



**Islamic Republic of Afghanistan
Independent Election Commission**

Regulation on Media Commission Establishment and Mass Media Activities

This regulation has been approved by IEC under the authority of paragraph (2) of article (60) and Article (66) of the Afghan Electoral Law, to establish an Electoral Media Commission.

Article 1:

In this regulation, the following terms have the meanings shown:

1. Commission: Independent Election Commission (IEC) established under article (156) of the Afghan Constitution.
2. ECC: The Electoral Complaints Commission established under article (61) of the Electoral Law
3. MC: The Media Commission established under article (60) of Electoral Law.
4. Election Campaign Period: The period set by IEC for political campaigning at an election, which ends 48 hours before election day.
5. Media Code of Conduct: The Media Code of Conduct approved by IEC
6. Political Party: A political party registered with the Ministry of Justice
7. Media: Includes TV, radio and print media for the purpose of public awareness.

Purpose

Article 2:

This regulation regulates activities of the Media Commission in the following elections:

1. Presidential Elections,
2. Parliamentary Elections,
3. Provincial Council Elections,
4. District Council Elections,
5. Village Council Elections,
6. Mayor Elections, and
7. Municipal Assembly Elections.

Establishment of Media Commission and Its Composition

Article 3:

1. The Commission shall appoint a Media Commission no later than 60 days before Election Day. If two or more elections are held on the same day or close together, a single Media Commission may be appointed to function for all of the elections.
2. The MC shall consist of five members. The Media Commission's members are required to meet the following criteria:
 1. Having the citizenship of Afghanistan,
 2. Possessing higher education in the fields of journalism, politics, or literature,

3. Having professional working experience of at least (5) years in media and cultural affairs,
4. Temporary discontinuing the previous duty,
5. Having no affiliation with a political party during his/her work in the MC,
6. Observing impartiality and having no factional, ethnic, linguistic, racial, religious and regional tendency,
7. Not being deprived of civil and political rights by an authorized court,
8. Being able to speak both official languages of the country.
9. Committed to national interests and values and following the rules and regulations of IEC,
10. Observing the principles and ethics of journalism.

3. The chairperson of the MC is to be chosen from among its members and if they cannot agree, the chair shall be named by IEC.

4. The MC shall set its own rules of procedure.

5. The MC may hire staff through the Commission's Secretariat to assist it with its functions.

Duties of the Media Commission

Article 4:

1. During the campaign period, the MC is responsible for:
 - A. Preparing and organizing the drafts of internal procedures, guideline, policy, Codes of Conduct and other legal documents.
 - B. Covering all the news bulletins relevant to the Electoral Campaigns of candidates by making use of the mass media,
 - C. Adjudicating on complaints received on the subject of media infringements,
 - D. Reporting the violator to the relevant authorities for further prosecution,
 - E. Monitoring all the propaganda vehicles of the mass media by taking note of the Media Commissions internal procedures.
 - F. Taking the necessary and legal measures against the inaccurate publications of mass media with reference to an election and the Commission's activities,
 - G. Carrying all duties and responsibilities out assigned by the Commission and preparing a report on its activities' to the IEC,
2. Complaints and issues referred to MC are to be decided at the MC's meetings.
3. Making proposal to IEC with regards to the cancellation of the accreditation letter of a violating media institution.
4. The MC is to complete its work no later than (45) days after the certification of the results of the election.

Media Duty respecting Public Awareness

Article 5:

1. Based on article (59) of the Electoral Law, the media shall make an effort to inform and educate the public on matters relevant to the electoral process and shall try to the best of their extent to cooperate with IEC and MC to impartially inform the largest number of citizens as far as possible, regarding:

- a) The importance of voting;

- b) The platforms of candidates;
 - c) Basic campaign issues; and
 - d) How to participate in the election.
2. The state-run media shall provide limited opportunities for broadcasting the advertising messages of candidates free of cost considering the schedule prepared by the Commission.

Campaign Silence Period

Article 6:

The campaign period is to be ended 48 hours before the election day. After the electoral campaign period, mass media must not:

- a) Cover any candidate's political activity related to electoral campaign;
- b) Publish or broadcast results or the summary of any survey or opinion poll based on estimation before election,
- c) Publish or broadcast any information based on conjecture and doubt gotten from the opinion poll after elections.

Reporting Election Results

Article 7:

The mass media shall accurately and prominently broadcast or publish the election results announced by IEC.

Complaints to Media Commission

Article 8:

1. Any registered voter, political party, candidate or their agents, who witness a violation of this regulation or the Media Code of Conduct, may record an official complaint with the MC.
2. A complaint must be recorded on a complaint form issued by MC and signed by the person who witnessed the violation.
3. A complaint must be delivered to IEC at its headquarter in Kabul, any provincial election office of IEC, or to MC in Kabul.
4. A complaint must be delivered within 72 hours of the time, the alleged violation was witnessed.

Report

Article 9:

After finishing its work, MC shall present the Commission with a final report on its activities.

Entry into Force

Article 10

This regulation enters into force on the date it is approved and shall be published.