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Newsletter

Your weekly news update on the electoral process in Afghanistan

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“The president decreed the third, fourth, fifth, sixth, seventh, ninth and tenth suggestions of the reform panel.”

President endorses reform panel's 7 suggestions

Ahmad Quraishi, 06 September 2015

KABUL (Pajhwok): President Ashraf Ghani on Sunday decreed seven suggestions of the Electoral Reform Commission and called for urgent measures to provide legal cover for the proposals approved. Following month-long discussions with different segments of society, the electoral reform commission submitted its first set of suggestions last week to the president. In his decree, President Ghani praised the performance of the panel, and approved their suggestions for short-term reforms, a statement from the Presidential Palace said. The president also directed the Ministry of Justice and the Office of the Administrative Affairs to take urgent measures to provide legal framework for the seven suggestions. A cabinet member told Pajhwok Afghan News the president decreed the third, fourth, fifth, sixth, seventh, ninth and tenth suggestions of the reform panel. In these suggestions, the source said, voter lists, accountability of the election commissions, the presence of two foreigners on the complaints commission, a reserved seat for Hindus and Sikhs in Wolesi Jirga, distribution of electronic ID cards, dissolving of the current voter cards, and increasing women's representation in provincial councils and district councils to 25 percent. In the decree, the president directed the special reforms panel to scrutinise all the legal, technical and practical aspects of their suggestions and present their detailed proposals to the chief executive's office (CEO). A member of the panel, wishing to go unnamed, told Pajhwok Afghan News the three suggestions (first, second, eighth) that the president did not include in his decree, included changes to the electoral system, making some constituencies smaller and formation of a transparency commission. He added the president directed the reform panel to present the technical and practical details of these suggestions to the government during the remaining four and a half months term of the Wolesi Jirga. After the Wolesi Jirga's recess, he said, the president could issue another decree. In the decree, the president has also directed that the date for parliamentary and district council elections should be scheduled at a time when the chance for implementation of the reforms commission existed. According to the source, the president asked the IEC to set dates for the WJ elections during the ongoing solar year. The presidential decree was being issued at a time when the lower house is about to return from the summer break. The house will hold its first general session on Monday. Earlier, President Ghani praised the performance of the ERC members and urged them to help specify dates for holding the delayed elections to the Wolesi Jirga or lower house. Second

Vice-President Sarwar Danish and Chief Executive Officer (CEO) Abdullah Abdullah also attended the meeting in which the ERC members briefed President Ghani about their work and challenges they faced. Acknowledging the panel's effort, the president said the commission had reached out to important issues in the electoral system in a short time and the effort would strengthen the country's democratic system. Some of the major suggestions call for registration of voters, making the election bodies accountable, the presence of two foreigners in the Independent Election Complaints Commission (IECC), reservation of one seat at the Wolesi Jirga for Hindu minority, identification and shrinking of the constituencies. The panel chief, during a special meeting of the Cabinet held last night with President Ghani in the chair, presented detail information about the suggestions. The Cabinet tasked the Ministry of Justice and the Directorate of the Administrative Affairs at the Presidential Palace to provide legal framework for the implementation of the ERC suggestions.

ASCEN floats own suggestions on electoral reform

Khwaja Basir Ahmad, 01 September 2015

KABUL (Pajhwok): The Afghanistan Civil Society Elections Network (ASCEN) on Tuesday rejected some of the Electoral Reform Commission (ERC)'s proposals about electoral reforms and presented its own suggestions. Talking to reporters here, Taimour Hakimyar, a member of the ASCEN, demanded the reform panel consider their 11-article suggestions to strengthen the country's electoral regime. He claimed people's participation in the reform process had been weak and most people in provinces had not been asked about their views. Hakim said ACSN was against extravagant election costs and suggested government machinery should be used in electoral process. The group also suggested that judiciary should also investigate electoral complaints and stressed the production of election materials inside the country. Hakim said the government should include elections-related awareness programme in school curriculum, ensure women's presences on electoral bodies, prevent illegal privileges and enhance capacity of election staff. A day earlier, election watchdogs welcomed the ERC suggestions about reforms in the electoral system, but called their implementation as difficult in the current circumstances. Mohamamd Naeem Ayoubzada, the Transparent Election Foundation of Afghanistan (TEFA) chief, told Pajhwok Afghan News they welcomed the ERC's suggestions, although incomplete and had their own flaws. He said two suggestions about rearrangement of voter lists and distribution of computerised identity cards seemed not possible to be materialised in a short time.

“We will set afire the Census Department in Nangarhar if our demand for inclusion of the two boxes is not fulfilled.”



Above: Ballot boxes on Election Day. Kabul, Afghanistan.

