



Independent Election Commission (IEC)

Procedures for Nomination of Presidential Candidates

Presidential Elections
Afghanistan 2009

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Introduction

This manual sets out procedures to be applied in the Candidate Nomination process for the Afghanistan Presidential Elections in 2009. It is intended for use by Independent Election Commission Secretariat (IECS) staff who will be conducting Candidates' Nomination activities. It contains detailed information on Candidate Nomination processes and administrative guidelines for the nomination process.

Presidential Elections

On 20th August, 2009, Afghans living throughout Afghanistan will be given the chance to vote in elections for the second voted president of the country.

Under the constitution, the president is elected via free, fair, universal and direct elections to serve for 5-year terms. In this election, voters select one candidate on the ballot. The candidate with an absolute majority (50% +1) of votes will be proclaimed the winner. If none of the presidential candidates obtain 50% +1 vote, a run-off election will be held. In the case of a run-off election there will be no need for an additional Candidate Nomination process.

Conditions for Candidate Nomination

Prior to the presidential elections to be held in 2009, a Candidate Nomination process will take place. This is the process which provides citizens of Afghanistan the opportunity to be registered as candidates in the Presidential elections.

Afghans, who wish to stand as candidates in the presidential elections of 2009, must apply for nomination in order to appear on the ballot. Submission of applications period is from 25 April – 8 May 2009.

In order to stand as a candidate in Presidential elections of 2009, a person must:

1. Fulfill the candidate eligibility criteria,
2. Meet the conditions of candidacy,
3. Fulfill the application requirements.
4. Appear for the nomination in the IEC Head Quarter

The Candidate Nomination Officer is responsible for ensuring that eligibility and application requirements are met. The Candidate Nomination Officer checks that the Application documentation is complete and that the candidate has signed the Application form confirming that he/she meets the conditions of candidacy.

Eligibility Criteria

In order to stand as a candidate for Presidential Elections, a person must fulfill the following candidate eligibility criteria, according to the Constitution of Afghanistan and the Electoral Law:

1. Shall be a citizen of Afghanistan, Muslim, born of Afghan parents, and shall not be a citizen of another country;
2. Shall not be less than 40 years old the day of candidacy;
3. Shall not have been convicted of crimes against humanity, a criminal act, or deprivation of civil rights by court;

4. Be registered as a voter according to procedures approved by the IEC

Important: The candidate eligibility criteria shall also apply to Vice-presidents

Candidacy Conditions

The following persons can only be candidates if they resign from office upon submission of their Candidate Nomination application:

1. Chief Justice, Members of the Supreme Court and Judges;
2. Attorney General and Public Prosecutors;
3. Ministers and their Deputies, Governors and their Deputies, and District Administrators;
4. Mayors and Nahia Administrators;
5. Members of Ministry of Defense, Ministry of Interior, and the General Directorate of National Security;
6. General Directors and Directors of Ministerial Departments and Government Offices at the Central and Provincial Level; and
7. Electoral Officials.

Individuals who practically command or are members of unofficial military forces or armed groups shall not be qualified to candidate themselves for the elections, (Electoral Law article 15 sub article 3).

Application Requirements

Apart from above requirements, a candidate willing to contest for Presidential Elections must fulfill application requirements, meaning that each candidate in person must complete and submit necessary forms to the Candidate Nomination Officer at the IEC.

Important: The candidate must be present at the Candidate Nomination Center in IEC in order to have photograph taken.

Persons permitted to observe Candidate Nomination Process

In order to ensure transparency of the process, the following persons accredited by the IEC may be permitted to observe, monitor, report and provide assistance to international advisors in the Candidate Nomination Center:

1. Political Party Agents,
2. Domestic Observers,
3. International Observers,
4. Interpreters of International Observers,
5. Media, and
6. Special Guests.

Any of the above authorized to observe, monitor, report and provide assistance to international advisors processes in the Candidate Nomination Center, must display their accreditation cards issued by the IEC at all times.

The Candidate Nomination Officer is responsible for permitting access to the Candidate Nomination Center. The number of persons present within the Candidate Nomination Center at any one time is at the discretion of the Candidate Nomination Officer.

Administrative Guidelines

The Candidate Nomination Officer will be responsible for issuing and receiving Candidate Nomination Forms from respective candidates. Candidates may collect at most, two applications for nomination.

One of the responsibilities of the Candidate Nomination Officer before issuing Candidate Nomination Forms is to provide detailed information to the candidate, on how she/he must complete the Candidate Nomination Forms and what are the requirements in order to be registered as a candidate for Presidential Elections.

