

Post-Election Strategy Group (PESG)

Progress Report



27 September 2005

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Preface

This report has been narrowed down from a number of options presented in the Preliminary Post-Election Strategy Report¹ to a few concrete recommendations for a permanent Independent Electoral Institution, including implementation strategy. The Post-Election Strategy Group (PESG) was formally established and mandated by the United Nations Assistance Mission in Afghanistan (UNAMA) and the Independent Electoral Commission (IEC) of the Islamic Republic of Afghanistan.

The purpose of the PESG has been to develop a comprehensive post-election strategy for the Afghan electoral institution and the processes for which this institution will be responsible. This has been achieved by coordinating the contributions made by all interested and relevant stakeholders toward the development of the strategy. The main aspects of this strategy include: policy and legal framework; structuring of a post-election electoral administration and a voter registry; operational concept and budgets; retention and capacity building of staff; civic engagement; physical infrastructure; and involvement of donors and partners.

PESG Membership:

- General Assil, Chairman of the PESG (Deputy Chairman of the IEC)
- Peter Erben, Chief Technical Advisor on Elections to the SRSG (Currently also Chief Electoral Officer)
- Julian Type, Deputy Chairman of the JEMB
- Momena Yari, Afghan Commissioner of the IEC/JEMB
- Abdul Hakim Murad, Afghan Commissioner of the IEC/JEMB
- Daoud Ali Najafi, Afghan Counterpart to the Chief Electoral Officer
- Hiroko Takagi, Representative of UNDP
- Adam Bouloukos, Representative of UNOPS
- Ameerah Haq, Representative of UNAMA
- Kawun Kakar, Representative of the Government/President's Office
- Rafael Lopez-Pintor, Senior Electoral Expert to the PESG
- Sayan Chatterjee, Senior Electoral Expert from UNDP associated with the PESG
- Lynne Puckeridge, Senior Electoral Expert from TAF associated with the PESG
- Anne-Sofie Holm, PESG Coordinator

This report has been prepared after extensive consultations with the government, political parties and independent candidates, civil society organizations, and the international donor community (which includes government representatives, implementing agencies and individual electoral experts). Relevant inputs have been collected through numerous meetings where the preliminary report has been presented and discussed. The report contains specific implementation measures on those areas where an institutional arrangement is already in place. It contains policy recommendations on issues where political decisions are required in the near future.

This report is expected to serve as a guide for governmental officers and donors on policy making and decision making on the planning and implementation of various programs.

The report deals with issues related to the building of an electoral system and electoral administration that would be sustainable in all of its dimensions: political, legal, institutional, technical and financial. The system will be technically sustainable when no international technical support is further needed, whether for the consolidation of organizational structures of the electoral administration, ordinary in-house training, outreach programs or the polling operation. Technical sustainability is the easiest and fastest type of sustainability to achieve. Financial sustainability is obtained when the entire system can be funded from

¹ Post-Election Strategy Group (PESG) Preliminary Report, 25 July 2005

domestic resources embedded in the budget of the nation. This should be proposed to the next government budget for 2006 (Hejri Shamsi Year 1385). Finally, the system becomes politically sustainable when the IEC legal and institutional frameworks are accepted as legitimate by all stakeholders, in addition to their acceptance of the outcomes and results of the elections. This is the hardest to achieve because it is so dependent on the ebbs and flows of the politics in the country.

It is recommended to read the PESG Preliminary Report of July 25 2005 before reading this Progress Report. The main body of the report is composed as an executive summary. Three main points are included on each issue area: recommendations from the PESG Preliminary Report, progress to date and further recommendations.

This report should serve as a recommendation to the SRSG and subsequently to the Government.

Explanatory Notes

The words "transition" and "transitional period" are used with two different meanings in this report, depending on the context. One is the transition up to the expiry of the Bonn Agreement at the end of 2005. The other is the transition between the current institutional electoral calendar and a prospective new one, assuming that the Constitution is amended sometime around 2010.

1. Policy, Legal and Institutional Framework

1.1. The Electoral Calendar

1.1.1 Recommendations from PESG Preliminary Report

There is a consensus that the electoral calendar implied in the current Constitution does not appear functional in political, logistical or financial terms. A calendar change implies Constitutional reform. Such Constitutional reform could be more easily introduced after a second presidential and legislative election cycle, when the National Assembly has consolidated its institutional role and *modus operandi* and the democratic government has further settled into its role.

The recommended option suggests that only presidential, legislative, provincial and municipal elections (and not village or district elections) be conducted by direct popular vote for the time being. Moreover, a two-tier cycle should be established. Presidential and parliamentary elections could be held together every five years, while provincial and municipal elections similarly would take place every five years, but offset two years from national elections. District and village council elections are left out of the immediate electoral planning. After consultations with various stakeholders, it was concluded that these elections are not likely to be held in the immediate future.

1.1.2. Progress to date

Several meetings and discussions have been held with the Government of Afghanistan/the Office of the President, and international stakeholders and the various issues related to the electoral calendar have been discussed. (See Annex I)

1.1.3. Further recommendations

There is a need for periodic updates to and from the Government of Afghanistan and international stakeholders. As earlier emphasized, a Constitutional review would be necessary by 2010.

1.2. Reviewing the Electoral Legislation

1.2.1. Recommendations from PESG Preliminary Report

A review of the Electoral Law is legally mandated and will also be necessary after the transitional period from the Joint Electoral Management Body (JEMB) to a national electoral institution. Additionally, a number of essential elements in the Municipal Election Law must be harmonized with the 2003 Constitution. For instance, the authority in charge of elections and the formula for electing Municipal Councils and Mayors are incompatible with Constitutional provisions. A detailed regulation on the duties and responsibilities of the Independent Electoral Commission is also necessary. The option recommended is to make amendments as needed to the different legal bodies, rather than completely re-writing various legal instruments. Expertise in legal drafting would be necessary.

1.2.2. Progress to date

Several meetings and discussions have been held with relevant advisors to the President, the IEC and international stakeholders.

An extensive document has been produced regarding the future regulations of the IEC, and has subsequently been thoroughly discussed with the IEC members. It is likely to be transferred into legal draft language almost entirely as is. (See Annex II)

The Ministry of Justice has requested a review of the Municipal Election Law, and the JEMBS Legal Services Department has already prepared a municipal election law concept paper. (See Annex III)

1.2.3. Further recommendations

Follow-up and finalize the Municipal Election Law review with the Ministry of Justice.

Legal expertise is to be contracted for reviewing the Electoral Law and for drafting an IEC law as soon as possible. While assessing the Electoral Law, some issues for consideration could be whether there should be a runoff election for the presidential election, the merit of SNTV voting in multi-member constituencies and whether single-member constituencies for smaller units like municipalities and districts should be addressed. Another problematic issue for this election has been the last-minute disqualifications of

candidates, and it could be debated whether the challenge period of candidates should end when the final list is drawn up and thereafter only post-election disqualifications could occur.

1.3. The Electoral System – Single-Non-Transferable-Vote (SNTV)

1.3.1. Recommendations from the Preliminary Report

Reflections over the Single-Non-Transferable-Vote (SNTV) system were not included in the preliminary report, as it was unambiguously decided last year that general elections should be held on a non-party basis. However, concern has been voiced over the chosen electoral system by several Afghan politicians, and this system can be changed through the parliament if sufficiently supported.

1.3.2. Progress to date

The issue of the electoral formula currently applied in Afghanistan, the SNTV, and its technical and political consequences has frequently been raised in meetings and discussions with many stakeholders, both national and international. It can be concluded that deep concern on this particular issue does exist among significant sectors of the relevant social and political actors, and something should be done in the near future for the purpose of building a consensus either for its maintenance or for legal reform.

1.3.3. Further recommendations

A debate on this issue after the elections is recommended. A standard option is the opening of a public debate on the perceived effects of SNTV. Different social actors and opinion makers (for instance, politicians, legal experts, journalists, civil society representatives and international electoral experts) should be involved through different media. Actual assets and liabilities of the formula would be assessed against the experience of the recent elections. Comparative experiences could be discussed so that the merits of SNTV could be better assessed, and a different electoral system could eventually be proposed as an alternative to SNTV. Examples of different systems include proportional representation (PR) in multi-member districts; majority rule (MR) in single-member districts; a mixed system of some kind (such as SNTV for seats at the provincial level and PR for a number of seats at the national level, or MR for seats in single-member districts and PR for seats at the national level).

1.4. Institutional Framework for the Independent Electoral Commission (IEC)

1.4.1. Recommendations from PESG Preliminary Report

A permanent IEC should be consolidated after the transition period with a professional staff of around 117 people, including nine Commissioners and the Secretariat along with 34 provincial offices with a minimum of two professional staff in each. The Secretariat would more-or-less maintain its current structure: one Chief Electoral Officer, one Chief of Operations, eight Department Heads, one International Advisor working with each department and one professional national staff member in each section to ensure continuity and capacity to smoothly unfold the operation for the next election. In addition, there will be a number of national support staff.

Upon harmonization of the Municipal Electoral Law with the Constitution, the Ministry of Interior should cancel the existing posts for electoral officers in Kabul and the provincial administrations, as they are remaining from a period when municipal elections were a function of the Ministry.

Given the current limited development of the judicial system in Afghanistan, there is a good case for a continuation of the Electoral Complaints Commission (ECC) as a quasi-judicial adjudicator of electoral disputes.

1.4.2. Progress to date

A number of documents were prepared by the PESG after extensive consultations with IEC members, the Government of Afghanistan, civil society organizations, donors and experts. They were well received by the IEC and the GoA. These refer to the content of the future structure and functioning of the IEC, its organizational chart (both for core staff in between elections and during future electoral projects), a staffing table, a document on space allocation at the new compound and retention of office equipment in the HQ and provincial offices. (See Annexes IV, V, VI and IX)

Several Memoranda of Understanding have been prepared with the Ministries of Interior, Defense, Transport and Education regarding the necessary support to the IEC for the conduct of elections. (See Annex VII)

Two primary changes have been made to the original recommendation in July with regard to the design of the future structure of electoral authorities. One is the establishment of Provincial Electoral Commissions as permanent bodies in appointment and term of tenure, but they will only be active and remunerated on a temporary basis as the need advises. The other change is the empowerment of the IEC with adjudication powers on electoral grievances at all of its different levels. The ECC will only work as a last-appeal judicial body for IEC adjudication on a limited number of important issues. These changes came from further assessments of the current experience and in consultation with relevant stakeholders and experts. The changes are also more congenial with international standard practice.

1.4.3. Further recommendations

Once the transition period is over, the necessary regulatory and organizational changes need to be introduced in a timely and effective manner. This structure will also need to be reviewed by the Civil Service Commission and the Ministry of Finance as to its organizational chart and functions and the allocation of a Government budget line. It will further have to go through the Government procedures of incorporation and harmonization with the work programs of other ministries that may have a contributory role in the conduct of elections.

2. Voter Registry

2.1. Joint Voter-Civil Registry Operation

2.1.1. Recommendations from PESG Preliminary Report

A permanent registration update with an opening of the voter lists before every election can be considered an option for Afghanistan, independently of whether continuous registration is possible in the near future.

An independent review of the current voter lists should be conducted after the 2005 elections in order to assess the viability and cost of updating them, including the elimination of multiple registrants and the deceased from the list. Proper identification of the province and place of residence (village and *nahia*), which would enable the allocation of voters to constituencies and polling stations, should equally be ensured.

If the option of producing a national ID card jointly with a voter list is decided upon, the ID document would also work as voter identification. In a first instance, the voter registry would almost automatically emerge from citizen identification. In the future, the voter list would be periodically updated after requiring new registrants to be properly identified with an ID card, or *taskera*. Several projects for a national ID card have been proposed to the Government. This might be the time to focus on the feasibility of such a joint venture of generating a voter list at the time when all citizens are duly identified. Joint planning in this regard should be pursued by the IEC and the Ministry of Interior.

2.1.2. Progress to date

A Joint Registry Working Group has been created that is composed of representatives of the MoI and JEMBS, and hereunder a Technical Group appointed to further explore a joint operation. Several meetings and technical discussions were held at different levels with MoI authorities. The conclusions of these groups are now ready to be presented to the donor community. A joint project for a Civil Registry and a Voter Registry is envisaged along a timeline of three years, starting in 2006. (See Annex VIII)

2.1.3. Further recommendations

A project document should be completed after the current wave of discussions is over in order to have a pilot project started and completed within 2006, and the entire exercise finished before 2009. The timing of the project would run in parallel with the electoral calendar that has been proposed. A forthcoming municipal election would take place with the same voter cards as the current elections, but the next presidential elections in 2009 could be organized upon the basis of a standard voter list and a single national ID document. This will be a significant exercise the first time, but once it has been established it could be easily maintained and updated for future elections.

Furthermore, a debate is necessary to determine a delimitation process throughout Afghanistan. Boundaries will need to be determined for municipal elections and discussions should be held on what further level it may be feasible to draw electoral boundaries, whether at the district level or around polling locations defined by the number of voters per polling station.

3. Human Resources

3.1. Retaining IEC Staff

3.1.1. Recommendations from PESG Preliminary Report

A hybrid policy is recommended outlining a long-term viable retention policy while at the same time taking into consideration the unique conditions and challenges facing the IEC during 2006-07. The recommended *Transitional Knowledge-Based Retainment Policy* contains two components. First, by becoming a lead governmental organization for whom to work, the IEC would be able to attract the right caliber of individuals to perform its tasks in a professional and timely manner. In order to achieve this objective, a permanent election training program would need to be established, catering to entry-level, mid-level and executive management staff needs. Both specific election-related subjects as well as more generic management-related issues should be included in the curriculum. Second, special two-year contracts would be provided for a limited number of key electoral officers, enabling enough time to recruit and properly train the Afghans who would ultimately form the nucleus of the permanent IEC management. This should be made in consultation with the Civil Service Commission and the Priority Reform and Restructuring as well as harmonized with other independent commissions.

3.1.2. Progress to date

The retention policy was presented to different stakeholders and favorably received by donors and the staff of the IEC in HQ and provincial offices.

Contact between IEC financial officers, accompanied by a member of the JEMB and the Civil Service Commission, are in progress for the discussion, along with an eventual arrangement on retaining policy and the issue of pay scales.

3.1.3. Further recommendations

It is strongly recommended to pursue the undergoing discussions with the Ministry of Finance, the Civil Service Commission and other Government approval procedures to find a satisfactory and manageable conclusion.