Electoral reform suggestions hard to implement: IEC

Shabnam Sherzad, 05 September 2015

KABUL (Pajhwok): The Independent Election Commission (IEC) on Saturday termed the work of Election Reform Commission (ERC) unprofessional, saying its flawed suggestions were hard to implement. Revamping the system was not possible in the current situation of crisis, the commission said, warning enforcement of the proposals would give birth to more problems that might put a negative impact on coming polls. A statement from IEC questioned calls for giving 100 seats to political parties in current circumstances. It said political parties needed more time to mature before being made part of the system. The election body also showed reservations about the introduction of a new system, saying the people of Afghanistan were not familiar with alternative regimes that could harm public participation in polls. The IEC termed the creation of constituencies a difficult task at a time when exact facts and figures about the population were not available. Such a move could fuel to ethnic and linguistic differences, it warned. In addition, the panel said, creation of an authority to monitor the work of election bodies would undermine the independence of the electoral bodies, a step that would be in conflict with Article 156 of the constitution. The creation of more bodies would add to confusion and there was a need for legislation in this regard, the statement continued, saying a power overlap would pit one panel against the other. Earlier, electoral watchdogs welcomed ERC suggestions, acknowledging their implementation would be difficult in the prevailing circumstances. Some of the major suggestions include registration of voters, making the election bodies accountable, the presence of two foreigners in the Independent Election Complaints Commission (IECC), reservation of one Wolesi Jirga seat for the Hindu minority, identification and shrinking of constituencies. Other proposals include distribution of computerised identity cards, 25 percent representation for women on provincial and district councils and invalidation of the current voter cards. The ERC has also suggested the number of Independent Election Commission members should be reduced from nine to seven and the IECC members from seven to five.

Nangarharis warn of blocking ID cards distribution

Zeerak Fahim, 06 September 2015

KABUL (Pajhwok): Hundreds of people on Sunday took to the streets in eastern province of Nangarhar to protest the omission of the words Afghan and Islam from new electronic national identity cards. After the parliament approved the Census Law last year, some lawmakers, civil society activists and political parties protested for the inclusion of the two words in new ID cards. But some people agreed with the parliamentary decision that the mention of the Islamic Republic of Afghanistan was enough to prove the holder's nationality and religion. The protestors at the Mastofiat Square in Jalalabad and marched on different roads, chanting slogans against the issuance of ID cards in their present shape. The rally ended at the Pashtunistan Square. "Down with foreign agents" and "We want the words Afghan and Islam mentioned in the ID cards" were some of the slogans chanted by the angry marchers, who warned of continued protests. "We support the government and the present system, but would we never accept ID cards that don't show our identity. We should not be sacrificed to please others," remarked a member of the provincial council and one of the organisers of the rally. Zabihullah Zmaray told Pajhwok Afghan News they would not let anybody issue such e-ID cards. He asked the authorities to correct the important document. Another participant of the demonstration and tribal elder from the Behsud district of Nangarhar, Walayat Khan, urged the government to pay attention to the issue, otherwise there would be bloodshed in a country that had always defended its identity and religion. "We will set afire the Census Department in Nangarhar if our demand for inclusion of the two boxes is not fulfilled," threatened the deputy head of the provincial council, Dr. Nasir Kamawal. They would continue their protest until the ID cards were revised, he said. Dr. Armit Singh said: "The Hindu and Sikh community of Nangarhar wants the words Afghan and Islam included in the ID cards, because we are all Afghans." He vowed not to receive ID cards without these words. In the dying moments of the rally, civil society activist Dr. Asadullah read out resolution, asking President Ghani and Chief Executive Officer Abdullah to include the words Afghan and Islam in the ID cards.

“Adding media and women’s representatives to the selection committee is a praise-worthy step.”



Above: A voter on Election-Day. Kabul, Afghanistan. April 2014. Photo: John Wendle for Internews

Poll observers welcome selection committee reform

Nawid Ahmad Barekzai, 07 September 2015

KABUL (Pajhwok): Election observers on Monday welcomed the proposed reforms omitting names of both houses of parliament speakers from the election commission’s selection committee. They said the omission would make the election commission members’ selection process more transparent and efficient. Last week, the Electoral Reform Commission submitted its suggestions to the Chief Executive Officer (CEO). The sixth article of the proposed suggestions states: “A member of the Supreme Court, a member of the Civil Service Appointments Board, a member of the Independent Committee Overseeing the Implementation of the Constitution, civil society representatives, women’s representative, media representative and a member of the Independent Human Rights Commission be appointed as members of the (selection) committee.” The list shows that among the proposed members of the Selection Committee, representatives of the media, women and a member of the civil service appointments board have been added, but membership of speakers of both houses has been scrapped. Mohammad Naeem Ayubzadad, the Transparent Election Foundation of Afghanistan (TEFA) chief, said he welcomed the proposed changes to the selection committee, but said government representatives still dominated the panel. “Adding media and women’s representatives to the committee is a praise-worthy step, but not much details have been shared about the authority of the committee and what changes being brought to its authority,” he remarked. Ayubzadad said the current committee had been under pressure from the government in the previous elections over the selection of election commissions’ members, thus necessitating care in reforming the panel. Mohammad Yousuf Rashid, the Free and Fair Election Foundation of Afghanistan (FEFA) executive head, also welcomed reforms in the Selection Committee, saying it would ensure independence and efficiency in the body’s duties. “Earlier civil society representatives did not have a vibrant presence in the

