount. This is slightly surprising as informal information suggested female polling stations were the most likely to experience systematic fraud.

Gender: Among ballot boxes Creative observed, 62% came from male polling stations, which was close to the 60% actual total for male polling stations during the election. Ballot boxes from female polling stations were more likely to have integrity problems, but not by significant margins. The percent of boxes that had 20 or more SMBs, no voter list, problems with the voter list, no journal, or went to a recount was within one or two percentage point's difference between male and female stations. While this does not prove that male and female polling stations were not affected by irregularity at different levels, the data cannot disprove the null hypotheses that there was any measurable variation by gender.

Ballot Box Integrity: Creative observed few problems related to structure or integrity of the ballot boxes. Out of 2,537 boxes observed since August 3, the vast majority was intact (97%), regular (98%), included the external sticker showing polling center and station codes (99%), and 9% of observed boxes had been previously audited by the IEC. The highest frequency of observed problems was related to ballot box seals. Seals could be opened “with the force of hand” in 9% of cases, while 14% had at least two seals on the side of the box that did not match, which was a recount trigger (Figure 7).



Ballot Papers: In 99% of boxes observed since August 3, there were no marked ballot papers still attached to the ballot stub. Approximately 90% of boxes contained all ballot papers with an official IEC stamp. In those cases, only 9% had 20 or more and triggered a recount. Ballots were marked according to procedure 85% of cases, with 13% of those not having 20 or more and thus not triggering a recount. These numbers remained consistent within one or two percentage points during the entire auditing process.

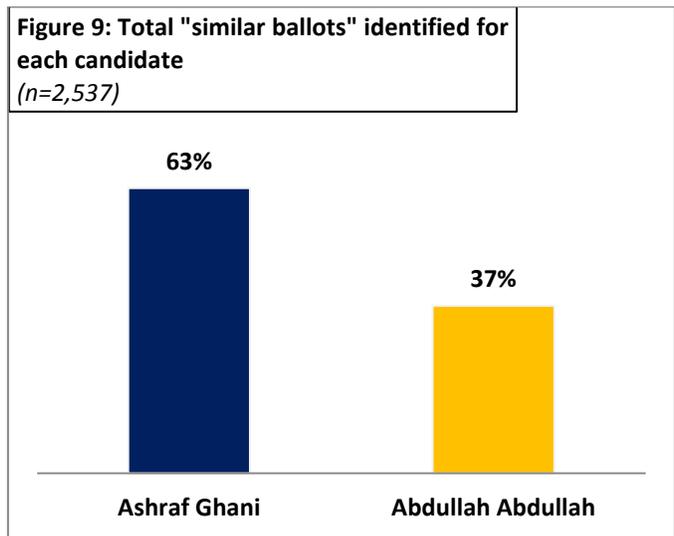
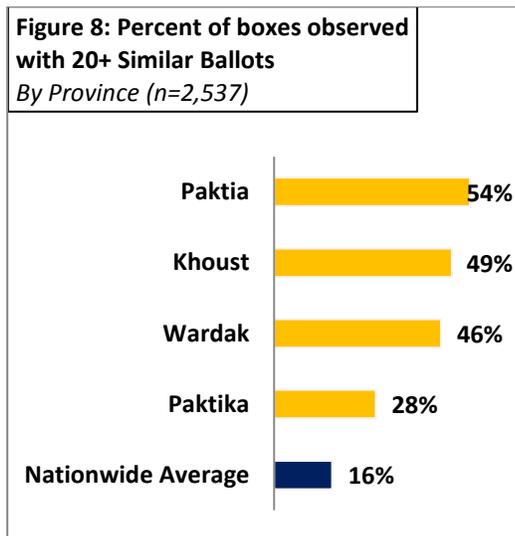
The longest delays in balloting during the audit stemmed from agent disputes over similar markings on ballots. Even after the agents withdrew, examination of similar markings by the IEC and UNDP was the main focus of each box.

In 33% of boxes observed, there were some SMBs; however, in only 52% of those cases was the number 20 or more ballots, according to UNDP recommendations. In this case, 16% of boxes met the SMB recount criteria. This number is skewed, however, by the SSBs: 43% of boxes observed had 20 or more, as recommended by UNDP, compared to 7% for standard boxes.

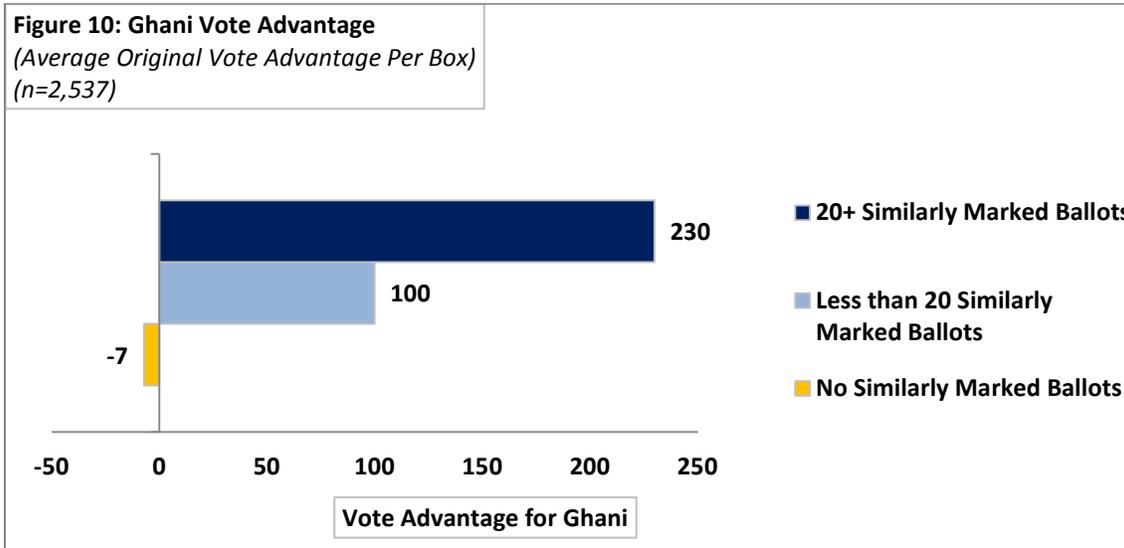
Boxes that contained 20 or more SMBs took 1:11 hours longer than those that had none. Throughout the audit, there was a gender component to the boxes: 57% of boxes observed that had 20 or more SMBs came from male polling stations, compared to 43% for female stations.

