

Islamic Republic of Afghanistan Independent Election Commission

Regulation on Candidate Nomination for the 2019 Presidential Elections

Basis:

This regulation is enacted by the Independent Election Commission (hereinafter the Commission) pursuant to the provisions of article (108) and taking into consideration the provisions of articles (20, 38, 44, 73, 74, 75 and 105) of the Elections Law.

Goals:

This regulation is enacted for realization of the following goals:

1. Candidate nomination of presidential elections and Wolesi Jirga elections in Ghazni province;
2. Regulation of the manner of the candidacy application; and
3. Preparation of the preliminary and final list of candidates.

Scope of Implementation

Article 1:

This regulation shall regulate affairs related to the candidate nomination for the 2019 presidential elections.

Period and Requirements of Candidate Nomination

Article 2:

- (1) The Commission shall determine the start and end date of the candidate nomination and shall officially publish it considering the electoral calendar;
- (2) The applicants may within the determined period refer to the Commission and register themselves in written by fulfilling all the requirements mentioned in the law;
- (3) The applicants for WJ elections of Ghazni province may within the determined period refer to Ghazni provincial office and register themselves in written by fulfilling all the requirements mentioned in the law;
- (4) The person who has been elected twice as the president and/or vice-president may not participate in the presidential elections as a candidate;
- (5) The person or persons who runs on behalf of political parties and/or coalition of political parties for one of the elected seats, shall at the time of nomination on behalf of the political party or coalition refer to the Commission and shall present an official document which shall bear the stamp of the political party and/or coalition which indicates him/her running on their behalf.
- (6) The applicants for the presidential elections shall have the duty to complete the following information and present it to the Commission at the time of nomination:
 1. A written application for registration as a candidate, using the forms provided by the Commission according to this regulation and the relevant procedure;

2. The citizenship Tazkera for establishing the Afghan citizenship, religion and accurate date of birth (shall not be under the age of 40 years on the day of nomination);
 3. Health certification and certificate of non-conviction using the relevant information request forms;
 4. Signing the statement that he/she is not a commander and member of illegal armed groups.
 5. Accurate information about permanent and current place of residence;
 6. Certified, processed and approved letter of resignation from the offices mentioned in paragraph (1) of article 44 of the Elections Law: (1) Chief Justice and members of the Supreme Court and other judges; 2) Attorney General, prosecutors and professional members of the Attorney General Office; 3) Ministers, advisor ministers, advisors to the President, deputy ministers, heads of agencies and their deputies, chairpersons and members of the independent commissions, provincial governors and their deputies, district governors, ambassadors, and staff of overseas political missions of the country; 4) Military personnel of the Ministry of National Defense, Ministry of Interior Affairs, General Directorate of National Security and other ministries and agencies with military set-up; 5) Civil servants; 6) Temporary or permanent staff of the IEC; 7) Instructors of the governmental institutes of higher education and members of the academic cadre of the Academy of Sciences of Afghanistan, and paragraphs 4 and 5 of article 44 of the Election Law;
 7. Accurate information on movable and non-movable assets of the applicant using the form designated by the Commission;
 8. List of the names, the registration card numbers (voter registration certificate numbers that are put on the back of the citizenship Tazkera, during the voter registration), and the thumbprint of one hundred thousand eligible voters from a minimum of twenty provinces, a minimum of 2% from each province, who support his/her nomination on the ballot paper.
 9. Copy of the document certifying him/her to have registered as a voter in the relevant constituency (original Tazkera having the registration certificate);
 10. Names of two running mates of the presidential candidate;
 11. Bank receipt showing the deposit of one million Afghanis as the deposit money;
 12. Introducing of a focal point using the relevant form.
- (7) All the requirements predicted in Sections of paragraph 6 of this article shall also apply to the running mates of the presidential candidate except for sections (8, 10, 11 and 12). The running mates of candidates shall be present in person at the time of nomination.
- (8) The applicants who fulfill the requirements mentioned in article 2 of this regulation shall be included in preliminary list of candidates;
- (9) Application for registration shall not be acceptable after expiry of the period specified for candidate nomination;
- (10) No one may nominate himself/herself in two electoral constituencies or for more than one elected seat;
- (11) The Secretariat of the Commission, if necessary, shall develop separate guidelines for better management of the affairs of the said matters;
- (12) The External Relations Department shall have the responsibility of execution of the candidate nomination process. The External Relations officers of the provincial offices,

especially the Ghazni provincial office, shall fully support the External Relations Department in execution of this process.

Establishing that the parents of presidential candidate are Afghan and he/she has the citizenship of Afghanistan alone

Article 3:

- (1) Before publishing the preliminary list of candidates, the Commission shall send to the relevant authorities, the personal details of presidential candidates and their running mates to prove that they bear citizenship of Afghanistan only, don't bear the citizenship of other countries and their parents are Afghan.
- (2) The relevant authorities shall have the duty to provide the necessary information within the period determined by the Commission.