3.2. Training within the IEC and broader Civic Engagement

3.2.1. Recommendations from PESG Preliminary Report

The IEC will require skills development and learning opportunities during the transitional period that follows this election in order to build administrative capacity and to increase the buy-in of electoral administrators to the new body. The IEC should develop its own permanent in-house training program for electoral officers. Moreover, it should reach out to other elements of Afghan society and government through training programs, particularly for school teachers, police and military personnel and civil society activists.

An Electoral Resource Centre is being developed under the Joint Electoral Management Body (JEMB) with a collection of academic and practical documentation and material to be used in support of training activities and other information needs of the IEC.

3.2.2. Progress to date

The building of an Electoral Resource Center is being reinforced with resources pledged by The Asia Foundation (TAF) and UNDP. The same goes for additional support to the development of training programs for October-November, as well as future training programs. On these focus areas, two senior experts have been provided by TAF and UNDP respectively.

Two training rounds were successfully conducted for most PEC officials before the Parliamentary Elections. The three training partners involved (IFES, ECC and JEMB) concluded that further training will be necessary, focusing on the TOR to be provided under a revised legal framework after the transitional period is over.

3.2.3. Further recommendations

There is an immediate need to further develop training and training support projects to enhance the professionalism of the electoral administration. (See Annex X)

4. Physical Infrastructure

4.1. Physical Assets

4.1.1. Recommendations from PESG Preliminary Report

An inventory stock exercise is recommended at all levels as soon as possible.

Allocation of assets in the field should be considered. It is recommended to retain necessary assets at the provincial level and retain the rest in the UN-administered regional logistical hubs for maintenance and security. This equipment can then be leased on an ad-hoc basis. However, the sustainability of maintaining and storing the equipment should be carefully assessed.

The IEC should be encouraged to engage in a broader dialogue with government ministries and with international donors in an effort to articulate the genuine asset and infrastructure needs of Afghanistan.

4.1.2. Progress to date

The inventory stock exercise has been carried out and completed in all provinces except for two regions – South and Central. These outstanding regions should be completed and all data collated and ready in a master database by the end of September.

Office, technical and basic equipment retention has been proposed and accepted by the IEC for both headquarters and provincial offices. Many assets have been purchased under the UNDP VRP/Elections Projects and UNDP is the legal owner of these assets. If these are to be transferred, this will have to be done in accordance with UNDP financial rules and regulations to ensure appropriate accountability.

In addition, the newly finished electoral compound on Jalalabad Road has been explored and modified with engineers, and space has now been allocated for the new IEC offices. (See Annex VI)

A MoU has been prepared for discussion and signing by IEC and the Ministry of Interior for the use of office and storage space at governmental provincial offices. A similar path of action is ongoing with the Ministries of Defense, Transport and Education. (See Annex VII)

4.1.3. Further recommendations

Meetings with the relevant Ministries should be arranged and the MoUs should be signed as soon as possible, in order to ensure the appropriate support. The arrangement of office space in the provinces is particularly urgent, as the current JEMBS offices will be closing down by the end of October, and the identified IEC equipment and assets will need to be transferred to the new offices and the remainder back to the UNOPS-administered regional hubs. A proactive role in this is expected from the members of the IEC themselves, especially in consultation with the Government of Afghanistan.

4.2. Communication Network

4.2.1. Recommendations from PESG Preliminary Report

The value and utility of the extensive communication network established by the Elections project should be acknowledged. Hence, it should be carefully considered how this network might be reduced, modified or redistributed. Since it is unlikely that the IEC will require a communication network as extensive as the one presently in place, other possible uses for the communication assets should be considered. It is suggested to maintain an emergency communication network and/or provide equipment to other government offices and UN agencies for regional and provincial programs. Once again, the recurrent costs must be worked out and approved in a governmental operational budget for the IEC.

4.2.2. Progress to date

The communication network for the IEC has been widely debated and it has been recommended that IEC Headquarters keep a complete LAN infrastructure, have phones in most offices in the two IEC buildings and

have its own internet service. It is also recommended that a service center be set up in the IEC, with a heavy-duty photocopier, scanner and projector rental service.

The LAN infrastructure will consist of a server room and a network, and it is recommended that the server room be equipped with a minimum of three servers - one of which would be the domain controller, one file server and one ISA server to control access and use of the internet.

Sufficient means to communicate between IEC Headquarters and Provincial Offices need to be established. The need and use of communications equipment has been discussed and, especially considering the upcoming registration exercise and the amount of data that will need to be transmitted over this network, it has been advocated that the IEC should keep the VSATs that the JEMB currently have in all provincial offices. The monthly costs for a sufficient amount of bandwidth to maintain the system is extremely high, and these VSATs need high maintenance. The ownership of the maintenance will preferably stay with UNOPS and be controlled from their regional offices on a continued service agreement.

As for an internal phone system for IEC headquarters, it is proposed that IEC keep the PABX system. This system can support up to 32 internal (16 analog, 16 digital) and six external lines.

It is recommended that no radios be retained, but rather that all provincial offices be supplied with mobile phones. Roshan and AWCC cover a total of 26 provincial capitals with their signals. The remaining eight offices should be covered by Thuraya phones. It is also recommended to have one Thuraya Fixed Docking Unit (FDU) in every office in the country in order to make the communication among the provincial offices easier.

4.2.3. Further recommendations

The maintenance of VSAT complete systems needs to be addressed urgently for a sustainable communications set-up. The IEC will also need to decide whether it wishes to keep its own email server or whether it wants to outsource it to an external partner. The IEC will also have to maintain the copy machines, printers, scanners and other IT-related equipment. Local companies are available to provide this service; alternatively, the IEC can set up its own equipment maintenance workshop to accommodate its needs.

4.3. IEC Electoral Compound and MoU Lease Agreements for Provincial Offices

4.3.1. Recommendations from PESG Preliminary Report

The Elections project presently manages 70 properties throughout Afghanistan. Of these, only six are rent-free facilities provided by local government departments. The IEC should consult with local government authorities to explore opportunities for shared office facilities.

It is recommended that provincial offices be maintained as a priority, with case-by-case determination of the utility of regional hubs. There is, however, a clear need for guidance from the IEC, other National Priority Programs and other United Nations activities when determining the need for lease agreements.

It is recommended that the IEC look carefully at securing government-owned facilities on a no-cost basis. Again, lease agreements and property usage would depend on the size of the permanent staff of the IEC and on the temporary requirements of a given election component. However, based on a provincial office maintenance structure with two officers, they should ideally move into a shared office with other local government authorities.

4.3.2. Progress to date

The new election compound on Jalalabad Road has been an on-going construction process, and frequent visits have been paid to the new location to ensure that offices were meeting needs and expectations. Modifications have been introduced on a continuous basis by the IEC and discussed with engineers. The new IEC Headquarters should be ready for the IEC to move in by 1 November. The offices are at this stage almost finalized; however, during the counting period the construction work will be stalled due to security measures.

The crucial issue of office-sharing arrangements or office lease arrangements in some provincial publicly owned facilities is being pursued with the Ministry of Interior (Mol). A Memorandum of Understanding has been prepared to inquire about possibilities for the Mol to provide, free-of-charge or through rental contracts, office space for provincial IEC staff for three-to-five staff members, depending on the population

and geographical size of the province. In addition, inquiries about possibilities for storage room should be entertained, ideally in the provincial governor's compound in each province.

Furthermore, the MoI is requested to make certain facilities available at the province and district levels (provincial governorates, district and village administration) upon request by the IEC to be used for training purposes, voter registration, polling and counting.

At the same time, UNOPS has met with heads of agencies on provincial plans and office needs. A few of the current lease agreements will be extended to cover the winter period, and some agencies will build common compounds in some locations. It has been mentioned that with the current size and structure of the IEC, some IEC provincial offices can, if necessary, be accommodated in UN regional offices until other solutions are available.

4.3.3. Further recommendations

The IEC needs to continue to pursue and secure its own locations. Negotiations with the MoI need to take place immediately in order to secure appropriate office accommodation before the JEMBS provincial offices close down, so staff and equipment can be smoothly transferred. The financial sustainability of these proposals through the Government's operating budget needs to be secured for the next fiscal year.

5. Operational Concept and Budget

5.1 Budget

5.1.1. Recommendations from PESG Preliminary Report

Depending on the security situation and quality of the future voter registry, the cost of the next election may range between USD 50 million and 80 million, perhaps lower for municipal elections. In Afghanistan, like in other post-conflict countries and despite initially high electoral costs, substantial cost reduction could be expected over the next ten years (progressive reduction down to \$5-10 per registered voter in future elections). International electoral assistance for the next five years, including subsidizing the ordinary running of the IEC, the voter registry and the polling operations, will be required, and has been estimated at slightly over \$101 million.

Some policy recommendations are made for the partner organizations in elections that will help to reduce future electoral costs, such as transferring assets from the current electoral project to the IEC; rationalizing the electoral calendar; creating a permanent registration system; and adequate training for Afghan electoral staff. Another main factor in cost reduction is the local production of all polling materials.

The international community should subsidize the operations of the IEC over the next few years (\$1,529,000 out of \$2,081,640 – the running budget consists mainly of salary expenses and infrastructure and asset maintenance). Other infrastructure support and asset maintenance costs, not included in the IEC's ordinary budget, amount to \$1,660,800, bringing the total to \$2,000,000 as an overall assistance subsidy for infrastructure support and asset maintenance. Of this, it is recommended that \$339,200 be placed under direct budgetary control of the IEC and its Secretariat. The remainder would be used for continued communications and information technology support, continued facilities development (especially at the Jalalabad Road complex) and maintenance of transitional and residual assets.

5.1.2. Progress to date

The PESG budgetary assessment and recommendations were well received by all the stakeholders contacted, both Afghan and international.

Whatever positive influence the PESG initiative may have toward simplifying the electoral calendar will result in reducing the cost of elections.

A critical issue is how the IEC will be funded during the transitional period from 1 January through 20 March 2006. After discussions with the Ministry of Finance, the inclusion of a budget line for the IEC in the mid-term review of the national budget was not possible, as it would be against current budgetary regulation and practice. It was suggested that the IEC budget line should be included when preparing the 2006 national budget before the start of the fiscal year on 21 March 2006. This will set a necessary precedent and also establish the principle of budgetary autonomy as a factor ensuring the independence of the Electoral Commission.

Additional funding will therefore be required, as there are no savings expected from the USD 159m for the 2005 elections that can cover the funds needed to pay the IEC core staff for the transitional period.

UNDP has proposed a third phase of its current election project to support the retention of core IEC staff in the transitional period until the national budget commences.

International advisors should be selected through a competitive process. Qualified candidates who have experience from the last two elections would have a distinct advantage. These advisors would primarily be seconded by partner agencies like UNDP, TAF and IFES.

5.1.3. Further recommendations

Proceed with further contacts and discussions with the Ministry of Finance and other relevant governmental authorities.

As a cost-reducing mechanism, jointly with other measures described above, immediate efforts should be made to rapidly develop the capacity to locally produce adequate and cost-effective electoral materials, particularly ballot papers and ballot boxes. (See Annex XI)

International assistance should be pursued, budgeted and contracted (See Annexes XII and XIII)

Annexes

Annex I: Summary of the PESG Roundtable with the Government of Afghanistan

Thursday, 01 September 2005

Attendance:

Post-Election Strategy Group (PESG)

Mr. Azimi, Chief Legal Advisor to the President

Mr. Kakar, Advisor to the President on Parliamentary Affairs

1. Constitutional Reform and Legislative Changes

It was recognized that legislation has to be reviewed and changes are crucial for the potential future conduct of municipal and district elections. District elections are for the moment postponed, due to the lack of district boundaries and overview of district populations. In addition, before any further actions are taken with reference to district boundaries and elections, the public appetite will be observed, particularly after observing and following the performance of the upcoming Provincial Councils. Two views on the issue of district elections are currently being debated in the Cabinet – firstly, whether the district elections could be held where ever it is possible, and secondly, not to hold them at all. However, the first option is believed to be a dangerous path to go down – who is to determine and carry the evidence burden on where the conditions are right to hold an election?

If elections are held in some districts and not others, it will most probably only pave way for claims and disputes. It was finally decided to postpone district elections in all districts across the country.

2. Voter Registry

The government confirmed its keen interest in combined efforts and approach to a potential joint civil registry and voter registry, and welcomed any interaction with the Ministry of Interior (MoI). First of all the current voter lists will have to be assessed by external experts to get an overview of what can be re-used. In addition to residential updates, the mapping of deaths and births needs to be recorded all over the country and it was underlined that the MoI certainly can play an active role in this, without any further means. At local level prayer-leaders, village administrators and elders could also be of valuable use. The Provincial Governors will also have to be involved.

3. The Establishment and Structure of the IEC

There was apprehension over the President's appointment of the 17 members for Meshrano Jirga. Particularly paragraph 86 in the Constitution regarding a potential on-going commitment of the JEMB to assess credentials of members of parliament was discussed. There is a clear need to clarify the role of the future IEC in this regard, and their level of involvement. A decision will need to be made as to what the rule of law should say on this issue and procedures will need to be established. Initial thoughts are, however, that the IEC is an 'election body' and should thus not be involved in an on-going assessment of elected members.

4. The Need for Government Support

In general the government confirmed their support in all the aspects outlined in the preliminary report, however, it was agreed that the PESG would forward a list of Ministries that it now wishes to engage more seriously with regarding their involvement in the future activities and functions of the IEC. In addition the PESG may require assistance in arranging meetings with some senior representatives of some of these ministries. Particularly, a number of memoranda of understanding (MoU) will have to be established.

5. List of Ministries and Memoranda of Understanding (MoU)

MoUs should be discussed and signed between the IEC and different Ministries and other public agencies regarding their specific contribution in support of all elections. In accordance with standard international electoral practice, legislation in Afghanistan mandates that the IEC shall be supported by other public authorities while conducting elections (*"Government and non-government institutions, political parties, social organizations, and relevant individuals shall cooperate with the Independent Electoral Commission – IEC- and other commissions established by the IEC, and also with the Electoral Complaints Commission,*

and shall implement the decisions made by these bodies within the scope of their respective jurisdictions” Article 6 of the Electoral Law”).

Such a broad legal mandate shall be further specified, particularly concerning certain ministries and government agencies without which support no election can be properly conducted. This would still more so be the case in Afghanistan due to the fact that the extensive international support currently provided to the electoral project will be substantially reduced after the transitional period. Furthermore, a very large amount of the assets provided to the IEC by the international community for the running of elections (e.g. thousands of cars) will be shared by other government agencies in the period between elections.