Regarding SMBs, Paktia was the most problematic province with 54% of its boxes observed having 20 or more SMBs. Khost boxes had SMBs in 49% of cases and Wardak 46% (Figure 8).

Throughout the audit, observers noticed that similar markings clearly benefited one candidate. Among the boxes Creative observed since August 3, 63% of ballots have that were ruled similar were originally cast for Ghani, while only 37% were for Abdullah (Figure 9).



Boxes that had 20 or more SMBs had on average an original Ghani vote advantage of 230 ballots. In comparison, boxes that had 20 or less SMBs had an average of a 100-vote advantage for Ghani, while boxes with no SMBs had a 7-vote advantage for Abdullah (Figure 10).



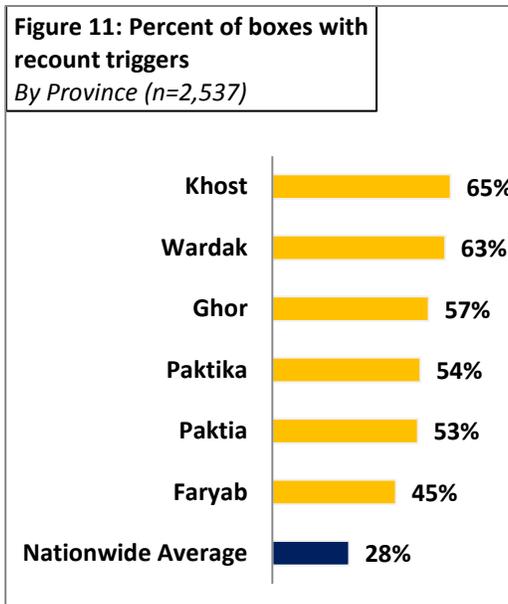
The quality of these observations would be improved with additional data to weight the significance of each province’s numbers. However, these figures are an accurate indicator that the SMB difference between candidates was still wide – and persistent enough across time – to infer that considerably more SMBs were originally cast for Ghani.

Results Sheets and Audit Forms: While 97% of boxes had a yellow results sheet (copy), 6% of those did not match the official blue results sheet (original data entered). In only 3% of cases since August 3, was there any evidence of tampering with the results form.

Recounts: In 28% of cases since August 3 (excluding SSBs), the IEC conducted a ballot box recount. These numbers remained consistent throughout the audit.

Excluding SSBs, Khost province had the highest percentage of boxes that contained recount triggers at 65%. This was followed by Wardak (63%), Ghor (54%), Paktika (54%), Paktia (53%), Baghlan (45%), and Faryab (37%). Provinces with small sample sizes were not included (Figure 11). This result is consistent with other indicators of potential irregularity.

Voter Lists and Journal: In Creative observed boxes since August 3, 93% had a voter list and 93% of those lists were signed by IEC polling staff. In only 2% of cases was the number of voters on the voter list a discrepancy of 50% or more than the number of recorded ballots. In contrast, however, 6% of voter lists had at least 10 ID numbers listed in sequential order. Among those, 62% of boxes came from male polling stations with 38% found in female ones. In voter lists with 10 or more sequential numbers, 15% of boxes triggered a recount over SMBs. Voter list problems tended to exist in the same provinces that observers witnessed other irregularities. Among observed boxes, the three provinces with the highest suspect voter lists were Khost (20%), Paktika (16%), and Wardak (12%).



Administration: In 88% of boxes observed, observers considered UNDP advisors to have correctly followed rules and procedures. The IEC was rated slightly better with 92% of boxes observed being considered as administered according to rules and procedures. In 94% of cases, the criteria for determining the intent of the voter and validity of the ballot were applied consistently.

VIII. ELECTION AUDIT STAKEHOLDER ANALYSIS

1. IEC Auditing Role:

The IEC played the leading role as the national implementing institution for managing and conducting the 100% election results audit. The IEC Commissioners issued the necessary policy decisions and operational procedures to guide the process and announced the final auditing results. The IEC headquarters and provincial office personnel carried out the day-to-day auditing and data entry operations in four warehouses and the data center at the central offices in Kabul.

The performance of the IEC was commendable given the political dynamics, operational challenges, and public pressure for conducting a highly technical and complex exercise on an expedited basis. The IEC exercised diligence and perseverance as they conducted the audit based on a political agreement and implemented in accordance with agreed upon audit criteria and receiving technical assistance and guidance from UNDP. Auditing conditions were rudimentary in hot and dusty warehouses but basic integrity and patience during the process were generally adhered to and preserved.

Observers noted, however, that the roles between auditors and agents were often reversed with the latter exerting more control over the process than the former. During the first two operational periods of the audit process, including but not limited to the comparison of SMBs, the candidate agents ran the show and IEC staff only validated their decisions. The reluctance of the IEC to take command of the auditing process encouraged opposing agents to argue over minor and major issues with the auditors exerting little authority to resolve disputes without UNDP advisory intervention. The IEC exerted more authority after the withdrawal of candidate agents during the third period, but then that empowerment sometimes conflicted with UNDP advisory direction, as occasional political bias crept into the process. Regardless, the IEC relied heavily on UNDP technical guidance throughout the process to conduct and advise the auditing exercise.

The day to day management of the IEC audit was an Afghan driven process that depended on the professionalism and commitment of the election officials to complete. Despite limitations and constraints, the IEC performed admirably and conducted a credible if not imperfect auditing operation in line with national legal frameworks and the IEC policies and procedures guiding the process.

2. UNDP ELECT Advisory Role:

UNDP played the lead supporting role throughout the auditing operations. The technical assistance and guidance provided when developing IEC policies and procedures and resolving the multitude of issues that arose during ballot box auditing and checklist data entry were instrumental in providing the IEC with enhanced operational capacity.