committee and the majority of its members were government officials who had to obey political figures and high-ranking government officials. A balance between government and non-governmental institutions will resolve the problems to some extent,” he added. Earlier, the Selection Committee was responsible to introduce 28 individuals as members of the Independent Elections Commission (IEC) and 15 individuals as members of the Independent Electoral Complaints Commission (IECC) to the president. From among these figures, the president would select nine persons as IEC members and five as IECC members. The FEFA head said after starting its work, the selection committee should specify under which criteria they would choose members of the two election bodies. To ensure transparency, Rashid said, the process should be open and the masses should be kept informed about it. On Sunday, President Ghani decreed seven suggestions of the Electoral Reform Commission and called for urgent measures to provide legal cover for the proposals approved. A Cabinet member told Pajhwok Afghan News the president decreed the third, fourth, fifth, sixth, seventh, ninth and tenth suggestions of the reform panel. In these suggestions, the source said, voter lists, accountability of the election commissions, the presence of two foreigners on the complaints commission, a reserved seat for Hindus and Sikhs in Wolesi Jirga, distribution of electronic ID cards, dissolving of the current voter cards, and increasing women’s representation in provincial councils and district councils to 25 percent. In the decree, the president directed the special reforms panel to scrutinise all the legal, technical and practical aspects of their suggestions and present their detailed proposals to the chief executive’s office (CEO). A member of the panel, wishing to go unnamed, told Pajhwok Afghan News the three suggestions (first, second, eighth) that the president did not include in his decree, included changes to the electoral system, making some constituencies smaller and formation of a transparency commission.

“Changing the system from SNTV to a parallel voting arrangement would be better.”



Above: TEFA Head Mohammad Naeem Ayubzada

Time not ripe for changing electoral system: Experts

Halim Karimi, 03 September 2015

KABUL (Pajhwok): Some political analysts view a political parties-based election system as a positive move that is difficult to implement, but others support the proportional representation regime. Changing the current election system to a party-based regime with the creation of constituencies is one of the suggestions that the Election Reform Commission (ERC) has received from the general public. On Aug 30, the ERC shared its suggestions on reforms in the electoral system with the government. Conversion of the single non-transferable vote (SNTV) system into one that could pave the way for political parties to come to parliament and take more effective part in lawmaking and nation-building was suggested by the panel. Currently the SNTV system is being practiced in Afghanistan. The system is used in multi-member constituency elections. Under SNTV, each voter casts one vote for a candidate. Unlike the first-past-the-post (FPTP) arrangement, it envisages more than one seat being filled in each electoral district. Some of the major suggestions include registration of voters, making the election bodies accountable, the presence of two foreigners in the Independent Election Complaints Commission (IECC), reservation of one seat in the Wolesi Jirga for the Hindu minority, identification and shrinking of constituencies. Other proposals include distribution of the computerised identity cards, 25 percent of seats for women on provincial and district councils and invalidation of the current voter cards. The commission suggested allocation of 1/3 of Wolesi Jirga seats to the political parties, a suggestion which could be implemented after necessary legislation and other legal procedures. Additionally, the ERC suggested political parties should dispatch open lists of their candidates to the commission for the coming Wolesi Jirga elections. The creation of constituencies will be based on population. ERC allocated the lower house 250 seats by giving 1/3 of berths to political parties, 65 to independent members, 10 to Kochis, including three women, and one to the Hindu minority. Shahla Farid, teacher at the Law and Political Science Department of Kabul University, believed execution of the ERC suggestion in the current circumstances would be injustice to the people of Afghanistan. "I don't favour the entry of political parties

into the system because it was not an appropriate time for them and they need to grow more mature," she commented. But ERC insists the suggestion will help ensure fair parliamentary polls. Shahla explained the president could issue an ordinance implementing the proposal only when the lower house was on a recess. Legislative decrees, after their endorsement by the president, will acquire the force of law and will be presented to the National Assembly within 30 days of convening its first session. If rejected by the National Assembly, they become void, Shahla alleged the Presidential Palace and the Wolesi Jirga had repeatedly violated the constitution. The president may issue a legislative decree for execution of the suggestions. Based on Article 109, she pointed out, the parliament cannot provide suggestions for amendments to the constitution. Transparent Election Foundation of Afghanistan (TEFA) head Mohammad Naeem Ayubzada also called proposal problematic. "We want changes in the election system to help political parties become major actors," he said, adding it was not possible to translate the suggestions into action in a short time. But Free and Fair Election Foundation of Afghanistan (FEFA) head Mohammad Yousuf Rashid thinks changing the system from SNTV to a parallel voting arrangement would be better. The draft proposals could not be enforced if the Wolesi Jirga election are held next year. Afghanistan Democracy Watch (ADW) chief Zakria Barakzai, sharing Rashid's view, said it would create problem for voters who would find it hard to decide on who they should support among thousands of political leaders.

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