All the factors mentioned above make necessary that the contributions by different agencies during election times shall be defined and properly included in a MoU and subsequently ideally translated into a legal document such a Presidential Decree. Though the content will be different the respective MoUs should include at least the following matters:

5.a. Office of the President

The office of the President performs a pro-active role in support of institution building while the current process of state institutional development goes on in the post-conflict situation. The IEC is central for democratic development and the Office of the President shall support the institutionalization of the IEC and the electoral process by:

1. Giving legal status to main regulations necessary for such development (including ensuring that the IEC is properly funded, equipped and supported by other government institutions for the conduct of elections through different legal mechanisms)
2. Help strengthening contacts and mediating in the necessary negotiations between the IEC and other government offices.

5.b. Ministry of Finance

Partial funding of IEC operations from national budget for:

1. Staff salaries
2. Budget ordinary operations
3. Electoral budget (municipal elections next?)

5.c. Ministry of Justice

Agreement on how to proceed with:

1. Tenure of and appointment mechanism for IEC members
2. Amendments to the Electoral Law
3. New legislation and possible amendments to Constitution

5.d. Ministry of Interior

1. Discuss further the issue of information from the Civil Registry and the ID card system, which is necessary to compose the voter registry and voter lists
2. Police security support to registration and polling centers; storage, distribution, and retrieval of electoral materials
3. Security support to the location of the IEC and other electoral commissions as well as to political parties and candidates, if deemed necessary
4. Certain facilities owned by the national government, provincial governorates, district and village administration, which could be used for training purposes, voter registration, voting, and counting
5. The possibility of sharing some facilities of provincial and district government by IEC permanent officers or temporary employees under rental contract or other kind of arrangements between the Mol and IEC.

5.e. Civil Service Commission

1. Accommodation of current staffing needs by the IEC and discussion of salary scales for ongoing IEC Secretariat employees.

5.f. Ministry of Education

1. Explore a strategic partnership to provide polling centres in schools, teachers as polling officials, electoral education in schools' curriculum
2. Use of facilities of the school system for training purposes, voter registration, voting and counting
3. Use of equipment currently in use by the IEC, which will transferred to the school system after the elections (e.g. tables, chairs), and which shall be made available to the IEC for future elections
4. Cooperation of school teachers as voter registration and polling officers as well as trainers and civic educators.

5.g. Ministry of Defense

1. Security intelligence to be regularly provided at the time when a voter registration and voting operation is conducted
2. Security support to registration and polling centers; storage, distribution, and retrieval of electoral materials
3. Transport support in the distribution of polling material to polling centers, and the retrieval of those materials toward the counting centers.

5.h. Ministry of Transport

1. Help in making available transport equipment (mostly 4x4 vehicles) from different agencies to the disposal of the IEC and sub-national commissions. Transport units will be required in different numbers for different electoral operations: voter registration; preparation of the electoral operation by provincial and district officials down to the polling center level (location of polling facilities, recruitment and training of polling officials); distribution and retrieval of polling materials countrywide.

5.i. Ministry of Mines and Energy

1. Discuss availability of the compound for the IEC as a permanent institution (next 5-15 years?)

5.j. UNAMA/UNOPS/UNDP (Most assets will be stored and maintained at UN regional hubs)

1. Lease of equipment, previously at the disposal of the IEC, which will be further required for the ordinary operation of the IEC on a permanent or temporary basis, but have been stored for maintenance at UNOPS headquarters or regional centers
2. Lease of equipment, previously at the disposal of the IEC, which is necessary for the conduct of voter registration and voting, but have been stored for maintenance at UNOPS headquarters and regional centers
3. Relationship with other government institutions for the lease of equipment, which was previously used by the IEC and is necessary for the conduct of voter registration and voting.

5.k. Ministry of Haj and Religious Affairs

1. Relation to and use of mosques

6. Follow-up on questions raised at the meeting

6.a. What will the election administration be doing in between elections?

Following standard international practice, there are a number of activities in which the reduced staff of a permanent electoral administration shall be engaged during the period between elections, which would not usually go beyond a couple of years. These are mostly the following:

1. Store, inventory and maintain electoral materials.
2. Update voter lists.
3. Assess the past electoral operation (lessons learned exercise).
4. Conduct strategic, organizational and operational planning for the next elections (logistics, budgets).

5. Train the new recruits under a permanent in-house training program.
6. Ensure the professionalism of permanent electoral officials.
7. Stimulate and enhance civic education programs by different political and civil society actors.
8. Prepare and supervise the implementation of school programs dealing with civic education.
9. Develop relationships with partner electoral bodies abroad as well as with professional associations of electoral officers.
10. Prepare reports for the National Assembly and the National Accounting Authority.

6.b. The ECC role between elections?

After several discussions with relevant stakeholders, the model for adjudicating electoral grievance was attuned to more standard international practice by getting the ECC just a temporary adjudication body for the time of elections.

The Electoral Law established that adjudication of electoral grievances be assigned to a separate Electoral Complaints Commission (ECC). However, based on international experience as well as on the current experience in Afghanistan, the proposal is that the ECC shall remain as a separate adjudication body, with a temporary tenure at the time of elections, staffed by a small number of commissioners who are appointed by the President upon submission of candidates by the National Assembly (mostly from among judges, academics, and members of the legal profession). The ECC would only adjudicate electoral grievances as a last appeal instance upon decisions by the IEC on a limited number of issues as established in the Electoral Law.

6.c. How does the GoA drastically reduce the costs for the elections?

Upon the basis of similar international experience in post-conflict elections (e.g. Cambodia, Mozambique, Kosovo), the PESG Preliminary Report described mechanisms and made some forecasting on the likely evolution of electoral costs in Afghanistan in the next 10 years. The conclusion was that there is no reason to expect that evolution in Afghanistan will be different that of other countries dealing with similar political and infrastructural challenges.

Annex II: Structure and Responsibilities of the Independent Electoral Commission and its Secretariat in Afghanistan for 2006

PESG, SEPTEMBER 6, 2005

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1. INTRODUCTION

The institutional model of an electoral administration mandated by the Constitution is that of an independent electoral commission. The Constitution establishes what should be interpreted as a strong mandate for the Independent Electoral Commission *to organise and supervise (aedarah ua nazarat) any election* (Article 156). Other constitutional references to the Electoral Commission are regarding the *reviewing* of credentials for members of the National Assembly by the Commission (Article 86), and the requirements for establishing national Commissions in general (Article 88).²

The Independent Electoral Commission which is being proposed for Afghanistan is that of an authority to be in charge of all responsibilities relating to elections: preparation, organization, conduct, and oversight of elections as well as adjudication of electoral grievances except for final appeals to an electoral judiciary of a temporary nature. On the adjudication domain, an independent Electoral Commission would usually adjudicate on all election related grievances from initial claims to different appeal instances, depending on issues. This is based upon the guiding principle that electoral justice, as other adjudicating instances within the state administration, must be specialized and timely. Such is the case in an increasing number of countries. Notwithstanding the above, there are countries where electoral adjudication beyond initial claims before immediate electoral officers and further appeals to superior commissions is left to ordinary judiciaries (many countries), or to special electoral courts (i.e. Mexico, Bosnia, Palestine). The proposal for Afghanistan belongs to this latter category. Contrarily, when common criminal action is involved in the electoral scenario, this would be brought by the electoral authorities or directly by the security forces to the Public Prosecutor and the ordinary Courts of Justice.

According to standard legal interpretation and international electoral practice, independence of electoral commissions is understood as legal and actual independence from the executive branch of government (the Government) and the political parties (party governing bodies and individuals). Main legal and institutional mechanisms ensuring independence are: a) appointment and removal procedures, which are open to public scrutiny; b) fixed terms of tenure; c) permanent offices in charge of all responsibilities relating to elections and referenda (preparation, organization, conduct, and oversight); d) safe budgetary endowments both for ordinary operations of the Commission and specific electoral events; e) professional staff which is covered by civil service protection.

The independent commission model is the one prevailing in contemporary democratizing countries, including post-conflict societies where opening elections are strongly supported by an international presence. Such is the case in most of Latin America, Western and Southern Africa, South East Asia, and the former Yugoslavia. Finally, an electoral administration in the form of an independent electoral commission, including both a governing body and a secretariat, has been practiced for long in a number of countries in the region, most notably India since 1947.

Ordinary legislation regulating the Interim Afghan Electoral Commission and the Joint Electoral Management Body confirmed a wide range of competences for the electoral administration in making it responsible for *the preparation, organization, conduct and oversight of the elections* (Rules of Procedure, June 2005). The division of labour within the Commission does also include that an Electoral Secretariat shall take responsibility over all the operational aspects of the elections (Decrees of February 18, 2004, and 2005). Therefore, the Independent Electoral Commission comprises of a governing body with nine commissioners (the Commission proper), and an implementing body in the form of an Electoral Secretariat,

² Standing legal texts:

Constitution 2003

Electoral Law (May 2004, amended by Decree 12 of April 27, 2005)

Decree on IEC, December 2005

Decrees on Secretariat of 2005

Rules on the Electoral Complaint Commission, 2005.

Rules of Procedure, 2005.

Regulation on the Establishment of Provincial Electoral Commissions, 2005

Regulation on Electoral Employees, 2005.

whose head (the Chief Electoral Officer) is appointed by and held accountable to the Commission. Provincial Electoral Commissions will serve as direct provincial arms of the IEC.

The governing body (IEC) has regulatory, policy-making, surveillance and adjudication powers, but only share in the executive function –which is the competence of the Secretariat- through surveillance and control mechanisms such as the following: specialized committees where guidelines for action are discussed and provided to the Secretariat's different departments; by defining areas of responsibility by department to one or several commissioners where the surveillance function should be exercised with a special care; and by defining areas of responsibility by province to one or several commissioners where the same function should be exercised with a special care.

The Electoral Law established that adjudication of electoral grievances be assigned to a separate Electoral Complaints Commission (ECC). However, based on international experience as well as on the current experience in Afghanistan, the proposal is that the ECC shall remain as a separate adjudication body, with a temporary tenure at the time of elections, staffed by a small number of commissioners who are appointed by the President upon submission of candidates by the National Assembly (mostly from among judges, academics, and members of the legal profession). The ECC would only adjudicate electoral grievances as a last appeal instance on certain issues as established in the Electoral Law. As for the Joint Electoral Management Body, it will cease to exist 30 days after establishment of the National Assembly, and the IEC will remain as supreme electoral authority.

2. THE ELECTORAL ADMINISTRATION

Independent Electoral Commission

The Independent Electoral Commission (henceforth the Commission) is the supreme authority responsible for the preparation, organization, conduct and oversight of elections of all kinds and referenda. Membership, organization, responsibilities and functioning of the Commission is determined by the law. In the discharge of its responsibilities the Commission is independent from other branches of government and administrative institutions as well as from political parties and factions.

Actual independence of the Commission is to be guaranteed through the following mechanisms:

1. method for appointment, tenure and removal of its members, which are not in the hand of the political executive, the judiciary, or a given party or faction in parliament;
2. budgetary endowment for ordinary operations, which is a part of the consolidated budget of the nation, and an electoral budget which is prepared by the Commission and approved in parliament;
3. responsiveness of the Commission before public opinion and parliament through periodic releases of information;
4. financial accountability through audit deliverance before the accounting authority of the nation.

Permanency and Funding

The national body of the Independent Electoral Commission is established on a permanent basis. Financing of its regular operation and of electoral processes shall be made with funds from the consolidated budget of the Islamic Republic of Afghanistan. The Commission prepares its own annual budget as well as the electoral budget, which are submitted through the Ministry of Finance for approval by the National Assembly.

Other Electoral Bodies

Other bodies of the electoral administration are the Provincial Electoral Commissions, the District Electoral Commissions³, and the Polling Station Committees. The PECs are permanent bodies as regarding appointment and tenure of their members, but only endowed with temporary activity during the period between elections. The other bodies are temporary only for the time of elections, and shall exercise their

³ A blueprint on District Electoral Commissions is included in this paper, but not in the organization chart. Main reason is that this level of commission is not being advocated for the immediate future, although the IEC might like to get them established at a later time.

responsibilities for the conduct of elections as established for each of them by the law under the authority and supervision of the Independent Electoral Commission.

The Electoral Secretariat

The Independent Electoral Commission includes an Electoral Secretariat (henceforth the Secretariat) to carry out its professional, administrative and operational duties as required for the conduct of elections. The Secretariat shall include Provincial Electoral Offices, all of which shall be established on a permanent basis.

The Secretariat is headed by a Chief Electoral Officer who is appointed by the Independent Electoral Commission from among professionals according to civil service regulations.

Criteria of Eligibility for Membership of the Various Commissions

1. The Independent Electoral Commission and all other bodies in charge of the conduct of elections shall discharge their duties in a neutral, professional and effective manner.
2. The composition of the Independent Electoral Commission, the Provincial Electoral Commissions, the District Electoral Commissions, and the Polling Station Committees shall be based on adequate professional background of their members, shall include men and women, and shall be multiethnic.
3. Candidates for membership of all Electoral Commissions of Polling Station Committees shall:
 - a. Be citizens and residents of the Islamic Republic of Afghanistan.
 - b. Be a registered voter.
 - c. Be at least 25 years of age for the Independent Electoral Commission, at least 25 for Provincial and District Electoral Commissions, and at least 18 for Polling Station Committees.
 - d. Not hold an executive position of a political party or coalition.
 - e. Not stand as a candidate for the elections at any level of authority.
 - f. Not hold an elected mandate or be a member of an executive body of authority.
 - g. Not have been convicted by a court of law, of crimes against humanity, atrocity or serious violation of electoral law, or sentenced to deprivation from civil rights.

Support by Other Public Authorities

All bodies of authority at all levels, officials in the Islamic Republic of Afghanistan and Embassies and Consulate offices of the Islamic Republic of Afghanistan shall be obliged to provide technical and other working support as well as personnel teams as requested by the electoral authorities for conducting the elections. The Commission shall request the necessary support from other public authorities in sufficient time before the elections in order to allow for adequate planning and implementation.

4. THE INDEPENDENT ELECTORAL COMMISSION

Membership

The Independent Electoral Commission shall consist of nine (9) members. No more than two-thirds of the members of the Commission shall be of the same gender, men or women.

Appointment

1. Members of the Commission are appointed by the President of the Islamic Republic of Afghanistan from a list of candidates submitted by the National Assembly from among persons with a reputable professional career and experience as lawyers and judges, university professors, engineers and researchers, public administrators and other similar professional backgrounds. These persons are selected by a special Nominating Committee.
2. The list of candidates shall have at least three times as many candidates as members of the Commission. The list of candidates shall be approved by two thirds (2/3) vote of the Wolesi Jirga and the Meshrano Jirga. A Nominating Committee comprising members of both chambers as

well as eminent representatives of the civil society shall be established by a two third vote of the Wolesi Jirga and of the Meshrano Jirga.