UNDP is commended for its logistical ability to deploy more than 100 supervisors and advisors from all corners of the world on such short notice to support the audit. UNDP personnel, however, varied in electoral knowledge, skills, and approach as well as in

personality, demeanor, and confidence. Observers noted excellent explanations from electoral and non-electoral specialists with clear and concise guidelines and an appropriate advisory and partnering mode with IEC supervisors and auditors. Other advisors appeared not to fully comprehend the process and some displayed overly assertive approaches that required more procedural comprehension and cultural sensitivity. Given the rapid deployment to a unique electoral exercise, there were limitations on how well the advisors could operate until procedures were clarified, explained, established, and applied consistently over time.

Despite the limitations and constraints on UNDP providing technical recommendations to the IEC, the impact of UNDP on the overall capacity and credibility of the audit was crucial. UNDP deployed several of the world's leading electoral specialists to offer high-level advice and counsel to the IEC Commissioners, providing high-quality advisory services. The combined effect of day-to-day assistance during ballot box auditing and recounting, audit checklist data entry, and the resolution of operational and procedural challenges enabled the IEC to complete the audit in a timely fashion.



UNDP advisors reviewing and adjudicating SMBs, IEC Warehouses Nos. 3 and 5, 15 August 2014
(Photographs by Robert David Irish)

3. Candidate Agents Role:

The Abdullah and Ghani agents played the role of counterfoil to each other and antagonist to the IEC auditors and UNDP advisors. The levels of interparty aggression were initially modest but increasingly grew more intense and even violent as the frustration over SMB identification and adjudication turned the warehouses into panoramas of political conflict.

Candidate agents were generally mixed in ethnic background and age. They displayed a fairly good understanding of the general process and willingness to see fair procedure, despite naturally different agendas. Among older agents, observers noted behavior that encouraged and instigated count bickering, when individual boxes sparked wider aggression as agents challenged or defended votes. However, agent theatrics often appeared as posturing before agent supervisors or the media cameras and often blew hot

and cold quickly with the same agents arguing forcefully one moment and cooperating peacefully the next. Agent supervisors, however, were a constant source of antagonism, moving from auditing table-to-table whipping up agents to challenge and fight for every ballot, which often delayed auditing and generated tension.

Despite the consequences of agents challenging or defending their respective votes with confrontational enthusiasm, they also played a key role in providing accountability and transparency during the audit process. The balancing nature of having both agent groups present provided a check on the IEC auditors, limiting the potential for political preference to encourage inappropriate behavior. The agents also assisted UNDP advisors to maintain balanced professionalism and discouraged them from taking shortcuts to complete auditing or recounting at a faster pace.

The withdrawal of the agents had a qualitative impact on the process. Even though the agents provided accountability, their behavior was disruptive. The subsequent auditing operations were more peaceful, faster, and perhaps of higher quality as the national and international observers were more engaged in assuring that the audit checklists were completed appropriately to aid the IEC data analysis and decisions.

4. National and International Observer Role:

National Observers: The national observation organizations played a key but generally passive role in providing accountability to the process. The following groups were present throughout the audit:

- ◆ Free and Fair Election Forum of Afghanistan (FEFA)³⁵
- ◆ Transparent Election Foundation of Afghanistan (TEFA)³⁶
- ◆ Afghanistan National Participation Organization (ANPO)³⁷
- ◆ Afghanistan Youth National and Social Organization (ANSYO)³⁸

FEFA and TEFA were the most prevalent observation groups and were well-represented, maintaining coverage at nearly all auditing tables. ANPO and AYNSO also provided observers but did not have the same capacity. All groups observed the auditing, recounting, and data entry operations and recorded their notes on checklists accordingly but rarely asked questions or interjected in any fashion. However, when the candidate agents withdrew from the warehouses, the national observers increased their engagement to compensate for the absence of the agents. National observers were observed as being generally helpful to IEC auditors and UNDP advisors during the third operational period.

The impact of national observers was less obtrusive than the agents but no less important as they provided in-person observations and assessments of the auditing that was communicated to the public through their websites and statements. National observation provided more credibility to the auditing process. Observers recognized that increased

³⁵ See FEFA website for electoral observation reports: <<http://www.fefa.org.af/index.php/election-2014>>.

³⁶ See TEFA website for electoral observation reports: <<http://www.tefa.org.af/>>.

³⁷ See ANPO website for election observation activities: <<http://anpo.org.af/#>>.

³⁸ See AYNSO website for election-related activities: <<http://aynso.org/>>.

engagement between national and international observer groups could have provided additional insight on the auditing process.

International Observers: International observation groups provided essential legitimacy to the IEC auditing process in their traditional role of representing impartial accountability. In addition to Creative, the following groups were present during the audit:

- ◆ European Union Election Assessment Team (EU-EAT)³⁹
- ◆ National Democratic Institute of International Affairs (NDI)⁴⁰
- ◆ Democracy International (DI)⁴¹
- ◆ The Asia Foundation (TAF)⁴²
- ◆ Asian Network for Free Elections (ANFREL)⁴³
- ◆ Chemonics⁴⁴

International observer organizations were mandated to maintain a consistent, diplomatic, and non-interfering approach towards election audit observation. Creative observed some international observers stretching the bounds of the international observer code of conduct. UNDP advisors commented that some internationals were “interfering” with the process by “suggesting recounts” to auditors and agents when procedures were not followed. Asking procedural questions can be appropriate but recommending actions or offering opinions may be construed as interference and could form the basis of agent claims of partiality depending on whether the suggestions favor one candidate or the other.

Despite the temptation to exert influence during audit operations, the international observers had a powerful and positive impact on the auditing process. The IEC and UNDP relied on their presence to legitimize activities and provide an extra level of electoral awareness based on experience. This role was instrumental in the third operational period when the withdrawal of the candidate agents necessitated a more engaged level of observation to support the collection of evidentiary data on the audit checklists. The entire auditing process could have collapsed if not for the accountability presence of national and international observers to compensate for the absence of the agents.

Creative received several expressions of appreciation from UNDP supervisors and advisors for its professional approach towards election audit observation.

5. IECC Auditing Observation Role:

The IECC played an observation role during the auditing process. The IECC officials were present throughout the operations; however, they did not have the capacity to cover each

³⁹ See EU-EAT website for updates and statements: <<http://www.eueom.eu/eu-eat-afghanistan-2014/home>>.

⁴⁰ See NDI website for election observation activities: <<https://www.ndi.org/node/20932>>.

⁴¹ See DI website for election observation activities: <<http://democracyinternational.com/news/press-release-democracy-international-election-experts-observed-june-14-afghan-presidential-run>>.