The Candidate Nomination Officer will create a file for each individual candidate. The file will be clearly labeled with the candidate voter registration card number, and filed in numerical order in the lockable filing cabinet. In the file the Candidate Nomination Officer will keep all documents related to the candidate application.

The Candidate Nomination Officer, will be responsible for safekeeping of copies of all the documents and all correspondence related to a candidate's nomination, including the copies of the Voters Registration Cards. A separate numbered file will be maintained for each candidate.

Important: The Candidate Nomination Officer for the transparency of the Candidate Nomination process must attend one candidate at a time.

The Candidate Nomination Officer when receiving forms from candidates must follow steps as outlined below:

1. Open a file for each candidate.
2. Check VR Cards of the presidential and vice-presidential candidates. The Candidate Nomination Officer photocopies the VR Cards of candidates, (if the candidate is not registered, she/he can register in the Candidate Nomination Center).

Important: Candidate Nomination Center will have one VR team operating in the Candidate Nomination Center to enable candidates to register if they are not registered during the VR process.

3. Receives duly completed Candidate Nomination Application Form (CN-01) and ensures it is accurately completed.

4. If a Political party endorses the Candidate, the Candidate Nomination Officer will check that the Political Party Endorsement Form (CN-02) has been submitted and that it is accurately completed and signed by the Political Party Leader/Founder. There must also be a copy of the political party registration certificate with Ministry of Justice.
5. In case of Coalition endorsing a candidate, the Candidate Nomination Officer will check that the Coalition Endorsement Form (CN-03) has been submitted and that it is accurately completed and signed by the coalition leader.

Important: For candidates endorsed by the coalition, the candidate must submit party nomination certificate with Ministry of Justice of all parties forming the coalition.

6. The candidate submits the resignation letter from office (if applicable)
7. The Candidate Nomination Officer receives the Notice of Liaison Officer Form (CN-04) with the telephone number of Liaison Officer and if applicable e-mail address of the person to be contacted by the IEC for any matter related to the Nomination of candidate.
8. For each presidential candidate, the Candidate Nomination Officer receives the CD with the name and voter registration card numbers of supporters [Excel spreadsheet]. A hardcopy of this list, with the signatures of each supporter must also be provided.
9. The Candidate Nomination Officer receives the receipt from the candidate for Nomination fee where Af 50,000 has been deposited. The receipt must be kept securely by the Candidate Nomination Officer, together with other documents submitted by candidates. Bank and account details will be provided to each potential candidate prior to the commencement of the Candidate Nomination process.
10. If the candidate is endorsed by the political party, the Candidate Nomination Officer receives the CD with the official logo/symbol of the party as registered by the Ministry of Justice and the Candidate Nomination Officer checks that the symbol can be read by a standard computer of the IEC.
11. For the candidate endorsed by the coalition, the Candidate Nomination Officer receives the CD with the official logo of coalition; the Candidate Nomination Officer is to ensure that, the logo can be read by standard computer of the IEC.
12. In case of the independent candidates, they can either pick up a symbol from a list of symbols prepared by the IEC or provide the Candidate Nomination Officer with a CD with his/her logo. If they pick a symbol, from the options provided by the IEC the number of the symbol will be recorded on the Symbol Form (CN-05). Details of requirements if the candidate provides their own symbol are provided later in these procedures.
13. The Candidate Nomination Officer while receiving applications for nomination from candidates, will use the checklist to verify and certify that all forms have been submitted (correctly and complete) to the Candidate Nomination Officer. The Candidate Nomination Officer upon receipt of Candidate Nomination Applications signs the Receipt-Check List Form (CN-06) and gives a copy to the candidate.
14. The Candidate Nomination Officer then directs the candidate to the Data Entry Officer and she/he hands over the file to the Data Entry Officer. Details of the data entry are given in page 9.

Important: If some attachment/papers/photograph/symbol or any other relevant document is missing or there is any deficiency in the Candidate Nomination Applications, the Candidate Nomination Officer will not accept the Candidate Nomination Applications and will request from candidate to correct the deficiency and only after the deficiency has been corrected, she/he can accept Candidate Nomination Applications from the candidate. This must take place within the Candidate Nomination Period.