3. The President of the Islamic Republic of Afghanistan shall appoint a Chairman of the Independent Electoral Commission and his/her Deputy from among the members of the Commission.
4. Members of the Commission shall serve for five-year terms, and may be re-appointed for successive terms in office. After the Commission is staffed for the first time, new appointments and re-appointments would not be required to be made affecting all members of the Commission at the same time. New appointments and re-appointments shall be made within the first year of a new legislature, once all electoral disputes have been resolved.
5. Members of the Commission shall not, while in office, have the right to engage in political activities and military arrangements or to hold other official or nonofficial positions.
6. At the end of their tenure, members of the Commission, while retaining their material rights, cannot, for the period of one year, be appointed to top official positions with the exception of academic and research positions.

Eligibility

Persons holding the following positions shall not be eligible to serve as commissioners of the IEC:

1. Officials of political parties and election candidates.
2. A relative in first degree of a candidate (father, mother, son, daughter, spouse) in the constituency in which the concerned candidate is running.
3. Officials of government and the Judiciary at any level while holding their public posts.

Immunity

Members of the Independent Electoral Commission shall have immunity and shall not be held accountable in criminal or civil proceedings in the course of the work of the Commission. The National Assembly may revoke the immunity of a member of the Commission after receiving a recommendation of removal of immunity by the Commission. A two-third vote will be necessary.

Vacancies

1. In case of vacancies within the Independent Electoral Commission due to resignation, serious illness, removal or death of any of its members, a new member shall be appointed in the same manner that the previous member was appointed through the establishment of a new parliamentary nominating committee. The term of appointment shall expire when the previous member's appointment would have expired.
2. A resigning member of the Commission shall submit the resignation to the President of the Islamic Republic of Afghanistan, who was the appointing authority, but the resignation shall be transmitted through the Chairman of the Commission as supreme representative of the institution.
3. Serious illness of a commissioner shall be adequately certified by medical professionals.
4. Removal of a commissioner can only be pursued in case of serious illness incapacitating for the discharge of duties; continued non-compliance with rules and obligations as a commissioner; and major crime. Removal shall be initiated by a two-thirds vote of the Commission, and then approved by a two-thirds vote of the National Assembly at a joint session of the Wolesi Jirga and the Meshrano Jirga.
5. In the case of vacancies within Provincial and District Electoral Commissions the same rules shall apply for the appointment of a new member. In the case of vacancies within Polling Station Committees, a new member shall be appointed by the Chairman of the District Electoral Commission from among substitute members of the Committee. If the vacancy within the Polling Station Committee occurs on Election Day, a new member shall be appointed by the Chairman of the Committee from among substitute members, or in their absence, from among other legally suitable persons at the discretion of the Chairman.

Powers and Responsibilities of the Independent Electoral Commission

The powers and responsibilities of the Independent Electoral Commission are the following:

1. Issue administrative regulations for the implementation of electoral legislation, including regulations regarding its own organization and functioning.
2. Adopt regulations and procedures regarding any common crimes happening in relation to the election, which are the competence of ordinary judiciary.
3. Initiate legal reform on matters of elections by submitting reform drafts to the National Assembly. The Assembly Legislative Committee is the appropriate interlocutor for the purpose indicated above.
4. Engage on integrated planning for elections: strategic, organizational, management and operational planning.
5. Approve an annual budget for ordinary operations as well the electoral budget being prepared by the Secretariat, and to be further submitted for approval by the National Assembly.
6. Appoint the Chief Electoral Officer of the Electoral Secretariat.
7. Appoint permanent staff of the Electoral Secretariat at its national and provincial offices upon submission of candidates being recruited by the Chief Electoral Officer of the Secretariat.
8. Appoint the members of the Provincial and District Electoral Commissions as well as Polling Station Committees. Appointment of Polling Station Committees can be delegated by the IEC to sub-national electoral commissions.
9. Coordinate, oversee and regulate the lawful operation of all Electoral Commissions, and the Electoral Secretariat.
10. Establish and oversee the conduct of training programs for the members of Provincial and District Electoral Commissions as well as of Polling Station Committees.
11. Conduct voter registration, produce and update voter lists, including the appointment of registration officers.
12. Keep an updated record of partisan entities, with their symbols and logos, which are registered at the Ministry of Justice.
13. Receive nominations, register and certify candidates for all kinds of elections, and form the final lists of candidates and publish them in the official gazette and the local press.
14. Conduct campaigns of civic education and voter information nationwide in the different languages of the Islamic Republic of Afghanistan.
15. Monitor campaign activities by party and candidates, ensuring that they abide by the law and codes of conduct.
16. Issue regulations on the use of the different mass media, and ensure that all parties and candidates have fair access to the different communication media, especially state-owned media. Some of these functions can be implemented by a Media Commission to be established at the time of elections under the authority of the Independent Electoral Commission.
17. Monitor media content on the campaign by different parties and candidates to ensure that they comply with the law and code of conduct governing electoral campaigns and the elections.
18. Ensure that political party and candidate finance and campaign expenses are according to the law. Legal provisions on funding and expense disclosure by parties and candidates shall be monitored, and sanctions applied in cases of non-compliance.
19. Establish and maintain liaison and cooperation with political parties and independent candidates.
20. Approve the location of Polling Stations upon submission of proposals by Provincial Electoral Commissions.

21. Upon review of their identity, issue credentials to all persons elected to the Presidency, Vice-presidency, the National Assembly, Provincial Councils District Councils, Village Councils and Municipal Councils and Mayors.
22. Proceed to de-certification of a political party under the conditions established in the law.
23. Investigate electoral irregularities on their own initiative.
24. Accredite international and local electoral observers and facilitate their work at all stages of the process including voter registration.
25. Accredite party and candidate agents who may observe all stages of the process including voter registration as well as the transmission of results and final scrutiny at the Independent Electoral Commission. The Independent Electoral Commission may delegate this responsibility to the Provincial and District Electoral Commissions.
26. Annul and call re-elections in any of the polling districts, if the existence of circumstances that affect the final result of the elections in any of the constituencies is proved.
27. Publish preliminary results and certify the final official results of all elections.
28. Facilitate the implementation of elections results and of transfer of power.
29. Decide on electoral administrative complaints referred to it on appeal from the Provincial Electoral Commissions or directly filed with the IEC.
30. Any other power or competence that may be provided under the law.

Sub-Committees

1. The IEC shall establish any sub-committees required by the law or may appoint other sub-committees or working groups on a permanent or *ad hoc* basis.
2. Sub-committees shall report their findings and be answerable to the IEC.
3. The IEC may delegate authority or revoke authority from sub-committees at any time.
4. The IEC may disestablish any sub-committee or working group at any time through the normal decision-making process.

Decision Making

1. Decisions of the Commission shall be made by a two-third majority of its members.
2. Minutes of the sessions shall be recorded and all votes taken by the Commission shall be made available for public access.
3. Except under extraordinary circumstances duly certified by the Chairman of the Independent Electoral Commission, the presence of all members of the Commission is required for an ordinary session of the Commission to be held valid. The Commission shall make a decision by a majority vote of the total number of its members. If a decision cannot be reached by a majority vote of the total number of its members at the first instance, then at a second instance a simple majority of the members shall make the decision. If a tie occurs the vote of the Chairman of the Commission shall decide.
4. During the elections period, or elsewhere as decided by the Independent Electoral Commission, all sessions of Commission strictly focusing on electoral matters (not organizational, budgetary, or ordinary operations) shall be open to representatives of political parties and candidates who are registered to contest the elections, who shall be notified of these sessions. Party and candidate representatives may speak by invitation, but have no vote at the sessions of the Commission.
5. A claim for clarification of the terms of a decision by the Commission can be made by party and candidate representatives, or by affected eligible voters, within forty eight hours following the announcement of a decision. The Commission shall resolve the claim within three days.

4. THE ELECTORAL SECRETARIAT

Appointment

The Electoral Secretariat (henceforth the Secretariat) is headed by the Chief Electoral Officer, who is appointed by the Chairman of the Independent Electoral Commission from a list of at least three candidates approved by a two third vote of the Commission.

Eligibility

Candidates for Chief Electoral Officer shall come from among professionals of public administration, management or similar backgrounds. They shall also:

1. Be eligible to vote.
2. Be at least 25 of age.
3. Not be a member of a political party.
4. Not stand as a candidate for the elections at any level of authority.
5. Not hold an elected mandate or be a member of an executive body of authority.
6. Not have been convicted by a court of law, of crimes against humanity, atrocity or serious violation of electoral law, or sentenced to deprivation from civil rights.

Staff

1. The Chief Electoral Officer and all permanent employees of the Secretariat shall have the status of civil servants in what concerns term of office, salary, career benefits, and removal. Any major cause notwithstanding, or resignation to the office, the term of office of the Chief Electoral Officer shall be at least seven (7) years so as to ensure continuity in election management.
2. All permanent employees of the Secretariat are recruited by the Chief Electoral Officer and appointed by the Independent Electoral Commission. Temporary staff for the conduct of elections is recruited and hired by the Secretariat according to ordinary labor laws and regulations.

Organization

1. The national office of the Secretariat shall comprise the following Departments: Logistics, Administration, Communications & IT, External Relations, Legal, Public Outreach, Training and Capacity Building, and Field Operations and Security. This structure shall remain in place at all times with minimum staff, which shall be expanded as necessary at the time of elections.
2. Provincial Offices of the Secretariat are established in each of the provinces of the Islamic Republic of Afghanistan on a permanent basis with a minimum of two officials: one mainly responsible for administration and logistics, and another responsible for training and civic education.

Responsibilities

The Electoral Secretariat and its Provincial Offices are the executive bodies of the Independent Electoral Commission, and have the following responsibilities:

1. Implement all decisions of the Independent Electoral Commission, and carry out the functions delegated to them;
2. Adhere to the electoral code of conduct and the staff manual, and enforce it at all levels;
3. Service the meetings of the Independent Electoral Commission as well as of the Provincial Electoral Commissions. The Chief Electoral Officer as well as the Head of the Provincial Electoral Offices may attend the sessions of their respective Commission with the right to voice but not to vote;
4. Manage the registration of voters and preparation of the respective voters' list in accordance with procedures established by the IEC;

5. Prepare and produce the lists of candidates, ballot papers, ballot boxes, voting screens, protocols, stamps, and other electoral materials;
6. Provide public information on the sites of Polling Centres and Stations through the local media;
7. Inform the citizens of the way and technique of voting;
8. Identify members of Voter Registration Centres and Polling Centres and Stations and submit for approval to District, Provincial and Independent Electoral Commissions as appropriate;
9. Identify and select the locations and numbers of Polling Centres and Stations and submit for approval to District, Provincial and Independent Electoral Commissions as appropriate;
10. Perform training of the members of the District Electoral Commissions and the Polling Station Committees for the conduct of polling;
11. Manage the storing and distribution of all electoral materials in order that they reach the Polling Station Committees timely, and are safely retrieved after the voting and counting operation is over;
12. Monitor and supervise the operations of voting by the Polling Station Committees and counting of votes by the Polling Station Committees or counting centers, and report about them to the respective Commission.
13. Keep all the electoral registers, protocols and documents sent by the Polling Station Committees related to the electoral process, the vote and the counting of votes.
14. Serve as a link between the Independent Electoral Commission and the international and local observers, the local and foreign media, and the different departments of the government.
15. As instructed by the IEC, assist the chairman of the Provincial Council on the conduct of election for members in the Meshrano Jirga.
16. Any other function that may be given by the Independent Electoral Commission.

Claims and complaints

Claims and complaints against decisions by the Electoral Secretariat at its different offices can be presented before such office of the Secretariat where the decision was made, and then appealed before the corresponding Electoral Commission within the deadlines established by the Electoral Law. Final decision making authority within the IEC and its Secretariat rests with the IEC.

5. PROVINCIAL ELECTORAL COMMISSIONS

Permanent bodies with only temporary activity

There shall be a Provincial Electoral Commission (PEC) in each of the provinces of the Islamic Republic of Afghanistan. The PECs are permanent bodies as regarding appointment and tenure of their members, but only endowed with temporary activity during the period between elections. They are answerable directly and solely to the IEC. They can be called for meetings and limited activities during that period, and shall be paid a stipend for those activities since they would not receive salaries.

Membership

1. Each Provincial Electoral Commission shall be composed of 3 members appointed by the Independent Electoral Commission from a list of candidates submitted to it by a panel composed of a Commissioner of the Independent Electoral Commission, the provincial governor, and a member of a civil society organization recommended by the Afghan Independent Human Rights Commission or other organization recognized by the IEC. Candidates should be competent professionals like high school and university professors, lawyers, economists, and public administrators. The panel is chaired by the corresponding Commissioner.
2. Members of the PECs shall serve for five-year terms, and may be re-appointed for successive terms in office. The initial appointment of the PECs shall be made within one (1) year of the establishment of the new legislature and after all electoral disputes have been resolved. PEC

members serving in the 2005 election cycle may be re-appointed at this time. After the initial appointment of the Commission, new appointments and re-appointments can occur as and when necessary, but no later than five-years from the PEC member's appointment.

3. No more than two members of the PEC can be of the same gender.
4. Prior to their assignment, PEC members, in a manner established by the IEC, shall formally undertake to uphold the integrity and confidentiality of the entire election process and to adhere to the Code of Conduct for Members of the Provincial Electoral Commission.
5. PEC members shall perform their duties in a neutral and impartial manner, and shall not, in the performance of their duties, seek to receive instructions from any governmental or non-governmental authority or office, apart from the IEC or its Chief Electoral Officer as directed by the IEC.
6. Following recommendations from the Secretariat or the ECC, the IEC may dismiss some or all of the members of a PEC. If the IEC's decision to dismiss is unanimous, then the PEC member may be dismissed summarily and without cause. If the IEC's decision is not unanimous, then the PEC member must be informed of the grounds, have the right to respond to the allegations, and have the right to appeal any determination.
7. The Independent Electoral Commission shall appoint the Chairman of each Provincial Electoral Commission from among the PEC's members. The Provincial Electoral Office of the Electoral Secretariat shall serve as the Secretariat of the Provincial Electoral Commission. The Head of the Provincial Electoral Office shall ensure that the PEC has adequate support and may appoint additional staff to do so.