⁴² See TAF website for Afghanistan-related activities: <<http://asiafoundation.org/country/overview/afghanistan>>.

⁴³ See ANFREL website for electoral statement: <<http://anfrel.org/anfrel-election-day-statement-on-afghan-runoff-a-significant-step-forward-deserves-continued-vigilance/>>.

⁴⁴ Chemonics conducted observation only during the first operational period of the auditing process.

auditing table as the IEC expanded its activities. Regardless, the available officials recorded auditing and recounting data on checklists, and at times, provided counsel during agent/auditor exchanges. As the IECC has the mandate to review any complaints filed after the IEC issued formal auditing results decisions, their presence and data collection was important to provide further accountability and credibility to the auditing exercise.

6. Media Role:

The media also played an accountability role during their coverage of warehouse and data center operations, but at the same time, was a disruptive influence due to the tendency of candidate agents to play to the cameras with theatrical objections and statements. Furthermore, some IEC auditors complained to Creative observers that they felt intimidated by the presence of cameras recording their faces while working and that this could put them at risk in their home provinces. Even though media coverage was important for the public to view the process and be informed on the status of the audit, the benefit had a sharp edge as the media also encouraged melodramatic agent displays. Regardless, media is a crucial component to a democratic society, providing access to updated electoral information.



Media cameras filming special scrutiny process and Abdullah agent making statement, IEC Warehouse No. 3, August 23 and 26, 2014 (Photographs by Robert David Irish)

IX. CREATIVE INTERNAL OBSERVER FOCUS GROUP SUMMARY

- 1. Introduction:** Creative conducted five focus groups with 37 of its international election observers in Kabul.⁴⁵ The first two were held on August 22 and the next three on September 6. Five participants were seconded by Creative to UNDP as audit advisors. Opinions based on this experience were duly noted. The objective of the focus groups was to gather information on the perceptions and experiences of the observer team during the IEC election audit process.

The focus groups were informal but semi-structured group discussions. By interacting in a group dynamic, they stimulated discussion and generated more ideas than might have otherwise existed in a one-on-one interview. The focus groups were more reflective of the

⁴⁵ See [Attachment P](#): Creative Associates. *Afghanistan Election Audit Observation Focus Group Research Report* (Sep 15, 2014).

group's opinion rather than any particular person's. Experiences described may or may not reflect the experience of other international observers. Unless otherwise noted, the quotations presented are meant to represent opinions that were cited frequently. Some opinions may have been omitted if they were not significant or relevant.

2. **Summary of Findings:** Participants mostly felt the audit process improved as the IEC and UNDP became better at their roles over time, but that several institutional deficiencies undermined the exercise. Observers expressed frustration with the focus on determining similarly marked ballots (SMBs), which they believed eclipsed almost every other aspect of the audit. There was uniform belief that the sequence of the audit checklist was flawed. Examination of ballot papers should have come after inspecting all other elements of the box, such as the condition of the box and seals and contents of the results sheets, voter identification list, and polling station journal. Participants also expressed mixed opinions on the ability of the IEC and UNDP to consistently rule on the validity of irregular ballots in a manner that both agent groups would accept.

Participants mostly believed that the speed and format of the warehouses required improvement as media and candidate agents flooded tables in numbers that the space could not handle. Observers generally respected the difficulty of the task faced by the IEC and UNDP but felt that their efforts were not consistently adequate. There was perceived inconsistency in IEC and UNDP competencies as well as towards procedural application.

The withdrawal of candidate agents from the audit on August 27 qualitatively changed the process. Participants expressed mixed feelings about the benefits and drawbacks of this departure, but generally felt the process was smoother and a more technical versus political exercise without them. However, participants also believed that the IEC displayed more open bias towards both candidates, but primarily Ghani, after the agents were not present.

Participants noted increased ambiguity over their role as observers after the agents withdrew. This was supported by a lack of direction and communication from the IEC and UNDP, as well as inconsistency among IEC and UNDP personnel. The final days of the audit were chaotic as the IEC and UNDP placed increasing pressure on all participants, including international observers to finish the process. This resulted in a faster pace of adjudication, but at a noticeable cost of quality and transparency.

X. CONCLUSION: LESSONS IDENTIFIED AND RECOMMENDATIONS

1. Overall Recommendations

1. When conducting a second round of elections, the IEC should avoid changing the results auditing policies between rounds to prevent candidate agent claims of policy bias that may favor one candidate over the other.
2. When conducting electoral events, the IEC should make every effort to protect the voters' franchise by implementing anti-fraud mechanisms and removing any ambiguity in the voting system. For example, updating and modernizing the voter registration rolls, designing stronger polling center-station monitoring systems, ensuring ballot box seals cannot be inverted and thus opened by force of hand and closed again, and enforcing existing electoral laws against fraudulent behavior would all strengthen electoral practice in Afghanistan.

3. In the post-election period before the next national elections in 2015, political parties and civil society organizations should insist on an electoral reform effort where the IEC undergoes a thorough performance and systems evaluation process to identify areas for managerial, regulatory, technical, operational, logistical, and procedural improvements. An electoral reform process might reassure the voting public that Afghanistan leaders and institutions are serious about establishing a credible democratic electoral system.
4. In the post-election audit period, international technical assistance providers and observer groups should conduct internal lessons learned exercises to identify areas for managerial, technical, operational, logistical, and procedural improvements. The workshop mechanism would benefit from participation and contributions from the IEC, UNDP ELECT, candidate agents, and national and international observer groups.
5. In the post-election audit period, political party agents and national observer groups should more actively engage with the IEC and IECC to establish regular channels of communication to offer recommendations for improving operations and to receive ongoing updates on electoral developments and audit decision making processes.

