

Islamic Republic of Afghanistan Independent Election Commission

Regulation on Nominating New Vice-Presidential Candidate(s) in case of Death, Suffering from an Incurable Disease and/or Ineligibility of the Vice-Presidential Candidate(s)

Basis:

This regulation has been enacted based on article 108 of the Election Law by the Independent Election Commission (hereinafter referred to as the Commission).

Objective

This regulation shall regulate, during the 2019 presidential elections, the matters related to the introduction of the replacement of vice-presidential candidate in case of ineligibility, removal by the Electoral Complaints Commission, death, withdrawal and/or suffering of vice-presidential candidate(s) from an incurable disease or a disease that prevents him/her to discharge the duties.

Withdrawal before publishing of final list of candidates

Article 1:

If one or both vice-presidential candidates withdraw, are ineligible, removed by the Electoral Complaints Commission, pass away and/or suffer from an incurable disease and/or a disease that impede discharge of the their duties, within the period specified for in the electoral calendar, the presidential candidate is shall have the duty to introduce to the Commission another person(s) for the vice presidency as early as possible.

Withdrawal period after publication of final list of candidates

Article 2:

1. After expiry of the withdrawal period, the presidential candidate may not remove his/her vice-presidential candidates and/or compel them to resign.
2. If one or both of the vice presidential candidates pass away or withdraw or removed by the Electoral Complaints Commission or suffer from an incurable disease that prevents him/her from discharging the duties, the presidential candidate shall have the duty to formally communicate this the soonest to the Commission, and within 72 hours, introduce to the Commission in writing, together with submitting the required documents, any other eligible person(s) as his/her vice presidential candidate(s).
3. The presidential candidate shall in person accompany to the Commission the new vice-presidential candidate(s) for their introduction and submission of documents.

4. New vice-presidential candidate(s) may be introduced only if the instances predicted in paragraph 2 of this article occur at least (10) days before the election date.
5. If the new vice-presidential candidate is found by the Commission to be ineligible, the candidate may just one more time introduce a new vice-presidential candidate to the Commission.
6. The presidential candidate shall have the duty to make public the complete profile of the new vice-presidential candidate(s) through mass media.
7. In case, a vice presidential candidate(s) withdraws his/her nomination for the office of the vice-president after the expiry of the withdrawal period, he/she may not be nominated as vice presidential candidate for another presidential candidate.
8. The vice-presidential candidate who due to reasons such as ineligibility, removal by the Electoral Complaints Commission and suffering from disease is removed from the vice-presidential status, may not be chosen and introduced anew as a vice-presidential candidate for another presidential candidate.

Addressing objections

Article 3:

1. The Commission shall publish the profile of the new vice-presidential candidate(s).
2. Persons, political parties and other organizations may within 2 working days after publishing of profile of the new vice-presidential candidate(s) file an objection to his/her ineligibility.
3. The Electoral Complaints Commission shall, considering the time limitation, share with the Commission its decisions on the objections within three days after completion of the objection period.
4. In case the new vice-presidential candidate is not eligible, the presidential candidate may, for the last time, nominate another eligible person within a maximum of 48 hours, in which case the provisions mentioned in paragraphs 1, 2 and 3 of this article and paragraph 3 of article 2 of this regulation shall be applicable.
5. In case the new vice-presidential candidate is ineligible for the 2nd time as well, in such a case the candidate for office of the president shall be deemed to have resigned, and the votes cast in his/her favor shall not be counted for him, and the Commission shall bring the matter to the attention of the public.

Withdrawal and/or death of the vice-presidential candidate(s) on the election day, after conducting of the elections and before the announcement of the final results of elections

Article 4:

If the vice-presidential candidate(s) withdraws or dies on the Election Day and/or after the Election Day and before the announcement of the final results of elections, if the candidate wins the elections, he/she shall appoint his/her vice president according to the Constitution.

Enforcement

Article 5:

This regulation shall be enforced and published from the date of approval.