Eligibility

Persons holding the following positions shall not be eligible to serve as PECs:

1. Chief of 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 Central Directorate for National Security;
6. General Directors and Directors of Ministerial Departments and Government Offices at the central and provincial Level;
7. Electoral officials;
8. Candidates.

Responsibilities

Subject to the instructions given by the Independent Electoral Commission, each Provincial Electoral Commission shall:

1. Monitor the implementation of all the regulations and instructions issued by the Independent Electoral Commission for the conduct of elections in its respective province and advise the Head of the Provincial Office of any concerns or suggestions, and, when appropriate inform the IEC of such concerns;
2. Receive and review the candidate nomination application packages submitted for membership of the Wolesi Jirga, Provincial Councils, Municipal Councils and Mayors of provincial centers in its respective province, through the Provincial Electoral Office of the Electoral Secretariat, and have the nominations sent for registration and certification to the Independent Electoral Commission, together with all the required documents;
3. Submit to the Independent Electoral Commission lists of candidates for membership of the District Electoral Commissions, if they are established;

4. Monitor any voter registration operation, provide the Head of the Provincial Electoral Office advice based on this monitoring, and submit an assessment to the Independent Electoral Commission;
5. Approve and then submit to the Independent Electoral Commission list of voter registration sites and of the Polling Centres and Stations locations;
6. On behalf of the Independent Electoral Commission, appoint the members and substitute members of Voter Registration and Polling Station Committees from among candidates submitted by the District Election Commissions, as well as a Chairman of the Polling Station Committee from among its members;
7. Monitor the training of the members of the District Electoral Commissions, if established, and the Polling Station Committees;
8. Support and advise on public outreach and civic education activities;
9. Ensure that there is sufficient public information on the sites of Voter Registration and Polling Centres and Stations through the local media;
10. Monitor the operations of voting and counting of votes, provide advice to the Head of the Provincial Electoral Office based on this monitoring, and submit an assessment to the Independent Electoral Commission;
11. Receive and adjudicate electoral administrative complaints and appeals within its jurisdiction; [Adjudicate appeals from decisions made by District Electoral Commissions as established in the Electoral Law. If the District Electoral Councils do not exist, receive and adjudicate administrative complaints directly.]
12. Monitor accreditations to party and candidate agents who will observe the election at its different stages within its area of responsibility and advise the IEC on any irregularities for their action;
13. Approve the preliminary results of the election for membership of the Wolesi Jirga, Provincial Councils and District Councils in its constituency for publication;
14. Any other duty prescribed by the Independent Electoral Commission.

Decision Making

1. Except under extraordinary circumstances duly certified by the Chairman of the Provincial Electoral Commission, a quorum of the PEC requires the presence of at least two (2) members of the Commission.
2. Decisions of the PECs are by a simple majority of its permanent members, not of the members present and voting. If a decision cannot be reached by a majority vote of its permanent members in the first round, then a second round of voting will be held, at which time, if a majority is not possible, the vote of the Chairman of the Commission shall be decisive.
3. Minutes of the sessions shall be recorded and all votes taken and decisions made by the PEC shall be recorded in the minutes. The minutes shall be made available for public access.
4. During the elections period, or elsewhere as decided by the Provincial Electoral Commission all sessions of Provincial Electoral Commission dealing with strictly electoral matters (not organizational, budgetary and ordinary operations) shall be open to the representatives of political parties and candidates. The PEC shall ensure that these representatives receive adequate notification of such meetings. Party and candidate representatives may speak by invitation, but have no vote at the sessions of the Commission.
5. A claim for clarification of the terms of a decision by the Commission can be made by party and candidate representatives, or by affected eligible voters, within forty-eight (48) hours following the announcement of a decision. The Commission shall respond to the claim within three (3) days of receipt.

6. DISTRICT ELECTORAL COMMISSIONS

Temporary Bodies

District Electoral Commissions in each district of the Islamic Republic of Afghanistan can be established by the Independent Electoral Commission, if deemed necessary for the conduct of an election. District Electoral Commissions are temporary bodies and shall be in place from the appointment of its members for the election cycle and until after all election complaints related to the district are resolved and the newly elected authorities relevant to the district are installed in office.

Membership

1. Each District Electoral Commission shall be composed of 3 members nominated by the respective Provincial Electoral Commission and appointed by the Independent Electoral Commission. The members shall be selected from amongst educated citizens of the district, preferably teachers, lawyers, and public administrators.
2. No more than two members can be of the same gender.
3. Members of the District Electoral Commissions shall be appointed for an electoral period only. They can be re-appointed for successive elections.
4. The Independent Electoral Commission shall appoint the Chairman of each one of the District Electoral Commissions from among its members based on the recommendation of the Provincial Electoral Commission. [is this necessary—can they not appoint?]
5. Prior to their assignment, DEC members, in a manner established by the IEC, shall formally undertake to uphold the integrity and confidentiality of the entire election process and to adhere to the Code of Conduct for Members of the District Electoral Commission.
6. DEC members shall perform their duties in a neutral and impartial manner, and shall not, in the performance of their duties, seek to receive instructions from any governmental or non-governmental authority or office, apart from the PEC or the IEC and its Chief Electoral Officer as directed by the IEC.
7. Following recommendations from the Secretariat or the ECC, the IEC may dismiss some or all of the members of a DEC. The DEC member subject to dismissal shall be informed of the grounds for dismissal, have the right to respond to the allegations, and have the right to appeal any determination.
8. The District Electoral Office of the Secretariat⁴ shall serve as the Secretariat of the District Electoral Commission. The Head of the District Electoral Office shall ensure that the PEC has adequate support and may request additional staff to do so.

Responsibilities

Subject to the instructions given by the Independent Electoral Commission, each District Electoral Commission shall:

1. Ensure that all the regulations and instructions issued by the Independent Electoral Commission and Provincial Electoral Commission for the conduct of elections are implemented by the District Electoral Office.
2. Receive and review nominations of candidates for the membership of the District Councils, Village Councils and Municipal Councils and Mayors in rural Districts, and have them sent to the Provincial Electoral Commission, together with all the required documents.
3. Approve and submit for approval to the Provincial Electoral Commission lists of candidates for membership of the Voter Registration Station and Polling Station Committees, and lists of sites of the Voter Registration Centres and Polling Station and Centre;

⁴ As mentioned earlier, a blueprint on District Electoral Commissions is included in this paper, but not in the organization chart. Main reason is that this level of commission is not being advocated for the immediate future, although the IEC might like to get them established at a later time.

4. Monitor training of the members of the Voter Registration and Polling Station Committees;
5. Ensure that there is sufficient public information on the sites of Polling Centres and Stations through the local media;
6. Support and advise on public outreach and civic education activities;
7. Monitor the operations of voting and counting of votes, provide advice to the Head of the District Electoral Office based on this monitoring, and submit an assessment about them to the Provincial Electoral Commission;
8. Review the protocols with the election results sent by the Polling Station Committees, verify their accuracy and their compliance with the provisions of the Electoral Law, and relay them to the Provincial Electoral Commission;
9. Adjudicate complaints within its jurisdiction, including those regarding decisions made by Polling Station Committees, as established in the Electoral Law.
10. Oversee the accreditation of party and candidate agents who will observe the election at its different stages.
11. Approve the provisional results of the election for membership of the District Council in its constituency and submit to the PEC for their approval prior to publication;
12. Any other duty prescribed by the Independent Electoral Commission and Provincial Electoral Commission.

Decision Making

1. Except under extraordinary circumstances duly certified by the Chairman of the District Electoral Commission, a quorum requires all members of the Commission to be present.
2. Decisions of the Commission shall be by a simple majority of its permanent members, not of the members present and voting. If a decision cannot be reached by a majority vote of its permanent members in the first round, then a second round of voting will be held, at which time, if a majority is not possible, the vote of the Chairman of the Commission shall be decisive.
3. Minutes of the sessions shall be recorded and all votes taken and decisions made by the PEC shall be recorded in the minutes. The minutes shall be made available for public access.
4. During the elections period, all sessions of the District Electoral Commission dealing with strictly electoral matters (not organizational, budgetary and ordinary operations) shall be open to the representatives of political parties and candidates before the Commission. The DEC shall ensure that the Party and candidate representative receive timely notification of these meetings. Party and candidate representatives may have voice but no vote at the sessions of the Commission.
5. A claim for clarification of the terms of a decision by the Commission can be made by party and candidate representatives, or by affected eligible voters, within forty-eight (48) hours following the announcement of a decision. The Commission shall respond to the claim within three days.

7. POLLING STATION COMMITTEES

Membership

1. Polling Station Committees are the basic units for running the polling stations and for the conduct of the voting and the count. Each Polling Station Committee shall consist of at least 3 members appointed by the Provincial Electoral Commission under delegate powers from the Independent Electoral Commission; one of its members shall act as its President. The Provincial Election Commission shall also appoint three substitute members of the Polling Station Committees.
2. Members of Polling Station Committees shall be appointed for an electoral period, but can be re-appointed for successive elections, preferably among eligible voters from the respective polling station area.

3. The members of the Polling Station Committees must have at least a reading and writing command of the language used in the polling operation of the respective constituency.

Organization

1. There shall be an adequate number of Polling Stations Committees in each constituency in accordance with the number of electors. The number of electors per Polling Station Committee shall not exceed 600.
2. Whenever possible, Polling Station Committees shall be located in the same locations used for voter registration depending on voter registration modalities.

Responsibilities

Each Polling Station Committee shall:

1. Set up the polling station and take all the necessary measures to conduct the poll in accordance with the Law.
2. Complete the protocols relating to the elections including the corresponding protocols after counting of the votes cast and recording the elections results if the votes are counted at the polling stations.
3. Send all the protocols, ballot boxes, and ballot papers to the District Electoral Commission through the District Electoral Office of the Secretariat, and if the votes are counted at the polling station, make public a protocol with the electoral results at the Polling Station.
4. Enable the observation of the vote and the counting of votes by the representatives and agents of parties and candidates, listen to their claims and objections, take any necessary resulting measures, and record all such action in the corresponding protocol.
5. If the vote is counted at the polling station, facilitate a copy of the results protocol if requested by accredited representatives of political parties and candidates after having it signed by the Chairman of the Polling Station Committee and the corresponding representative.
6. Decide on claims regarding decisions made by Polling Station Committees as established in the Electoral Law.
7. Enable the observation of the vote and the counting of votes by the international and domestic observers and by the information media.
8. The Chairman of the Polling Station Committee may order the expulsion from the polling station or its surroundings of any person who causes or attempts to cause disorder or to obstruct the vote or the counting.

Decision Making

1. Except otherwise stipulated by this law, Polling Station Committees shall make decisions by a majority of the total number of members. If a majority vote of the total number of members cannot be reached at a first instance, then at a second instance the vote of the Chairman of the Committee shall decide.
2. Political party and candidate representatives as well as domestic and international observers, who have been duly accredited, are entitled to be present during the proceedings of the Polling Station Committees.

8. ADJUDICATION OF ELECTORAL GRIEVANCES

Electoral Adjudication

The IEC shall establish an internal complaints procedure to handle electoral grievances. Except for final appeals from decisions taken by the IEC, all claims and complaints relating to electoral matters and the election operation shall be dealt with and resolved by the electoral authorities at the different levels. Contrarily, any common criminal offenses occurring against persons, facilities or materials relating to the electoral process and activities shall be brought before the corresponding Courts of Justice.

Claims and Complaints to Different Electoral Bodies

A complaint can be lodged against a decision or policy of the IEC, its Secretariat, and other subsidiary bodies or in response to the conduct of the staff of these bodies. Complaints should be submitted directly to District Electoral Commissions, or, when not established, the Provincial Electoral Commissions. Decisions of the District Electoral Commissions can be appealed to the Provincial Electoral Commissions and, in exceptional cases, further to the Independent Electoral Commission in the cases, ways and deadlines established by the law.

Any contested decision of Polling Station Committees (PSC) can be subject to a claim for immediate review by the PSC itself. Decisions by the PSC can be appealed before the District Electoral Commissions, and further before the Provincial Electoral Commissions and the Independent Electoral Commission in the cases, ways and deadlines established by the law.

Appeals against Decisions by the Independent Electoral Commission

1. Decisions taken by the Independent Electoral Commission are final and shall not be subject to further appeals, with the exception of the following matters on which a final appeal can be filed before the Independent Electoral Appeals Commissions within 15 days from its issuance:
 - a. The admission or rejection of the registration of citizens as voters, and their inclusion in the voter lists;
 - b. The admission or rejection of the registration and certification of a political party, coalition of parties or independent candidates;
 - c. The admission or rejection of nominations of candidates to the position of President of the Republic, membership of the Wolesi Jirga, Provincial Councils, District Councils, Village Councils and Municipalities; and
 - d. Other electoral offences as defined by the law.
2. Any appeal before the IEAC may be lodged directly with the IAEC itself. All bodies of the IEC are obliged to relay any such appeal it receives promptly to the IEAC.

9. RELATIONSHIP WITH THE NATIONAL ASSEMBLY

Domains of relationship

1. The Independent Electoral Commission shall relate with the National Assembly through its Chairperson, its Secretariat, the Head of the Standing Committee, and the heads of a number of parliamentary committees depending on issues. Those committees will more frequently be the Finance Committee on budget issues, and the Legislative Committee, on legislation.
2. Independently of working relationships between professional staff of the Commission and of the Secretariat and different Committees of the National Assembly, the institutional relationship shall always be formalized between the Chairperson of the Commission and the President of the National Assembly.

Appointment and removal

1. The National Assembly submits to the President of the Islamic Republic of Afghanistan lists of candidates for membership of the Independent Electoral Commission after selection by a Nominating Committee as described above.
2. A two third vote of the Assembly in a joint session of Wolesi Jirga and Meshrano Jirga will be necessary for approval of the lists as well as for acceptance of removal of a Commissioner after a demand on this respect has been made by the Commission (by a two third vote).

Reporting

The Independent Electoral Commission shall submit to the National Assembly, through the President of the Assembly, an annual report where a sufficient account of activities is provided. The report is made public at the time of submission to the National Assembly. The Chairman of the Commission makes a formal presentation of the report before the corresponding parliamentary committee.

10. RELATIONSHIP WITH POLITICAL PARTIES AND INDEPENDENT CANDIDATES

Political Party Consultative Forum (PPCF) shall be the interlocutor of the IEC, and be invited to those IEC sessions as mandated by the law or deemed appropriate by the IEC. PPCF representatives before the IEC shall have voice but no vote at IEC sessions.