2. Recommendations to the IEC:

Electoral Audit Recommendations

1. Before initiating an audit, take the requisite time to develop appropriate policies and procedures in line with national and international electoral practices to avoid a rushed process that requires continual adjustments during ongoing operations.
2. Redesign the audit checklist to establish proper sequencing for identifying potential ballot box irregularity before examining the ballots to assess the preliminary character of the suspect box.
3. Develop audit checklist questions that contain appropriately formed yes/no questions that enable binary database analysis and support more efficient checklist evaluation.
4. Develop a sub-quarantine process that identifies and provides additional scrutiny to suspect boxes and that enables regular auditing to proceed at faster pace while recounting is conducted by specialized teams.
5. Provide a photocopy of the audit checklist and results sheets to technical advisors and national and international observers to add another level of transparency and accountability to the audit process.
6. Enforce existing electoral laws regarding infringement, violation, or fraud by IEC officials, candidate agents, and other stakeholders and prosecute violators to the full extent of the law to deter future irregularities.⁴⁶
7. Include in the ballot box examination process investigative interviews of polling center and station officials to collect relevant information and hold them accountable to the

⁴⁶ See Election Law 2013, Articles 67-70, for details on what constitutes infringement, violation, and fraud as well as the corresponding penalties and fines.

electoral laws, regulations, and procedures. Also review national observation reports for additional evidentiary information.

8. Organize the data center intake process to better filter and track problematic audit checklists before they are entered into the database and then develop mechanisms for resolving them on an ongoing basis to avoid stockpiling to the end of the process and encouraging expeditious resolution without adequate agent or observer scrutiny.
9. Improve agent and observer access to procedural development, knowledge, and adjustment during audit and data entry operations to enhance understanding and avoid the appearance of ad hoc revisions that encourage uncertainty and suspicion.
10. Provide clear identification to IEC supervisors, auditors, and data center clerks to ensure candidate agents and national and international observers can recognize the respective positions.
11. Enforce the no-tolerance policy for candidate agents' or other stakeholders' verbal and/or physical violence and enforce their removal and prohibit any return.
12. Coordinate the presence of media representatives to provide designated IEC media officials to escort and enforce appropriate media code of conduct and engagement during the audit process.
13. Improve communication channels between the IEC and other electoral stakeholders, including political party agents, national and international observers, media outlets, and the general public to enhance transparency during procedural development, adjustments, and implementation.

Electoral Practice Recommendations

14. Conduct an internal review of all anti-fraud measures involving ballot box seals; polling station journals; voter lists, results sheets, and ballot booklet serial numbering; and any other features to identify how to more effectively prevent electoral fraud and remove any ambiguity from electoral operations.
15. Evaluate the voter registration system and database to update voter identification numbers and cards and develop the capacity to assign voters to polling stations to avoid the potential for multiple voting across polling centers and stations.
16. Design a preprinted polling station journal in a page-numbered booklet that contains the appropriate polling station information (e.g., start/end time, seal numbers, polling station staff, etc.) and questions on the setting and conditions in which the election was conducted (e.g., incidents of violence or loss of electoral materials control, etc.).

3. Recommendations to the IECC:

17. Develop additional capacity for auditing assistance and observation to support IEC officials during policy and procedural development and implementation.
18. Develop more effective reporting mechanisms on the IECC website to publish official complaints decisions on IECC letterhead, as the current format of releasing press articles that contain formal decisions is not well presented.

4. Recommendations to UNDP ELECT:

19. Develop a formal channel of communication between advisors and observers to receive periodic feedback during implementation of auditing activities to benefit from the collective experience of electoral observation and practice.
20. Provide more comprehensive audit procedures training and refresher sessions to advisors and clearer guidance on their level of authority in making final recommendations on disputes at the audit tables.
21. Provide copies of the IEC audit policies and procedures in the Dari, Pashtun, and English at every audit table to mitigate against arguments over procedural points.
22. Improve access of observers to data center operations to include formal briefings on procedural implementation and adjustments, resolution of problematic audit checklists, and any other deliberation on decisions made during the audit results process.
23. Improve cultural and sensitivity training to new advisors upon arrival to Afghanistan to avoid inappropriate behavior towards national personnel.
24. Deploy a sufficient number of translators to advisors to ensure better communication.
25. Conduct a lessons learned exercise to improve management, technical, operational, and procedural implementation with contributions from the IEC, candidate agents, and national and international observers.

5. Recommendations to Candidate Agents:

26. Require candidate agents to sign a code of conduct at the onset of the audit and adopt a no-tolerance policy for acts of verbal and/or physical violence to expedite any audit process and reduce tension between participants in the warehouses.
27. Provide comprehensive training on audit or other electoral procedures to provide a stronger basis for challenges during the observation of electoral activities.
28. Develop a channel of communication between the IEC and political party agents to encourage more public outreach and provide information on electoral events.

6. Recommendations to National Observer Groups:

29. Develop more effective channels of communication with the IEC and UNDP to provide process recommendations based on in-person observations to suggest ways of improving the ongoing election audit operations.
30. Coordinate with international observer groups to conduct weekly information sharing sessions to understand mutual perspectives and observations of the audit process.
31. Provide the IEC with regular assessments of the audit operations to recommend improvements on the process based on in-person observations.

7. Recommendations to International Observer Groups:

32. Develop more effective channels of communication with the IEC and UNDP to provide process feedback based on in-person observations to suggest ways of improving the ongoing election audit operations. While not a standard practice based on international

observation principles, the extraordinary nature of a prolonged audit requires feedback before the completion of the process.

33. Coordinate with national observer groups to conduct weekly information sharing sessions to understand mutual perspectives and observations of the audit process.
34. Provide comprehensive training on audit and other electoral principles, practices, and procedures to provide a more informed basis for assessments during the observation of electoral activities and uniform understanding of the role of observers.
35. Improve cultural and sensitivity training to observers upon arrival to Afghanistan.

8. Recommendations to the Media:

36. Abide by the IEC media code of conduct and train journalists and camera operators to respect national and international cultural sensibilities.
37. Display clear identification of media affiliation and/or organization.
38. Avoid intimidating IEC officials, candidate agents, national and international observers, and other stakeholders by filming, recording, and photographing without permission and from close-up angles that offend the participants and disrupt the process.