Below are documents to be submitted by candidates to the Candidate Nomination Officer:

Candidates endorsed by political party:

1. Voter registration card of presidential candidate and vice-presidential candidates.
2. Candidate Nomination Application Form (CN-01)
3. Political Party Endorsement Form (CN-02) or Coalition Endorsement form (CN-03) in case of candidates being endorsed by Political Parties or Coalitions
4. Resignation letter from office if applicable
5. Notice of Liaison Officer Form (CN-04)
6. CD with 10,000 names, VR ID number of supporters
7. Hard copies of the list of 10,000 names, VR ID numbers and signatures of supporters.
8. Bank receipt as proof of paid 50,000 Af
9. CD with party or coalition symbol

Independent Candidates:

1. Voter registration card of presidential candidate and vice-presidential candidates.
2. Candidate Nomination Application Form (CN-01)
3. Resignation letter from office if applicable
4. Notice of Liaison Officer Form (CN-04)
5. CD with 10,000 names and VR ID number of supporters
6. Hard copies of the list of 10,000 names, VR Id numbers and signatures of supporters.
7. Bank receipt as proof of paid 50,000 Af
8. Symbol Form (CN-05) if symbol is selected from the list of symbols
9. CD with symbol (optional)

The Candidate Nomination Process

Method of Candidate Nomination

1. Nominations for the Presidency must be lodged in person by the candidate at the IEC Candidate Nomination Office.
2. Individuals may be registered as Independent Candidates.

3. A registered political party retains the right to endorse an individual whom it indicates is affiliated with that political party, and who wishes to run for election as a member of that particular party.
4. Candidates may also be nominated as coalition candidates.

Candidate Nomination Period

The Candidate Nomination period will run for 14 days, from 25 April to 8 May, Saturdays to Thursdays between 0800hrs to 1600hrs (On Thursdays between 08:00hrs to 13:00hrs).

During this period, the Candidate Nomination Application Form (CN-01) will be available for collection from either IEC HQ, or IEC website at: www.iec.org.af

Receipt of Candidate Nomination Applications

1. Candidate Nomination Applications will be submitted to the Candidate Nomination Officer in the Candidate Nomination Center at the IEC HQ.
2. The receipt of the Candidate Nomination Applications (completed Candidate Nomination Forms) and relevant documents will not constitute an acceptance of the nomination as additional processes, scrutiny and display, will need to be completed.
3. The Official receiving the Candidate Nomination Applications and relevant documents will check that all the documents are present and properly completed. If there is a mistake in the forms or the documents are incomplete, the Officer should bring this to the attention of the person lodging the forms. The Candidate Nomination Officer will request from the person submitting the documents to correct errors identified and only then receives Candidate Nomination Applications.
4. During the Candidate Nomination period and within one day after the close of the Candidate Nomination period, the Candidate Nomination Forms will be submitted to IEC for scrutiny. If they determine that the papers submitted are complete, they will approve the Nomination accordingly. The scrutiny period will take place from 26 April-11 May 2009.
5. If the IEC determines that there is a deficiency in the documents submitted they will notify the Candidate on deficiency and the nature of deficiency. The last day for notification of deficiencies is 12 May 2009.
6. Upon receipt of the information on the deficiency from the IEC, the Candidate can remedy the deficiency any day from the day she/he is notified on the deficiency and not later than 14th of May. The last day to remedy these deficiencies will be 14 May 2009.

Candidate Nomination Fee

The nomination fee must be paid into the designated account in "Kabul Bank" which will already have been opened for the purpose by the IEC. The Candidate shall submit the deposit receipt along with the Candidate Nomination Applications.

The nomination fee is 50,000 Af. The fee will be refunded if the nomination application is rejected, the candidate is elected or gains more than 15% (percent) of votes cast or withdraws before the final list of candidates is published.

The nomination fee, wherever refundable, will only be paid to the candidate personally, or to a deceased candidate's legal heir.

Endorsement of Political Party Candidates

Registered Political Parties must endorse their candidates for the Presidential Election, if they desire to endorse a Candidate. The Leader or Founder of political party must sign the Political Party Endorsement Form (CN-02) on behalf of the party.

The Political Party Endorsement Form (CN-02) must be submitted together with the Presidential Candidate Nomination Application Form (CN-01).

Endorsement of Coalition Candidate

A Coalition must endorse their candidates for the Presidential Election, if they desire to nominate a Candidate. The Leader of coalition must sign the Coalition Endorsement Form (CN-03) on behalf of the coalition.

The Coalition Endorsement Form (CN-03) must be submitted together with the Presidential Candidate Nomination Application Form (CN-01).

Allocation of Symbol to Candidates

The endorsed candidates by political parties shall use the logo/symbol of the Party approved by the Ministry of Justice. Logo/symbol of the party must be submitted with CD as a JPEG file with resolution of **300 dpi and the size of logo must be 3.5cm x 2.5 cm.**

Logo of the candidate endorsed by coalitions must be submitted in CD as a JPEG file with resolution of **300 dpi and the size of logo must be 3.5 cm x 2.5 cm.**

The Independent Candidates have an option of selecting the symbol/logo offered from a list of symbols prepared by the IEC or provide their own symbol/logo.