11. FINANCIAL ACCOUNTABILITY

1. As any other governing body of the Islamic Republic of Afghanistan (e. g. the Supreme Court of Justice or the National Assembly), the Independent Electoral Commission is financially accountable before the National Accounting Authority. Standard reporting and investigative procedures, as established in the law, shall be followed.
2. This legal obligation does not preclude the existence of internal audit mechanisms at the Independent Electoral Commission.

12. IEC ACTIVITIES IN BETWEEN ELECTIONS

Following standard international practice, there are a number of activities in which the reduced staff of a permanent electoral administration shall be engaged during the period between elections, which would not usually go beyond a couple of years. These are mostly the following:

1. Store, inventory and maintain electoral materials.
2. Maintain and update voter lists
3. Assess the past electoral operation (lessons learned exercise) towards efficient and cost effective future elections.
4. Conduct strategic, organizational and operational planning for the next elections (logistics, budgets).
5. Conduct on-going election and management training programs for IEC staff.
6. Train the new recruits under a permanent in-house training program.
7. Ensure the professionalism of permanent electoral officials.
8. Stimulate and enhance civic education programs by different political and civil society actors to increase the democratic awareness and participation.
9. Prepare and supervise the implementation of school programs dealing with civic education.
10. Develop relationships with partner electoral bodies abroad as well as with professional associations of electoral officers.
11. Advise the government on legal issues relating to elections, additions and changes required in electoral laws.
12. Prepare reports for the National Assembly and the National Accounting Authority.

Annex III: Draft Concept Paper on the Municipal Election Law

Purpose

This paper outlines a concept for the election of mayors and Municipal Councils in accordance with Article 141 the Constitution, which states that municipal representatives must be chosen “through free, general, secret and direct elections.” Article 156 of the Constitution also makes it clear that municipal elections must be “established and supervised” by the Independent Election Commission (IEC). All other modalities of the municipal elections are to be established by separate law. This paper proposes a framework for such a law that is consistent with Afghanistan’s recent electoral processes and the Constitution.

Constituencies

Separate Mayoral and Municipal Council constituencies will be established for each municipality recognized by the Ministry of the Interior.

Depending on the accuracy and currency of the Interior Ministry list, it may also make sense to create municipal constituencies in other cities or towns that meet additional objective criteria, such as a certain number of households or a certain area of land.

Allocation of Seats

Each municipal constituency will have one Mayor and one Municipal Council.

The number of seats on each Municipal Council will be based on the municipality’s size:

1. Municipalities that have been divided into *nahia* for administrative purposes by the Ministry of the Interior will have 1 seat per *nahia* subject to a 7 seat minimum.
2. Municipalities that have not been divided into *nahia* will have 7 seats.

One important question is whether the *nahia* will constitute separate single member districts in those towns with 7 or more *nahia*. Direct election of representatives from each *nahia* would increase the responsiveness of councils to community needs. However, single member districts could result in less representation of minority interests on municipal councils. In addition, the creation of separate districts within municipalities would complicate the already difficult voter registration/voter list challenge described in the voter registration section below.

Municipalities with less than 7 *nahia* will be either a single 7 member district or a combination of single member districts in the *nahia* and an at large constituency.

Another important question is whether the law should mandate a certain level of gender diversity on municipal councils. A requirement of that kind would be in keeping with the spirit of the Article 83 of the Constitution, which establishes guaranteed representation for women in the Wolesi Jirga. However, gender protections of the kind set out in Article 83 would be difficult to implement in municipalities in which *nahia* serve as single member districts.

One possible solution to this difficulty would be to create a separate female constituency encompassing the entire municipality, in addition to the single member districts. Both men and women voters would cast a vote for the female constituency in addition to the vote for their *nahia*. The woman or women winning the most votes in the female constituency would join the members elected from the single member districts on the Municipal Council.

Terms of Office and Electoral Calendar

The IEC will announce the election day(s) at least 120 days before the election. The specific dates of elections and terms of office of the Mayor and Municipal Councils must be coordinated with the election calendar for Presidential, Wolesi Jirga, Provincial and District Councils, which the Post Election Strategy Group is proposing to revise.

Regardless of what happens with the electoral calendar, the Mayoral election and Municipal Council elections should be held on the same date as either the Provincial Council or District Council elections, which would save costs, simplify the electoral calendar, and reduce voter fatigue.

Voter Eligibility

Voters must meet the same criteria as voters for Provincial Council elections (be Afghan citizens, 18 years old on the date of election, registered to vote, and not deprived of their voting rights by a court), plus they must establish residence within the Municipality or *nahia* in question.

Special provision should be made to allow property owners not ordinarily resident in the municipality or *nahia* to vote. If technically possible, provision will be made to limit a voter to the voter registry for a single municipal constituency.

Voter Registry

As discussed elsewhere in the report of the Post-election Strategy Group, the existing voter registry data must be assessed to determine its value. If this assessment establishes that the data is usable as the basis for municipal or *nahia* voter registries, it will be necessary to update it by means of public display and correction period prior to the first election. The voter registries created in this way could also be supplemented with information on residential addresses, which could be obtained from voters at the time they vote. Such data would facilitate the assignment of voters to polling stations.

If the voter registry data cannot serve as the basis for municipal or *nahia* voter registries, then an additional voter registration operation will be necessary. Existing voter registration cards cannot be used to administer a municipal election as they do not indicate municipality or *nahia* of residence. This registration will be administered by the IEC through its provincial offices and overseen by the Provincial Election Commissions (PECs).

Voters that have valid voter registration cards will need only to prove their local residence to add their names to the municipal or *nahia* register. Proof of residence for the purposes of the municipal or *nahia* voter list would include property ownership records, residential tenancy agreements, other documentation identifying a person as a resident, or certification from the official local community representative for a given area. An additional registration process should be established to accommodate voters who have not registered for either the 2004 or 2005 elections.

The logistical and financial challenges associated with a municipal voter registration effort will be considerable. The effort would be greatly simplified if it were coordinated with a national voter registration or national ID program.

Candidate Eligibility

Candidates for Mayor will be registered voters and be at least 25 years old on the date of the election. They will also satisfy the criteria set out in Article 15 of the electoral Law, including the requirements that they not command or belong to unofficial armed groups and have not been convicted of crimes against humanity or other serious crimes.

Mayoral candidates will need to produce 300 signatures of support, place a cash deposit of 10,000 Afghani with the IEC, and sign an affidavit stating that they meet all of the nomination criteria.

The eligibility criteria for Municipal Council candidates will be the same as those for Mayoral candidates, except that the minimum age for candidacy will be 18. To register, candidates for Municipal Councils will obtain at least 100 unique signatures of support, place a cash deposit of 4,000 Afghani with the IEC and sign an affidavit stating that they meet all of the nomination criteria.

Nominations for both Mayoral and Municipal Council elections will be submitted to the IEC at the provincial level, and the process should be overseen by the PECs. The IEC will be responsible for producing candidate lists, assigning deadlines for the process, and overseeing administration of the election. After a period of time for challenges and withdrawals, the IEC will publish a final candidate list. Candidates will have an opportunity to withdraw only until publication of the final candidate list. Challenges to the candidate nomination process should first be brought to the PEC in the province of the election. Appeals may be lodged with the ECC.

Electoral Campaign

The regulations governing the campaign will be broadly consistent with those applicable to the other elections conducted being conducted simultaneously. A campaign silence period will last for 48 hours before Election Day.

Specific regulations on campaign conduct, advertising, and campaign contribution and spending limits may be made by the IEC.

Voting System

For the Mayoral elections, the municipality will be one single member district. Registered voters will cast one vote for their preferred candidate. The winner will be the candidate who receives more than half of the valid votes for that constituency. If no candidate wins an absolute majority of votes in a first round of voting, precedence between the two most voted candidates will be decided in a runoff election.

For Municipal Council elections, voters may cast either:

Option #1: one vote for a representative regardless of how many members may serve in their constituency (SNTV). This will be easier to administer, but less representative of specific communities.

Option #2: two or more votes for candidates in multi member constituencies. This creates a more complicated system, but one that provides better representation.

If *nahias* are used as single member districts, the winning candidate will be the candidate who receives the largest number of votes in the election. If municipalities contain multiple member districts, the top most voted candidates will win.

Counting and Results

Counting will be conducted by the IEC provincial office and overseen by the PECs. Counting will take place within the constituency in a neutral and unbiased manner and in the presence of Candidates, Observers, and the media. Recounts may be ordered by the IEC in the event it concludes that significant irregularities have occurred.

As with the parliamentary elections, the IEC will announce preliminary results and allow for challenges to be adjudicated before it certifies final results. Ties will be resolved by recount, and if the tie remains, by drawing lots.

Adjudication of Complaints

Complaints requiring administrative review of the election process will first be brought to the PEC in the province of the election. PEC decisions may be appealed to the ECC. Other complaints should be addressed directly to the ECC.

Vacant Seats

If a mayoral seat becomes vacant for any reason, a replacement mayor will be chosen by special election within 60 days of the vacancy of office.

If vacancies arise on a Municipal Council, the remaining council members will select a replacement member from among the candidates who were not elected from that constituency to serve out the remainder of the term.

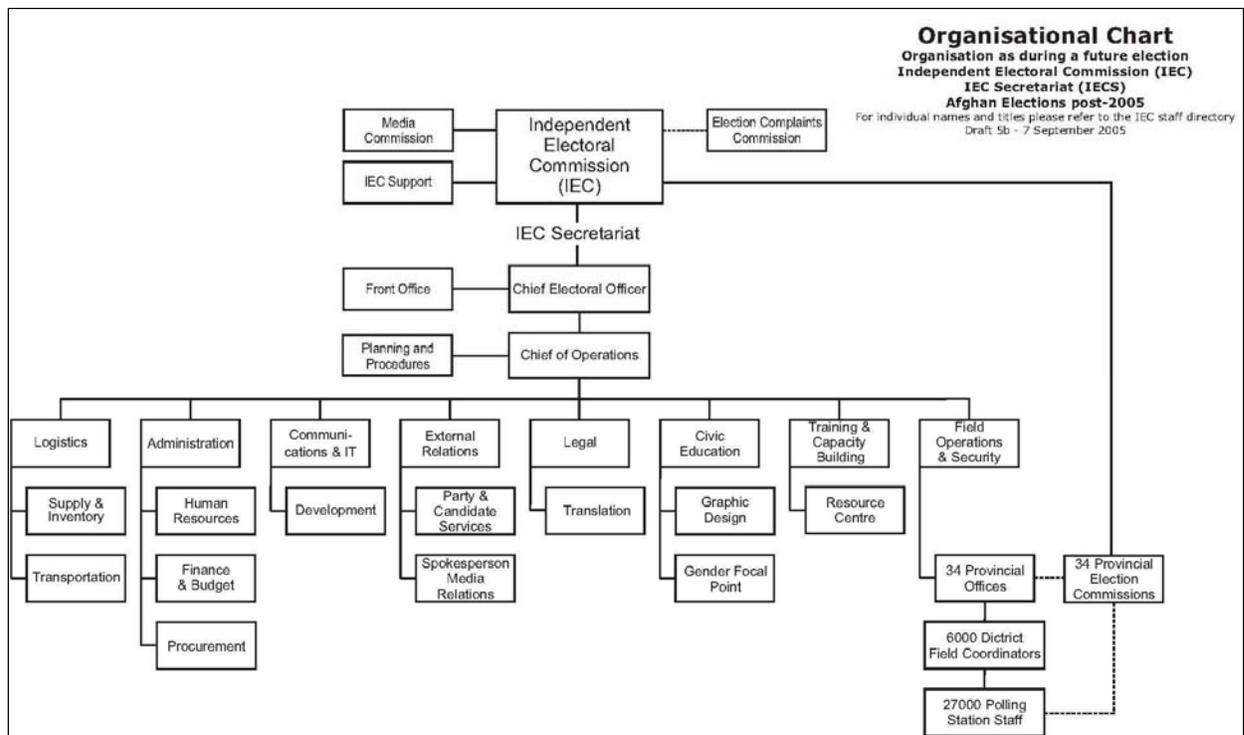
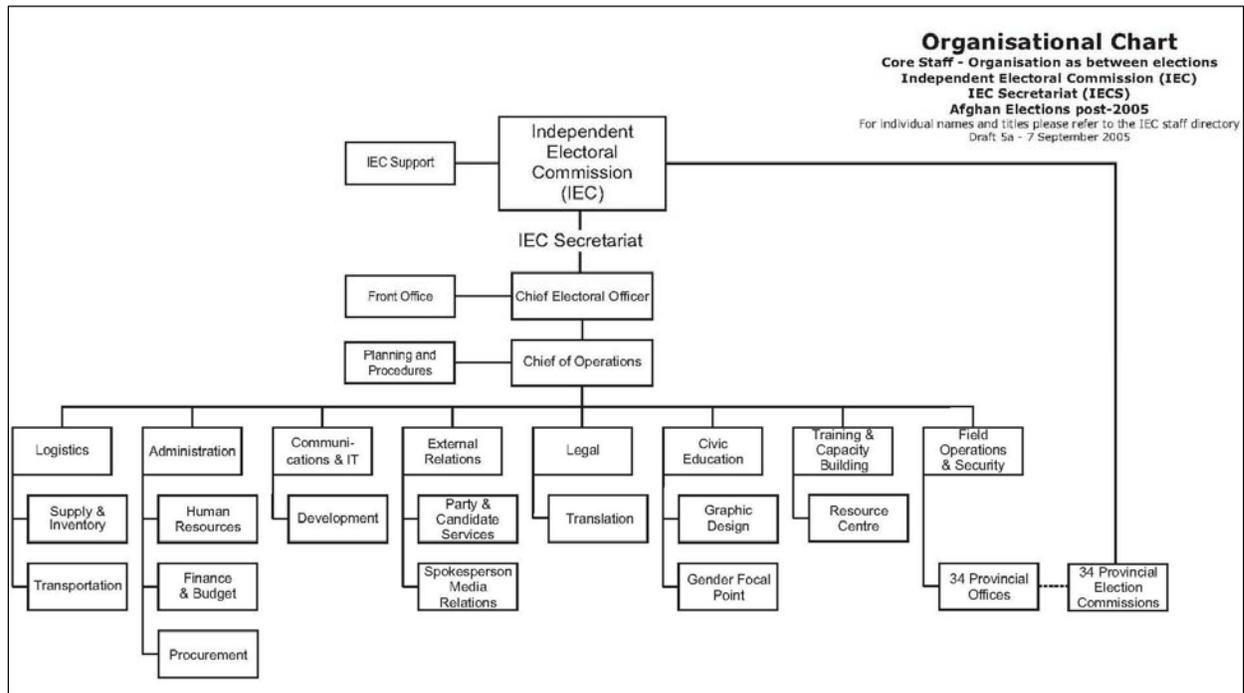
Outstanding Issues

There are a number of issues relating to the role of Municipal Councils that are beyond the scope of the Municipal Election law, but will significantly affect how and why those institutions function and, therefore, who may wish to run for office. These include:

1. The relationship between the mayor and the municipal council
2. The powers of local government, including the power to raise revenue through taxation or to allocate portions of the Provincial budgets.