XI. ANNEX 1: CREATIVE ELECTION AUDIT OBSERVATION ATTACHMENTS

- A.** Creative Associates, *Audit Observation Mission Checklist* (Jul-Sep 2014).
- B.** IEC Decision No. 30-1393, "Criteria for 100% Audit of all Run-off Election Polling Station Ballots," July 15, 2014.
- C.** IEC Decision No. 27-1393, "Audit of the 100% ballot papers of the second round of the Presidential Elections," July 15, 2014.
- D.** IEC Decision No. 33-1393, "Recount and Invalidation Criteria for the audit of all polling stations of the 2014 Presidential Election Run-off," July 30, 2014.
- E.** IEC Decision No. 37-1393, "Decision-making on audit and recount results of run-off election ballot boxes," August 16, 2014.
- F.** Creative Associates, Election Results Audit Observation Mission, Issue Report No. 1 (IEC audit checklist oversight in evidentiary collection for voter list data), July 29, 2014.
- G.** IEC Audit and Recount Procedure (Clarification), August 8, 2014.
- H.** IEC Audit Checklist Data Entry Procedures, date unknown.
- I.** Creative Associates, *Community Cohesion Initiative, Election Audit Observation Report No. 1, July 15-31, 2014.*
- J.** Creative Associates, *Community Cohesion Initiative, Election Audit Observation Report No. 2, August 1-8, 2014.*
- K.** Creative Associates, *Community Cohesion Initiative, Election Audit Observation Report No. 3, August 9-15, 2014.*
- L.** Creative Associates, *Community Cohesion Initiative, Election Audit Observation Report No. 4, August 16-26, 2014.*
- M.** Creative Associates, *Community Cohesion Initiative, Election Audit Observation Report No. 5, August 26-September 20, 2014.*
- N.** IEC Procedure for the Review of Claims of Similarly Signed Results Sheets (SSRS), September 7, 2014.
- O.** IEC Briefing on the Procedures for the Review of Claims of Similarly Signed Results Sheets (SSRS), September 7, 2014.
- P.** Creative Associates, Afghanistan Election Audit Observation Focus Group Research Final Report, September 15, 2014.
- Q.** Afghanistan Election Law, Official Gazette, Unofficial Translation, 8 June 2014.

XII. ANNEX 2: CREATIVE ELECTION AUDIT OBSERVATION TEAM

Creative deployed a total of 40 international observers from July 15 until September 17; however, over the course of the mission, four observers were seconded to UNDP as audit advisors and three observers departed the mission early. By August 15, Creative deployed 33 observers and four advisors on a daily basis until the demobilization order from USAID-OTI on September 5. A total of 13 women and 24 men represented 20 countries in Europe, Asia, Africa, Australia, and the Americas. Creative implemented a phased demobilization until September 12, when all but the core team and two final report contributors departed Afghanistan. The entire team demobilized by September 17.

No.	Name	Position	Arrival Date	Departure Date	National Origin
1.	Mary Boyer	Team Leader	July 13	September 17	USA
2.	David Jandura	Coordinating Observer	July 22	September 15	USA
3.	Chedomir Flego	Coordinating Observer	July 21	September 13	Australia
4.	Phil Sforcina	Coordinating Observer	July 21	September 14	Australia
5.	Robert David Irish	Coordinating Observer	July 21	September 15	USA
6.	Magdalena Stanczyk	Observer	July 24	September 10	Poland
7.	Marcell Nagy	Observer	July 24	September 7	Hungary
8.	Rajesh Budhiraja	Observer	July 24	September 8	India
9.	Selma Tijerino	Observer	July 25	September 8	Nicaragua
10.	Sreten Antic	Observer	July 25	September 10	Serbia
11.	Richard John	Observer	July 25	September 10	UK
12.	Caius Suveti	Observer	July 25	September 8	Romania
13.	Nikolina Grabuloska	Observer	July 25	September 5	Macedonia
14.	Bernd Burwitz	Observer	July 25	September 7	Germany
15.	Alessandro Giongo	Observer	July 25	September 10	Italy
16.	Marcela Vega	Observer	July 27	September 15	Colombia
17.	Ana Borges	Observer	August 4	September 10	Brazil
18.	Cesar Solano	Observer	August 4	September 9	Panama
19.	<i>Rita Leal Silva</i>	<i>Observer</i>	<i>August 4</i>	<i>August 11</i>	<i>Portugal</i>
20.	Donna Lewis	Observer	August 4	September 8	USA
21.	<i>Marianna Skopa</i>	<i>Observer</i>	<i>August 4</i>	<i>August 11</i>	<i>Greece</i>
22.	Rachel Moles	Observer	August 4	September 10	UK
23.	Lara Zaluski	Observer	August 5	September 10	Canada
24.	Geoff Hourn	Observer	August 5	September 12	Australia
25.	Carlo Binda	Observer	August 5	September 5	Canada
26.	Peter Bowles	Observer	August 5	September 12	South Africa
27.	Markus Thessing	Observer	August 5	September 15	USA

No.	Name	Position	Arrival Date	Departure Date	National Origin
28.	Terry Duffy	Observer	August 5	September 11	Ireland
29.	Darko Pavlovic	Observer	August 5	September 8	Netherlands
30.	Ingrid Halmova	Observer	August 5	September 8	Slovakia
31.	Tomasz Blasiak	Observer	August 8	September 12	Poland
32.	Rokey Suleman	Observer	August 9	September 2	USA
33.	Raleigh Quesenberry	Observer	August 9	September 12	USA
34.	<i>Dr. Nasrin Katona</i>	<i>Observer</i>	<i>August 9</i>	<i>August 11</i>	<i>Hungary</i>
35.	Peter Palmer	Observer	August 11	September 7	UK
36.	Cristina Hurdualia	Observer	August 11	September 8	Romania
37.	Lazar Antonic	Observer	August 12	September 3	Serbia
38.	Jozsef Nyerki	Observer	August 12	September 8	Hungary
39.	Maria Teresa Mauro	Observer	August 14	September 12	Italy
40.	Hunter Price	Observer	August 15	September 12	USA



Creative International Observer Team, Kabul, Afghanistan, August 19, 2014

XIII. ANNEX 3: CREATIVE OBSERVATION ACTIVITIES

IEC auditing operations were assessed in four IEC warehouses (Nos. 1, 2, 3, and 5) and the data center during two shifts (07:00-13:00 and 14:00-20:00). Creative maintained constant observation throughout each audit day and produced the following metrics:

Election Audit Observation Activity Summary (Jul 15-Sep 4)