If candidate decides to take the symbol/logo from the list of symbols/logos prepared by IEC the selection will be on the basis of first come first served. However, Independent Candidates have a choice of providing their own symbol. The symbol/logo given by an Independent Candidate shall be subject to the approval of the IEC; and in the case the IEC considers any such symbol/logo to be objectionable on any ground, the Candidate shall be permitted to give the choice of an alternative symbol/logo acceptable to the IEC within such time as it may allow for the purpose. The latest date for this will be the last date for remedy of deficiencies – 14 May 2009. Symbol/logo must be provided in CD as a JPEG file and the resolution of logo must be **300 dpi and the size of symbol must be 3.5 cm x 2.5 cm.**

Data entry process

The Candidate Nomination Center for the purposes of candidate nomination will have two Data Entry Officers operating in the Candidate Nomination Center. The role of the Data Entry Officers in the Candidate Nomination Center is to create electronic data for each candidate. The process of entering the data in computer is as follows:

1. The Data Entry Officer requests from the Candidate Nomination Officer file of the candidate,
2. In the presence of the candidate, completes the form in the computer using Presidential Candidate Nomination Application Form (CN-01).

3. Takes the photo of the candidate using digital camera connected to his computer and attaches it to the electronic form,
4. In case of candidates providing their own symbol, Data Entry Officer copies symbol/logo from CD provided by candidate and attaches it to the form,
5. If candidate has selected the symbol from the list provided by IEC:
 - a. The Data Entry Officer takes the Symbol Form (CN-05) from the file of the candidate, checks the number of symbol recorded in the form and generates from the list of symbols in her/his computer the same symbol, and attaches it to the form in the computer,
6. Once all the details of candidate are entered, prints out the form with the candidate information and asks the candidate to check if particulars recorded in the form are correct, if yes,
7. She/he asks the candidate to sign the form confirming that all entered particulars including photo and symbol are correct,
8. Signed copy of the form then is put in the file for the candidate,
9. The Data Entry Officer generates a unique number for the each candidate and records it on the cover of the file,
10. Data Entry Officer, also copies the Excel Sheet of 10,000 supporters, provided by the Candidate to his/her computer,
11. Hands over completed file to the Candidate Nomination Officer.

Publication of Preliminary List of Candidates

Soon after the end of Candidate Nomination Period, after scrutiny and correction of deficiencies, the IECS will announce and publish the Preliminary List of candidates. Preliminary List of candidates will be displayed for a period of 6 days from 16 – 21 May 2009. The Preliminary List of candidates will include: the name of the candidate, the exclusive number of the candidate, the photograph and the electoral symbol of each candidate. The list will be publicized as widely as possible throughout Afghanistan including IEC HQ and IEC provincial offices.

Corrections

During the display of the Preliminary List of Candidates, the candidates can review the list for accuracy.

Candidates, who note that their information on the Preliminary List is not correct, may request in person from IEC within 6 days after the Preliminary List is announced or published for correction of information.

Request for correction may be filed for the following reason:

- The Preliminary Candidate List contains incorrect candidate information (name, symbol or photograph).

Challenges

A political party agent or any Afghan citizen eligible to vote may challenge the eligibility of candidates included in the Preliminary List, after the list is displayed.

Candidates can be challenged on the basis that:

1. Candidate is not an Afghan citizen, or has dual citizenship

2. Candidate is not a Muslim,
3. Candidate is not of a sufficient age,
4. Candidate has been convicted of a crime against humanity, felony and/or deprivation of civil rights by a court,
5. Candidate has not resigned from public office,
6. Candidate is affiliated to unofficial military forces,
7. Candidate has falsified application information (including signatures of supporters).

Challenges to any candidate on the Preliminary List of Candidates must be submitted to the Electoral Complaints Commission (ECC), 6 days from the day the Preliminary List is displayed.

All challenges must state in full the grounds for the challenge, and be accompanied by all relevant documents, used to support facts alleged in the challenge. Such documents may include sworn witness statements.

The ECC shall take the final decision on the issue after evaluating and reviewing the challenge.

Further information on the Challenge process will be duly provided by the ECC.

Withdrawal of Nomination by Independent Candidates

Any registered independent candidate may withdraw his/her candidature by submitting in person a Notice of Withdrawal of Nomination Form (CN-07). The Notice of Withdrawal of Nomination Form (CN-07) shall be submitted to the External Relations Department of IECS.