These issues should be addressed in the Municipalities Law, but must be resolved before the first municipal election processes begin.

Annex IV: IEC Organizational Chart



Annex V: IEC Staffing Table

Introductory Note

The staff figures described in the attached Staff Table should be considered as the minimum necessary for the ordinary operation of the IEC during non-election times. These figures are congenial with standard electoral practice in countries where elections are organized and conducted by a permanent electoral commission, which is independent from the executive branch of government, both organically and functionally.

As could be expected, the organization chart of the electoral authority shall expand massively at elections time along three categories of electoral officers and workers:

1. Enlarged number of temporary electoral officers in the different departments of the Secretariat (on average 4 more persons per section).
2. Members of temporary Provincial Electoral Commissions (on average 3 persons per province).
3. Enlarged number of the provincial electoral officers working under the Secretariat of the IEC (on average 3 more persons per province).
4. Members of possible temporary District Electoral Commissions for lower level elections (on average 3 persons per district).
5. District field coordinators and polling center managers (around 6,000 countrywide).
6. Enlarged support staff for all kind of electoral officers (secretaries, drivers, janitors, etc. by several hundreds).
7. Members of Polling Station Committees (over one hundred thousand).
8. International staff on technical assistance duties (40-80).

It shall also be pointed out the need for a retaining policy concerning certain categories of electoral officers, who should be kept close to the electoral administration even if they do not make part of the permanent structure, and therefore are not included in the organization chart. This would be specially the case of thousands of District Field Coordinators. Most of these people should be recruited for work during the period in between the coming elections if a joint operation of Civil Registry/ Voter Registry is set in motion in the immediate future. Then municipal elections are foreseen for which they can be further recruited. Any retaining policy different from this seems unrealistic for the time being, at least while most of the electoral administration operation is to be funded by the international donor community.

Staffing Table IEC Headquarters

No.	Natl./Intl.	Section	Job Title	Salary Scale
1	Natl.	Commissioners Office	Chairman of the Commission	P 1
2	Natl.	Commissioners Office	Commissioner	P 1
3	Natl.	Commissioners Office	Commissioner	P 1
4	Natl.	Commissioners Office	Commissioner	P 1
5	Natl.	Commissioners Office	Commissioner	P 1
6	Natl.	Commissioners Office	Commissioner	P 1
7	Natl.	Commissioners Office	Commissioner	P 1
8	Natl.	Commissioners Office	Commissioner	P 1
9	Natl.	Commissioners Office	Commissioner	P 1
10	Natl.	IEC Support	IEC Support Coordinator	P 3
11	Natl.	IEC Support	Executive Assistant to the Chairman	P 4
12	Natl.	IEC Support	Executive Assistant to the Deputy Chairman	P 4
13	Natl.	IEC Support	Executive Assistant to Commissioners	P 4
14	Natl.	CEO Office	Chief Electoral Officer	P 1
15	Natl.	CEO Front Office	Executive Officer	P 3
16	Natl.	CEO Front Office	Executive Assistant	P 4
17	Natl.	CoO Office	Chief of Operations	P 1
18	Natl.	CoO Office	Chief of Operations Assistant	P 4
19	Natl.	CoO Office	Planning & Procedures Officer	P 3
20	Natl.	CoO Office	Planning & Procedures Officer	P 3
21	Natl.	Logistics	Head of Logistics (incl. Facilities Mngt)	P 2
22	Natl.	Logistics	Supply & Inventory Officer	P 3
23	Natl.	Logistics	Transportation Officer	P 3
24	Natl.	Logistics	Logistics Assistant	P 4
25	Natl.	Logistics	Driver	P 5
26	Natl.	Logistics	Driver	P 5
27	Natl.	Logistics	Driver	P 5
28	Natl.	Logistics	Driver	P 5
29	Natl.	Logistics	Driver	P 5
30	Natl.	Logistics	Driver	P 5
31	Natl.	Logistics	Driver	P 5
32	Natl.	Logistics	Driver	P 5
33	Natl.	Logistics	Driver	P 5
34	Natl.	Logistics	Driver	P 5
35	Natl.	Logistics	Driver	P 5
36	Natl.	Logistics	Driver	P 5
37	Natl.	Administration	Head of Administration	P 2
38	Natl.	Administration	Human Resources Officer	P 3
39	Natl.	Administration	Finance & Budget Officer	P 3
40	Natl.	Administration	Procurement Officer	P 3
41	Natl.	Administration	Administrative Assistant	P 4
42	Natl.	Administration	Finance & Budget Assistant	P 4
43	Natl.	Communications & IT	Head of CIT	P 2
44	Natl.	Communications & IT	IT Technician	P 3
45	Natl.	Communications & IT	IT Developer	P 3

46	Natl.	External Relations	Head of External Relations	P 2
47	Natl.	External Relations	Party & Candidate Services Officer	P 3
48	Natl.	External Relations	Media Relations Officer (Spokesperson)	P 3
49	Natl.	External Relations	External Relations Assistant	P 4
50	Natl.	Legal	Head of Legal	P 2
51	Natl.	Legal	IEC Legal Officer	P 3
52	Natl.	Legal	IEC Legal Assistant	P 4
53	Natl.	Legal	Translation Officer	P 3
54	Natl.	Legal	Translation Officer	P 3
55	Natl.	Legal	PEC Support Officer	P 3
56	Natl.	Public Outreach	Head of Public Outreach	P 2
57	Natl.	Public Outreach	Public Outreach Officer	P 3
58	Natl.	Public Outreach	Graphic Design Officer	P 3
59	Natl.	Public Outreach	Gender Focal Point Officer	P 3
60	Natl.	Public Outreach	Public Outreach Assistant	P 4
61	Natl.	Training & Capacity Building	Head of Training & Capacity Building	P 2
62	Natl.	Training & Capacity Building	Training & Capacity Building Officer	P 3
63	Natl.	Training & Capacity Building	Training & Capacity Assistant	P 4
64	Natl.	Training & Capacity Building	Resource Center Officer	P 3
65	Natl.	Training & Capacity Building	Resource Center Assistant	P 4
66	Natl.	Field Operations	Head of Field Operations	P 2
67	Natl.	Field Operations	Field Operations Officer	P 3
68	Natl.	Field Operations	Field Operations Assistant	P 4
69	Natl.		Receptionist	P 5
70	Natl.		Receptionist	P 5
71	Natl.		Cleaner/tea maker	P 6
72	Natl.		Cleaner/tea maker	P 6
73	Natl.		Cleaner/tea maker	P 6
74	Natl.		Cleaner/tea maker	P 6
75	Natl.		Gardener	P 6
76	Natl.		Guard	P 6
77	Natl.		Guard	P 6
78	Natl.		Guard	P 6
79	Natl.		Guard	P 6

P 1 : 11 staff

P 2 : 8 staff

P 3 : 23 staff

P 4 : 14 staff

P 5 : 14 staff

P 6 : 9 staff

Staffing Table in IEC Provincial Offices

No.	Region	Province	Natl/Intl.	Section	Job Title	Salary Scale
1	Central	Kabul	Natl	PEO	Provincial Electoral Officer	P 3
2			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
3		Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3	
4		Natl	Administration	Administrative Assistant	P 4	
5		Natl	Administration	Administrative Assistant	P 4	
6		Logar	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
7			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
8		Natl	Administration	Administrative Assistant	P 4	
9		Wardak	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
10			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
11		Natl	Administration	Administrative Assistant	P 4	
12		Kapisa	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
13			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
14		Natl	Administration	Administrative Assistant	P 4	
15		Parwan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
16			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
17		Natl	Administration	Administrative Assistant	P 4	
18		Panjshir	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
19			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
20		Natl	Administration	Administrative Assistant	P 4	
21	Central Highland	Bamyan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
22			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
23			Natl	Administration	Administrative Assistant	P 4
24		Dai Kundi	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
25			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
26	Natl	Administration	Administrative Assistant	P 4		
27	East	Nangarhar	Natl	PEO	Provincial Electoral Officer	P 3
28			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
29			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
30			Natl	Administration	Administrative Assistant	P 4
31			Natl	Administration	Administrative Assistant	P 4
32		Laghman	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
33			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
34			Natl	Administration	Administrative Assistant	P 4
35		Kunar	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
36			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
37			Natl	Administration	Administrative Assistant	P 4
38		Nuristan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
39	Natl		Administration/Logistics	Finance, Admin & Logistics Officer	P 3	
40	Natl		Administration	Administrative Assistant	P 4	
41	North	Balkh	Natl	PEO	Provincial Electoral Officer	P 3
42			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
43			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
44			Natl	Administration	Administrative Assistant	P 4
45			Natl	Administration	Administrative Assistant	P 4
46		Saripul	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
47			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
48			Natl	Administration	Administrative Assistant	P 4
49		Jawzjan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
50			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
51			Natl	Administration	Administrative Assistant	P 4
52		Samangan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
53			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
54			Natl	Administration	Administrative Assistant	P 4
55		Faryab	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
56	Natl		Administration/Logistics	Finance, Admin & Logistics Officer	P 3	
57	Natl		Administration	Administrative Assistant	P 4	
58	Northeast	Kunduz	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
59			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
60			Natl	Administration	Administrative Assistant	P 4
61		Takhar	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
62			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
63			Natl	Administration	Administrative Assistant	P 4
64		Baghlan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
65			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
66			Natl	Administration	Administrative Assistant	P 4
67		Badakhshan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
68	Natl		Administration/Logistics	Finance, Admin & Logistics Officer	P 3	
69	Natl		Administration	Administrative Assistant	P 4	

70	South	Kandahar	Natl	PEO	Provincial Electoral Officer	P 3
71			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
72			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
73		Natl	Administration	Administrative Assistant	P 4	
74		Natl	Administration	Administrative Assistant	P 4	
75		Hilmand	Natl	PEO	Provincial Electoral Officer	P 3
76			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
77			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
78		Natl	Administration	Administrative Assistant	P 4	
79		Natl	Administration	Administrative Assistant	P 4	
80		Nimroz	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
81			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
82			Natl	Administration	Administrative Assistant	P 4
83		Uruzgan	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
84			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
85	Natl		Administration	Administrative Assistant	P 4	
86	Zabul	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3	
87		Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3	
88		Natl	Administration	Administrative Assistant	P 4	
89	Southeast	Paktia	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
90			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
91			Natl	Administration	Administrative Assistant	P 4
92		Khost	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
93			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
94			Natl	Administration	Administrative Assistant	P 4
95		Ghazni	Natl	PEO	Provincial Electoral Officer	P 3
96			Natl	Training & Capacity Bldg	Training & Capacity Building Officer	P 3
97			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
98		Natl	Administration	Administrative Assistant	P 4	
99		Natl	Administration	Administrative Assistant	P 4	
100		Paktika	Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
101			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
102			Natl	Administration	Administrative Assistant	P 4
103		West	Herat	Natl	PEO	Provincial Electoral Officer
104	Natl			Training & Capacity Bldg	Training & Capacity Building Officer	P 3
105	Natl			Administration/Logistics	Finance, Admin & Logistics Officer	P 3
106	Natl		Administration	Administrative Assistant	P 4	
107	Natl		Administration	Administrative Assistant	P 4	
108	Ghor		Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
109			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
110			Natl	Administration	Administrative Assistant	P 4
111	Farah		Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
112			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
113			Natl	Administration	Administrative Assistant	P 4
114	Badgish		Natl	PEO/Training & Capacity Bldg	Provincial Electoral Officer / Public Outreach & Training Office	P 3
115			Natl	Administration/Logistics	Finance, Admin & Logistics Officer	P 3
116			Natl	Administration	Administrative Assistant	P 4

Annex VII: Memoranda of Understanding with Different Ministries

1. Ministry of Interior

Memorandum of Understanding between the Ministry of Interior of the Islamic Republic of Afghanistan and the Independent Election Commission on Cooperation with the Independent Election Commission

Legal Background

As for standard electoral practice, legislation in Afghanistan mandates that the IEC shall be supported by “Government and non-government institutions, political parties, social organizations, and relevant individuals shall cooperate with the Independent Electoral Commission –IEC- and other commissions established by the IEC, and also with the Electoral Complaints Commission, and shall implement the decisions made by these bodies within the scope of their respective jurisdictions” (Article 6 of the Electoral Law).

Article 1 - Scope of Memorandum

This Memorandum of Understanding (hereinafter “MoU”) between the Ministry of Interior of the Islamic Republic of Afghanistan (hereinafter: “the Ministry”) and Afghan Independent Election Commission (hereinafter “the Commission”) governs the relationship between the two parties about cooperation of the Ministry with the Commission.

Article 2 – Office Space for Provincial Staff of the Commission

1. The Ministry shall provide office space available for provincial staff of the Commission numbered three to five staff members depending on population and geographical size of provinces, and a room for storage (Minimum size of storage rooms is to be 10 square meters), ideally in provincial governor compound of each province.
2. The Commission shall consider rental contracts with the Ministry for provision of office space in provincial governorates for permanent offices of the Commission.
3. The Ministry shall provide certain facilities at province and district level (Provincial Governorates, district and village administration) upon request by the Commission to be used for training purposes, Voter Registration, Polling and Counting.

Article 3 –Civil Registry Data

1. The Ministry is to provide required information upon request by the Commission from the last updated Civil Registry that will be used by the Commission to compose Voter Registry and Voters’ List.

Article 4 – Security Support

1. The Ministry shall provide police security support to all activities undertaken by the Commission during and between elections, upon request by the Commission. Police security support will be required for Registration Centers, Polling Centers and storage as well as for distribution and retrieval of electoral materials.
2. Security support as requested by the Commission shall be provided by the Ministry to all locations of the Commission and other electoral commissions as well as Political Parties and candidates, if deemed necessary.

Article 5 - Amendments

Any modification of the present arrangements shall be effected by mutual written agreement of the parties hereto.

Article 6 - Entry into force

This MoU shall enter into force upon signature by all parties.