<i>Observation Dates</i>	<i>No. of Observers</i>	<i>Ballot Boxes Observed</i>	<i>Results Status: Audited Recounted</i>	<i>Provinces Observed</i>	<i>Average Audit Time per Ballot Box</i>
7/16-21	1	Standard: 15	11 4	Kabul	1 hour
7/22-25	8	Standard: 55	42 13	Kabul, Balkh, Paktika, Herat	2 hours
7/26	15	Standard: 17	10 7	Kabul, Balkh, Paktika, Laghman, Paktia	1:30 hours
8/3-5	22	Standard: 149	98 51	Balkh, Faryab, Ghazni, Herat, Kabul, Kandahar, Logar, Laghman, Wardak, Paktia, Paktika, Panjshir, Takhar	1:15 hours
8/6-8	31	Standard: 302	225 77	Balkh, Baghlan, Badghis, Faryab, Ghazni, Herat, Kabul, Kandahar, Logar, Laghman, Wardak, Paktia, Paktika, Panjshir, Takhar, Sar-e Pol	1 hour
8/9-11	34	Standard: 251	182 69	Badakhshan, Badghis, Baghlan, Faryab, Ghazni, Herat, Kabul, Kandahar, Kapisa, Logar, Wardak, Paktia, Paktika, Panjshir, Parwan, Takhar	0:58 minutes
8/12-15	32	Standard: 292	215 77	Badakhshan, Baghlan, Bamyani, Badghis, Daykundi, Farah, Faryab, Ghazni, Helmand, Herat, Kabul, Khost, Kandahar, Kapisa, Logar, Wardak, Nangarhar, Nimruz, Paktia, Paktika, Panjshir, Parwan, Sar-e Pol, Takhar, Urozgan, Zabul	1:06 hours
8/16-18 ⁴⁷	33	Standard: 302 Special: 43	53/249 43/43	Baghlan, Farah, Faryab, Ghazni, Ghor, Helmand, Jowzjan, Kabul, Kandahar, Kapisa, Khost, Kunar, Kunduz, Wardak, Nuristan, Samangan,	0:41 minutes 2:15 hours

⁴⁷ Note that the IEC special scrutiny box recounting process was initiated on August 16.

Observation Dates	No. of Observers	Ballot Boxes Observed	Results Status: Audited Recounted	Provinces Observed	Average Audit Time per Ballot Box
8/20-22⁴⁸	33	Standard: 217 Special: 36	54/163 36	Takhar, Urozgan Badakhshan, Badghis, Baghlan, Balkh, Bamyan, Faryab, Ghazni, Ghor, Herat, Kabul, Kandahar, Kapisa, Khost, Wardak, Nangarhar, Paktia, Paktika, Parwan, Samangan, Sar-e Pol, Takhar, Zabul	47 minutes 2.75 hours
8/23-26	33	Standard: 77 Special: 106	19/58 106	Badakhshan, Badghis, Baghlan, Balkh, Bamyan, Farah, Faryab, Ghazni, Ghor, Helmand, Herat, Jowzjan, Kabul, Kandahar, Kapisa, Khost, Laghman, Wardak, Nangarhar, Paktia, Paktika, Parwan, Samangan, Sar-e Pol, Takhar, Zabul	1 hour 2.5 hours
8/27-31	33	Standard: 128 Special: 216	74/54 216	Badakhshan, Badghis, Baghlan, Balkh, Bamyan, Daykundi, Farah, Faryab, Ghazni, Ghor, Helmand, Jowzjan, Khost, Kunar, Kunduz, Laghman, Wardak, Nangarhar, Nuristan, Paktia, Paktika, Parwan, Samangan, Takhar, Urozgan, Zabul	58 minutes 1:54 hours
9/1-4	33	Standard: 181 Special: 208	114/67 208	Badakhshan, Badghis, Baghlan, Bamyan, Daykundi, Faryab, Ghazni, Ghor, Jowzjan, Kandahar, Khost, Kunar, Nangarhar, Paktia, Paktika, Parwan, Takhar, Zabul	49 minutes 1:28 hours
SUBTOTAL (8/27-9/4)	33	Standard: 309 Special: 424	188/121 424	27 of 34	54 minutes 1:42 hours
TOTAL (7/17-9/4)	40	Standard: 1,913 Special: 625 TOTAL: 2,625	1,976/558 625	34 of 34	44 minutes 1:55 hours

⁴⁸ Note that Creative did not observe at the IEC on the national holiday on August 19 due to security risks.

XIV. ANNEX 4: IEC DAILY ELECTION AUDIT UPDATES STATISTICS

A. IEC Daily Update Data Points (Based on IEC reports from July 17-25)

Date	July 17	July 22	July 24	July 25				
Active Warehouses	2	2	3	3				
Auditing Tables	30	61	80	90				
Audited Boxes (Daily)	NA	NA	324	310				
Audited Boxes (Cumulative Total)	32	1,037	1,361	1,671				
Recounted Boxes (Daily)	NA	NA	188	151				
Recounted Boxes (Cumulative - July 24)	NA	NA	188	339				
Delivered Boxes	2,894	11,334	14,274	15,263				
Completed Provinces	1	NA	NA	20				
IEC Auditors	NA	122	144	173				
IECC Staff	NA	268	384	103				
Agents: GHA/ABD	NA	NA	78	80	98	98	203	199
Observers: NATL/INTL	NA	NA	135	35	135	40	278	88
Advisors: UNDP	NA	NA	NA	25				

B. IEC Daily Update Data Points (Based on IEC reports from August 3-7)

Date	Aug 3	Aug 4	Aug 5	Aug 6	Aug 7					
Active Warehouses	4	4	4	4	4					
Auditing Tables	100	110	102	110	100					
Audited Boxes (Daily)	249	295	584	592	611					
Audited Boxes (Cumulative Total)	1,627 (7.1%)	2,171 (9.5%)	2,460 (10.8%)	3,052 (13.4%)	3,663 (16%)					
Recounted Boxes (Daily)	131	105	263	270	272					
Recounted Boxes (Cumulative Total)	743 (46%)	979 (45.1%)	1,137 (46.2%)	1,729 (56.7%)	2,001 (55%)					
Delivered Boxes	19,985 (87.55%)	21,063 (92.3%)	21,976 (96.3%)	22,812 (99.9%)	22,812 (99.9%)					
Completed Provinces	30	32	33	34	34					
IEC Auditors	150	460	448	425	448					
IECC Staff	65	110	103	100	108					
Agents: GHA/ABD	110	0	326	316	267	263	243	237	246	240
Observers: NATL/INTL	195	129	348	148	344	170	388	168	394	179
Advisors: UNDP	54	56	NA	NA	48					