If a candidate wishes to withdraw nomination, the following applies:

1. The candidate will return in person to the External Relations Department of IECS,
2. The candidate will present her/his:
 - a. Voter registration card
 - b. Nomination receipt-checklist
3. Submits two copies of completed Notice of Withdrawal of Nomination Forms (CN-07),
4. The candidate and Candidate Nomination Officer will both sign the withdrawal form,
5. The Candidate Nomination Officer must ensure that Candidate Nomination Deposit is refunded,
6. The Candidate Nomination Officer will retain the Candidate Nomination Receipt and attach it to the withdrawal form,
7. The Candidate Nomination Officer will:
 - a. Receives two copies of the withdrawal form, she/he signs and gives one copy of the form to the applicant Note the withdrawal in the Logbook
 - b. File the original withdrawal form.

Withdrawal of Endorsement by Political Party/Coalition

Political parties/coalitions retain the right to withdraw the endorsement of the candidate. In order to withdraw the endorsement of candidate, political party/coalition leader/founder has to sign and stamp the Political Party Withdrawal of Endorsement Form (CN-08). The form must be submitted by a political party/coalition to the External Relations Department.

However, this does not automatically stop the candidate from running for the elections, as she/he can run in the elections as independent candidate if she/he wishes to.

If a party/coalition withdraws endorsement of candidate, the following applies:

1. The representative of political party/coalition submits two copies of the completed Political Party Withdrawal of Endorsement Form (CN-08) to the External Relations Department of IECS,
2. The forms must be signed by political party/coalition leader and stamped with party/coalition stamp,
3. The Candidate Nomination Officer signs the withdrawal forms,
4. The Candidate Nomination Officer must ensure that Candidate Nomination Deposit is refunded to the candidate, if she/he states that she/he will not run for elections as independent,
5. The External Relations Officer will:
 - a. Receives two copies of the withdrawal form, she/he signs and gives one copy of the form to the applicant,
 - b. Note the withdrawal in the Logbook and Daily Statistics Form
 - c. File the original withdrawal form.

If the candidates states that she/he will run as independent, than the deposit will not be refunded to the candidate.

The Notice of Withdrawal Nomination must be lodged before the publication of the final list of contesting candidates, in which case the Nomination fee will be refunded. This must take place before **8 June 2009**

A Notice of Withdrawal of Nomination will not be accepted after the publication of the final list of contesting candidates. A Notice of Withdrawal of Nomination Form shall, in no circumstances, be withdrawn or revoked.

Final List of Contesting Candidates

The IEC will publish the final list of contesting candidates at least 60 days prior to the election date.

The External Relations Department will inform all Provincial Electoral Officers of the final list of candidates, so that the list may be publicly displayed and widely publicized.

Immediately after the Final List of Candidates is published, IEC will distribute CDs to all candidates appearing in the Final List of Candidates.

CDs issued to candidates will contain following information:

1. Name of Candidate,
2. Number/order in which candidate appears in the ballot paper,
3. Photo of the Candidate, and
4. Logo or symbol of the Candidate.

Annex 1

Table of Candidate Nomination Forms

Form	When used	Description
(CN-01) Presidential Candidate Nomination Application Form	Nomination Period	Form is to be completed by each applicant in order to apply for Candidate Nomination.
(CN-02) Political Party Endorsement Form	Nomination Period	The form will be used for endorsement of candidate by political party
(CN-03) Coalition Endorsement Form	Nomination Period	The form will be used for endorsement of candidate by coalition
(CN-04) Notice of Liaison Officer Form	Nomination Period	Form will be used to notify IEC on the liaison officer for a specific candidate
(CN-05) Symbol Form	Nomination Period	The form to be used to record symbol number selected by a candidate
(CN-06) Receipt-Check List Form	Nomination Period	The form will be used as a checklist to verify and certify that all forms have been submitted to the Candidate Nomination Officer
(CN-07) Notice of Withdrawal of Nomination Form	Nomination Period	The form to be used when a candidate wishes to withdraw her/his nomination.
(CN-08) Political Party/Coalition Withdrawal of Endorsement Form	Throughout the Nomination process before the final list of candidates is submitted	The form to be used when a Political Party/Coalitions wishes to withdraw endorsement of nominated candidate
(CN-09) Correction Form	Correction Period	The form will be used by candidates to request correction of particulars in the provisional list of candidates
(DS-01) Daily Statistics Form	On daily basis during the entire period of nomination	The form will be used to record daily statistics, of registered, withdrawals, corrections etc.