List of supporters

Article 4:

- (1) Any person who is eligible to vote and has been registered may separately support the nomination of a person on the ballot paper for presidential elections and WJ elections of Ghazni.
- (2) If according to the Commission's database, more than 25% of supporters of two and/or more than two applicants for nomination are similar, the candidate application of all of them shall be rejected.

Selection of the Symbol

Article 5:

(1) Presidential Candidates and candidates of WJ in Ghazni province:

- 1- The election symbol of the presidential candidates and WJ elections of Ghazni shall be determined through lottery and shall be reflected on the ballot paper.
- 2- Candidates nominated by political parties and/or coalitions may choose the symbol of the relevant political party and/or coalition. Alternatively, they may choose through lottery from among the symbols prepared by Commission;
- 3- Photo of a person, governmental signs, and registered symbols of other organizations shall not be acceptable as electoral symbols.

Preliminary List of Candidates

Article 6:

- (1) The Commission shall review the documents of the applicants according to the law in an open session and shall consequently prepare the preliminary list of candidates;
- (2) This preliminary list of candidates shall include the name, special candidate number, photo, and electoral symbol of every candidate (the name and photo of the running mates of the presidential candidate shall also be included in the preliminary list of presidential candidates);
- (3) The Commission shall officially announce and publish on its website the preliminary list of candidates.
- (4) The Commission shall separately prepare the list of those applicants who were not deemed eligible along with the reasons and shall publish it on its website simultaneously with the preliminary list of candidates for information of people and the applicants and filing of objections against it.

- (5) The candidates who may want to correct the information included in the preliminary list of candidates may within the period specified in the electoral calendar, refer to the IEC HQ or provincial office of the Commission in Ghazni province.

Objections and complaints

Article 7:

- (1) After the publication of the preliminary list of candidates, representatives of the political parties, candidates, and every citizen eligible to vote, may file objections with the Electoral Complaints Commission against ineligibility of the candidates included in the preliminary list of candidates (candidates for the office of the president, running mates of presidential candidates, and Wolesi Jirga candidates of Ghazni province) within the time determined in the electoral calendar.
- (2) Those candidates who are not included in the preliminary list of candidates may file complaints with the Electoral Complaints Commission within the time determined in the electoral calendar.
- (3) If, according to the Election Law, there is a complaint against the candidate nomination process and/or the person of candidates included and/or not included in the preliminary list of candidates, this shall be filed with the ECC within the period determined in the electoral calendar.
- (4) The Electoral Complaints Commission, considering the provisions of the Election Law and the relevant regulations and procedures shall decide on eligibility or ineligibility of those candidates whom objections are filed against.
- (5) The Electoral Complaints Commission shall officially send to the Commission, its decision on the objections and complaints according to the electoral calendar.
- (6) The Independent Election Commission shall cooperate with the Electoral Complaints Commission within the limits of the law in area of providing the documents and information as necessary for addressing the objections.

Withdrawal from Candidacy

Article 8:

- (1) The candidates of the elected seats who are included in the preliminary list may withdraw their nomination according to the law.
- (2) The candidates of the elected seats who are included in the preliminary list, shall officially, in written and according to the procedure communicate to the Commission their decision on withdrawal from candidacy before publishing and announcing of the final list and within the timeframe determined in the electoral calendar;
- (3) If a candidate withdraws from his/her candidacy after the timeframe determined by the Commission in the electoral calendar, or his/her name is removed by the Electoral Complaints Commission, or dies, the votes cast to him/her shall not be counted. The deposit money of only those candidates shall be refundable who have withdrawn according to the electoral calendar or died.

Final List of Candidates

Article 9:

- (1) After adjudication of all the objections against the list of candidates and complaints against the candidate nomination process by the ECC and inclusion of the necessary corrections and determination of the location of the candidates' names on the ballot paper The final list of candidates shall be prepared and approved and published by the Commission. This list shall not be changeable.

- (2) The Commission shall design and print ballot papers considering the final list of candidates.
- (3) The Commission shall display the final list of candidates at the polling centers on the Election Day.

Issuance of Accreditation Letters to the Candidates who are on the Final List of Candidates

Article 10:

- (1) The Commission shall issue accreditation letter to the candidates that are included in the final list of candidates to certify their candidacy.
- (2) The manner of issuance of accreditation letter to candidates shall be regulated through the relevant procedure.

Signing of Candidates and Political Parties Code of Conduct

Article 11:

The applicants shall have the duty to sign during registration as a candidate and submit to the Commission, the codes of conduct for candidates and political.

Enforcement

Article 12:

This regulation shall come into force and be published from the date of its approval.