C. IEC Daily Update Summary (Based on IEC Reports from August 8-15)

Date	Aug 8		Aug 11		Aug 13		Aug 15	
Active Warehouses	4		4		4		4	
Auditing Tables	100		108		128		120	
Audited Boxes (Daily)	517		727		515		497	
Audited Boxes (Cumulative Total)	4,796 (21%)		6,594 (29%)		7,818 (35%)		8,745 (38%)	
Recounted Boxes (Daily)	219 (42%)		189 (26%)		142 (28%)		101 (20%)	
Recounted Boxes (Cumulative Total)	2,486 (52%)		2,963 (45%)		3,300 (42%)		3,537 (40%)	
IEC Auditors	240		240		556		576	
IECC Staff	102		104		104		104	
Agents: GHA/ABD	261	262	306	305	316	342	296	291
Observers: NATL/INTL	363	204	388	173	348	240	376	258
Advisors: UNDP	46		58		82		98	

D. IEC Daily Update Summary (August 16-26)

<i>Date</i>	Aug 16	Aug 17	Aug 18	Aug 19	Aug 20	Aug 21	Aug 22	Aug 23	Aug 24	Aug 25	Aug 26
Active Warehouses	4	4	4	4	4	4	4	4	4	4	4
Audit Tables (Standard/Special)	110/24	101/27	120/30	120/30	120/30	123/27	123/27	128/22	70/80	60/90	35/115
Audit/Recount Boxes (Total)	9,588 (42%)	10,444 (46%)	11,478 (50%)	12,217 (54%)	12,779 (56%)	13,587 (60%)	14,281 (63%)	14,995 (66%)	15,413 (68%)	15,846 (69%)	16,311 (71%)
Audited Boxes (Daily)	795	776	953	679	504	711	501	541	287	216	232
Audited Boxes (Total)	9,540 (42%)	10,316 (45%)	11,269 (49%)	11,948 (52%)	12,452 (55%)	13,260 (58%)	13,761 (60%)	14,302 (63%)	14,589 (64%)	14,805 (65%)	15,037 (66%)
Recounted Boxes (Daily)	113	135	148	110	83	83	127	129	137	93	90
Recounted Boxes (Total)	3,650 (16%)	3,785 (17%)	3,933 (17%)	4,043 (18%)	4,126 (18%)	4,209 (18%)	4,336 (19%)	4,465 (20%)	4,602 (20%)	4,695 (21%)	4,785 (21%)
Special Scrutiny (Daily)	48	80	81	60	58	97	96	133	171	217	233
Special Scrutiny (Total)	48	128	209	269 (1%)	327 (1%)	424 (2%)	520 (2%)	653 (3%)	824 (4%)	1,041 (5%)	1,274 (6%)
Checklist Data Entry in Process (Daily)	1,287 (6%)	1,671 (7%)	2,634 (12%)	3,745 (16%)	4,562 (20%)	5,782 (25%)	6,611 (29%)	8,238 (36%)	9,580 (42%)	10,089 (44%)	11,886 (52%)
Checklist Data Entry Completed (Total)	NA	173 (1%)	550 (2%)	1,240 (5%)	1,874 (8%)	2,711 (12%)	3,633 (16%)	4,867 (21%)	5,810 (25%)	7,447 (33%)	9,002 (39%)

Date	Aug 16	Aug 17	Aug 18	Aug 19	Aug 20	Aug 21	Aug 22	Aug 23	Aug 24	Aug 25	Aug 26											
IEC Auditors	643	613	558	652	720	672	672	721	720	720	720											
IECC Staff	104	104	104	102	104	104	104	104	104	104	104											
Agents: GHA/ABD	250	252	273	280	348	347	299	303	348	346	361	358	349	362	319	321	361	367	364	353	368	355
Observers: NATL/INTL	400	237	380	17 6	288	23 4	398	133	33 7	23 1	44 5	20 0	38 5	22 3	29 5	20 0	37 6	22 0	37 7	24 8	39 0	22 0
Advisors: UNDP	98	58	98	96	106	116	113	114	114	113	120											

IEC Daily Update Summary (Aug 28-Sep 5)

Date	Aug 28	Aug 29	Aug 30	Aug 31	Sep 1	Sep 2	Sep 3	Sep 5
Active Warehouses	4	4	4	4	4	3	2	0
Audit Tables (Standard/ Special)	NA							
Audit/Recount Boxes (Total)	16,980 (74%)	17,520 (77%)	18,433 (81%)	19,139 (84%)	19,885 (87%)	20,774 (91%)	21,561 (94%)	22,828 (100%)
Audited Boxes (Daily)	167	181	157	204	248	460	263	NA
Audited Boxes (Total)	15,285 (67%)	15,466 (68%)	15,886 (70%)	16,090 (70%)	16,338 (72%)	16,798 (74%)	17,061 (75%)	NA
Recounted Boxes (Daily)	66	83	63	74	84	133	129	NA
Recounted Boxes (Total)	4,871 (21%)	4,954 (22%)	5,017 (22%)	5,091 (22%)	5,175 (23%)	5,308 (23%)	5,437 (24%)	NA
Special Scrutiny (Daily)	295	359	449	502	498	399	521	NA
Special Scrutiny (Total)	1,679 (7%)	2,038 (9%)	2,547 (11%)	3,049 (13%)	3,547 (16%)	3,946 (17%)	4,467 (20%)	NA
Checklist Data Entry in Process (Daily)	15,309 (67%)	15,582 (68%)	16,385 (72%)	17,465 (72%)	18,189 (80%)	19,318 (85%)	20,005 (88%)	21,273 (93%)
Checklist Data Entry Completed (Total)	12,023 (53%)	13,260 (58%)	14,845 (65%)	15,970 (70%)	16,992 (74%)	18,055 (79%)	19,239 (84%)	20,268 (89%)
IEC Auditors	NA	576	576	NA	480	528	576	NA
IECC Staff	NA	61	52	NA	48	50	82	NA
Agents: GHA/ABD	0	0	0	0	0	0	0	0
Observers: NATL/INTL	NA	NA	248	211	216	207	NA	NA
Advisors: UNDP	NA	115	104	NA	109	109	152	NA