ETWA Vision AboutNew Election's Commissioners Appointment

The Selection Committee -- SC, which had received support of a secretariat from inside the presidential office, has assessed 720 applications within a month time and then introduced list of individuals to the president, which included 21 persons for IEC and 15 for IECC. Of them, the president on 11/22/2016 picked seven individuals as commissioners for IEC and five for IECC.

The Election and Transparency Watch Organization of Afghanistan (ETWA) as an independent, impartial and national election observation organization had released its report after monitoring the work of the committee. Now ETWA assessed the selection procedure of the fresh electoral commissioners at the light of below criteria:

1. ObservingConstitutional Purpose and Goal in Relation With Professionalism andIndependence of IEC.
2. Observing The Ethnic Combinationin Contradiction WithNew IEC Structure.
3. Focus To Restoring Public Confidence on Electoral Bodies.

1. Observing Constitutional Purpose and Goal in Relation withProfessionalism and Independence of IEC.

Althoughdecision making authorities about the appointment of electoral commissioners is stipulated at article 64[1] of the constitution. Article 156[2] of the constitution demonstrates that electoral bodies' members shall be recruited according to those criteria, fitting jobs and independence's spirits of these bodies.

Evaluation of the final list indicates despite insistence in article 156 of the constitution makingIEC accountable for holding and supervising any electionsrefers to professional experience and capabilities in election field. Unfortunately, most of the new commissioners are without work experience and expertise in this field.

2. Observing Ethnic Composition in Contradiction with New IEC Structure.

Experience showed that political leaders always pretexted ensuring national participation and national unity as means to give ethnic share to powerful politicians to gain their support and satisfaction.

The president's recent decision clarifies this matter. Majority of the new commissioners enjoy the support of political strongmen in an apparent attempt that ethnic[3] combination would help ensure the rights of other tribes and acceptance of the results of future elections.

[1]- Paragraph 13 of Article 64 of the constitution
[2]- Article 156 of the constitution-IEC is established for holding and supervising any election in the country.
[3]- Article 14 of Election Law

But taking into account the new structure of[4] IEC, which engaged new members at the electoral process as well as giving IECC more power under the new law are among the factors that would increase concerns over likely individual collisions among the members of the two bodies and lack of coordination during the operational phase of elections.

3. FocusTo Restoring PublicConfidence on Electoral Bodies

The crisis of 2014 presidential elections had badly damaged public trust over the electoral system of the country. Thus, multiple phases of electoral reform, especially selection of election commissioners were required to be undertaken in a way to enhance both politicians and public trust on this process.

Unfortunately, lower presence of impartial and experienced individuals with CSO background in the final list maximized concerns over decline in public trust on electoral bodies and future elections.

Suggestions:

- As performance of the new electoral bodies and their working procedure is a matter of significant importance, which influence the process of electoral reforms and future elections wholly. Therefore, free Medias are required to follow the matter of electoral reform via multiple invisible angels to play constructive role in improving the quality of electoral reform.
- Election commissions should recruit and support skilled and experienced individuals at the secretariat for declining technical problems.
- At the first step, election commissions should codify and approve an amendment draft through legislative channels for re-giving authorities to thesecretariat in attempt to foil possible individual collisions within the bodies and remove contradiction of election law with article 156 of the constitution.
- For removing functional interference between the two commissions, election commissions should sign MoU to making coordination.
- Election bodies should determine the date of future election with respect to progress in electoral reform and close consultation with experts in attempt to pave the ground for execution of remaining reform and legitimize continuation of the parliament.
- Experience showed that role of CSOs in electoral reform could help improve quality of the reform and rebuild public confidence on it. Also, the new bodies should establish effective mechanisms for making contacts with election related institutions to gain CSOs support.
- Election commissions should establish and execute a five-year plan in close consultation with CSOs to keep the reform process ongoing.
- Experiences of the past two years showed that civil society objections and advocacy efforts against this trend alone cannot attract political leader's support from the process. But pressures of international community, especially major donor countries can play productive role in improving quality of electoral reforms.

[4]- Article 11 of Election Law