Signed on behalf of:

Ministry of Interior

Independent Election Commission

Date:

Date:

2. Ministry of Education

Memorandum of Understanding between the Ministry of Education of the Islamic Republic of Afghanistan and the Independent Election Commission on Cooperation with the Independent Election Commission

Legal Background

As for standard electoral practice, legislation in Afghanistan mandates that the IEC shall be supported by "Government and non-government institutions, political parties, social organizations, and relevant individuals shall cooperate with the Independent Electoral Commission –IEC- and other commissions established by the IEC, and also with the Electoral Complaints Commission, and shall implement the decisions made by these bodies within the scope of their respective jurisdictions" (Article 6 of the Electoral Law).

Article 1 - Scope of Memorandum

This Memorandum of Understanding (hereinafter "MoU") between the Ministry of Education of the Islamic Republic of Afghanistan (hereinafter: "the Ministry") and Afghan Independent Election Commission (hereinafter "The Commission") governs the relationship between the two parties about cooperation of the Ministry with the Commission.

Article 2 – Cooperation with the Commission

1. The Ministry shall provide facilities of the school system available upon request by the Commission for Training, Voter Registration, Polling and Counting.
2. The Commission shall transfer equipment used by the Commission to the Ministry (Tables and Chairs) and the Ministry shall provide the necessary equipment upon request by the Commission as required.
3. The Ministry shall ensure that school teachers shall cooperate with the Commission as voter registration and polling staff as well as trainers and civic educators as required.

Article 3 - Amendments

Any modification of the present arrangements shall be effected by mutual written agreement of the parties hereto.

Article 4 - Entry into force

This MoU shall enter into force upon signature by all parties.

Signed on behalf of:

Ministry of Education

Independent Election Commission

Date:

Date:

3. Ministry of Defense

Memorandum of Understanding between the National Ministry of Defense of the Islamic Republic of Afghanistan and the Independent Election Commission on Cooperation with the Independent Election Commission

Legal Background

As for standard electoral practice, legislation in Afghanistan mandates that the IEC shall be supported by “Government and non-government institutions, political parties, social organizations, and relevant individuals shall cooperate with the Independent Electoral Commission –IEC- and other commissions established by the IEC, and also with the Electoral Complaints Commission, and shall implement the decisions made by these bodies within the scope of their respective jurisdictions” (Article 6 of the Electoral Law).

Article 1 - Scope of Memorandum

This Memorandum of Understanding (hereinafter “MoU”) between the Ministry of Defence of the Islamic Republic of Afghanistan (hereinafter: “the Ministry”) and Afghan Independent Election Commission (hereinafter “the Commission”) governs the relationship between the two parties about cooperation of the Ministry with the Commission.

Article 2 – Security

1. The Ministry shall provide to the Commission security intelligence reports and analysis of security situation regularly at the time of Voter Registration and during operation conducted for Polling.
2. The Ministry shall provide security support to all activities undertaken by the Commission during and between elections, upon request by the Commission. Security support will be required for Registration Centers, Polling Centers and storage as well as for distribution and retrieval of electoral materials.

Article 3 – Transportation Support

1. The Ministry shall provide support upon request by the Commission in distribution of materials to polling centers and retrieval of the materials to counting centers. The Ministry shall provide Air asset support as requested by the Commission for transportation of materials to certain areas as required.

Article 4 - Amendments

Any modification of the present arrangements shall be effected by mutual written agreement of the parties hereto.

Article 5 - Entry into force

This MoU shall enter into force upon signature by all parties.

Signed on behalf of:

National Ministry of Defence

Independent Election Commission

Date:

Date:

4. Ministry of Transport

Memorandum of Understanding between the Ministry of Transport of the Islamic Republic of Afghanistan and the Independent Election Commission on Cooperation with the Independent Election Commission

Legal Background

As for standard electoral practice, legislation in Afghanistan mandates that the IEC shall be supported by “Government and non-government institutions, political parties, social organizations, and relevant individuals shall cooperate with the Independent Electoral Commission –IEC- and other commissions established by the IEC, and also with the Electoral Complaints Commission, and shall implement the decisions made by these bodies within the scope of their respective jurisdictions”(Article 6 of the Electoral Law).

Article 1 - Scope of Memorandum

This Memorandum of Understanding (hereinafter “MoU”) between the Ministry of Transport of the Islamic Republic of Afghanistan (hereinafter: “the Ministry”) and Afghan Independent Election Commission (hereinafter “the Commission”) governs the relationship between the two parties about cooperation of the Ministry with the Commission.

Article 2 – Cooperation with THE COMMISSION

The Ministry shall help the Commission in making available vehicles from different agencies to the disposal of the Commission and sub-national commissions. Transport units will be required by The Commission in different numbers for different electoral operations (Voter Registration, Preparation of the electoral operations at provincial, district and polling centre level as well as distribution and retrieval of polling material country wide.)

Article 3 - Amendments

Any modification of the present arrangements shall be effected by mutual written agreement of the parties hereto.

Article 4 - Entry into force

This MoU shall enter into force upon signature by all parties.

Signed on behalf of:

Ministry of Transport

Independent Election Commission

Date:

Date:

Annex VIII: Joint Operation Proposal on Voter Register and National ID Document

GROUP ON VOTER REGISTRATION *
JOINT ELECTORAL MANAGEMENT BODY SECRETARIAT
POST-ELECTION STRATEGY GROUP
TECHNICAL GROUP ON VOTER REGISTRY

VOTER REGISTER AND NATIONAL ID DOCUMENT

Follow-up concept paper on a joint operation by the Mol and IEC

13 September 2005

Purpose of the paper

This is a concept paper on the prospective joint operation by the Independent Electoral Commission (IEC) and the Ministry of Interior (Mol) regarding the production of a single national identity document and an updated voter list. This joint operation would allow individual voters to be tied to specific polling stations upon the base of house residence details. The Mol and the IEC have already agreed on the convenience of conducting such a joint operation.

This paper is to be submitted for consideration of the Mol before it is brought to other relevant stakeholders (i.e. the IEC and international donors). It includes the conclusions of the Technical Group at its meeting of September 10 after considering several policy options, which were previously discussed at the office of the Director General of the Civil Registry in the Ministry of Interior on August 31.

Summary guidelines for a joint operation

The policy option considered by the Technical Group has the following characteristics:

1. Civil Registry and Voter Registry are to be done in **one operation**. Data collection will be made at decentralized locations around the country with the cooperation of Civil Registry and IEC provincial and local officials, in addition to village and *Nahia* elders and notables. This is to be done after an assessment of the use of current voter lists has been provided by assessors who are independent from current electoral authorities (IEC, JEMB and JEMBS).
2. Both the Civil Registry and the Voter Registry shall be benefiting from the house enumeration and **using common codes with the undergoing population census** on residence details (house mapping and enumeration).
3. The national identification document will be in the form of an **ID card** format rather than a passbook format. The existing law that provides for *taskera* booklet has to be amended accordingly.
4. The age limit for entitlement of the ID document is to be decided, but **15 years** of age is recommended. Nevertheless, birth data shall be collected for all the population as required for the Civil Registry.
5. The ID will have a validity of **10 years**.
6. The ID will work as the basic identification document for all purposes including use as **voter registration and voting card**.
7. A number of **security features** will be included in the identification document; both on the individual identity of the bearer and the security of the document.
8. A **joint operation group** consisting of the concerned departments (i.e. Civil Registry and Chief Electoral Officer's office) has to be formed to identify the data needs, devising the forms for data collection, and coordinate the entire operation.

9. The implementation of the project **shall be national**. Afghan nationals will be doing all the work after being appropriately trained. Expert international assistance will be provided. All public authorities are required to assist.
10. The Civil Registry shall have responsibility to maintain the data and update the same on a continuous basis. The Independent Electoral Commission has the responsibility to **form and update the voter list** upon information provided by the Civil Registry. The mode of sharing the data between the respective organizations shall be specified under legislation on the subject.
11. Information will be collected in the different provinces and districts of the country in a decentralized manner, but the ID cards and voter list will be **centrally produced in Kabul** in a computerized manner with appropriate quality control. ID cards, once produced in Kabul, shall be distributed directly to their owners through decentralized procedures.
12. The project will be implemented on a **3-year time line**.
13. Two **pilot projects** shall be conducted in a number of districts before launching a nationwide operation.
14. **Maintenance** concepts are to be developed and budgeted as part of the project.
15. A **budget gross estimate** for the two pilot projects would amount to US \$1,350,000 including technical assistance of 10 international experts.

1. One single operation

Civil Registry and Voter Registry are to be done in one operation. Data collection will be made at decentralized locations around the country with the cooperation of Civil Registry and IEC provincial and local officials, and village and *Nahia* elders and notables. Once the information on Afghan individual residents has been collected and the corresponding pictures taken, the material is transferred to Kabul headquarters for the production of the ID card and the voter list in a computerized centralized manner with insurance that security features are guaranteed, and that no duplications are processed.

This joint operation is going to be undertaken after an assessment of the use of current voter lists has been provided by assessors who are independent from current electoral authorities (IEC, JEMB and JEMBS). The voter registration exercises for elections conducted in 2004 and proposed for September 2005 have unfortunately not resulted in an error free voter list that can be helpful in conducting District and Municipal elections. In addition, it is felt necessary to register all the citizens and to issue National ID documents to check influx of foreigners from the long permeable borders of the country.

An output of the joint IEC-MOI field exercise should be to identify new polling locations so that the voter can cast his/her votes conveniently as well as demarcate on ground the polling station area that would serve a polling station. Detailed guidelines on how to carry out this exercise would be issued by IEC for the benefit of the joint teams.

2. Only some common codes with the population census.

Census is conducted once in many years. As the purpose of census is collection of data for evolving development and planning strategies. A census exercise done once in 10 years would be more than enough under normal circumstances. Voter registry is to be updated either just before an election or annually as practiced in a number of countries. The civil registry is a continuous exercise; every birth and death has to be recorded on a continuous basis. The timeline for these activities being different, it is only the first census, civil and voter registry exercises that can be combined. After the first census the next one will come after 10 years and the voter list and civil register have to be maintained on a permanent basis. Resources are allocated for creation of the civil register and the voter list can be filtered out of the civil register as and when required - a National ID card issued for the civil registry would at the same time work as identification document for elections. Integration of these processes makes the voter list a natural dual product of the civil register. If the photo data of the National ID card is used, photo of the voter can also be printed along with elector's details in the voter list as is practice in Mexico, Uganda and some provinces of India.

The information collected during the operations of census, civil registry and voter registry varies considerably. However, a number of the data fields are common in all three operations, and are to be collected locality wise. At the present time, all these operations will be occurring more or less simultaneously. Therefore, it is logical to consider the following. Firstly, whatever information has already been collected for the census (house mapping an enumeration) shall be checked and eventually used for

common codes to be used in the census, the civil registry and the voter registry. Secondly, all other information necessary for the civil registry and voter registry should be collected in a single visit to the locality. Thirdly, the cooperation between elders and other community leaders and civil registry/voter registry officials is absolutely necessary. Then all the data collected during the exercise can be computerized in a single database and the information required for creating documents for civil registry and voter list extracted from the common database.

The following table reveals the data needs of these operations:

Census	Voter register	Civil registry
Household details	Name	Name
Income	Father/Husbands Name	Fathers name
Occupation	Age	Nationality
Literacy/education	Sex	Date of birth
Land holding	Village or urban locality	Place of birth
Employment	Polling station	Sex
etc.	Constituency	Village or urban locality
	ID card No.	District
	Photograph (If possible)	Province
		National ID card

While only house mapping information might be taken from the population census at its current stage, it is possible to devise a common pro-forma that incorporates all the required information for the civil registry and voter registry operations.

3. National ID card

The national identification document will be in the form of an ID card format rather than a passbook format. The document and its background records could be so crafted that there would be no need to generate a fresh document if the citizen changes his place of residence resulting also in change in his designated polling station as well as his constituency. The existing law that provides for *taskera* booklet has to be amended to provide for this.

4. Age limit to be decided

The age limit for entitlement of the ID document is to be decided, but 15 years of age is recommended. Nevertheless, birth data shall be collected for all the population as required for the Civil Registry.

5. ID validity

The ID will have a validity of 10 years.

6. Use of the ID

The ID will work as the basic identification document for all purposes including voter registration and voting. The ID should never be punched either at the voting operation or any other official activity. Once a proper voter list has been created, this should serve as the basis for checking who voted and who did not.

7. Security features

A number of security features will be included in the identification document, related to individual identity and the document itself. Some among the following are most frequently used.

1. Biometric features - Iris scanning, Voice recognition, and Hand geometry or Fingerprint scanning
2. Bar coding (1 and 2 dimensional – encoded data), Magnetic stripes, Radio frequency identification, Optical laser cards
3. Photograph, Hologram, Micro text, Signature, Jigsaw pattern, parachute pattern, Computer generated graphics etc.

4. Smart cards
5. Traditional security print and rainbow printing
6. UV invisible print
7. Optical changing inks
8. Integrated photograph background, Ghost image
9. Machine readable zone
10. IR printing
11. Laser engraving
12. MRZ – Laser engraving of alpha numeric OCR - B

Personal unique identification

Biometric data can be used both for elimination of double registration and for identifying a person with a high degree of accuracy. It can be expected that biometric identification will be mandatory for international travel to many destinations within a few years, and widely used in general within the next decade.

Fingerprints are widely used, but are not reliable in a society where a high number of people have been working manual labour all their lives. Fingers become so calloused from the hard work that there is no pattern or at least no unique pattern discernible.

Iris scanning is a newer technology, but is more accurate and has come down in price to be competitive. It is more accurate and more easily implemented than e.g. voice recognition, facial recognition, full body biometry, or DNA-prints, and is more stable as we age than most of these alternatives. In Afghan context iris scanning has been used by UNHCR to avoid paying repatriation fee to the same returnee several times. The iris scan would not need to be stored on the ID card, but will be very useful in eliminating multiple registrations, and it can be included in passports if needed.

ID card security features

An identification document should be hard to replicate, and it should be easy for even a modestly trained person to recognise a fake document. Paper documents (bank notes, passports, ballots) can have water marks, embedded metal threads, fluorescent fibres, special print etc. The simplest security feature for a plastic card is a hologram, either in form of a sticker or a foil covering the whole surface of the card.

Microprint and special patterns can add to the difficulty in falsifying a card.

Magnetic stripes and chips should not be used as security features as they may be slightly more expensive to produce, but easily programmed. They can however be useful for storing data about the individual, as can 1 or 2 dimensional barcodes.

8. Joint operation group

A joint operation group, consisting of the different concerned departments (i.e. Civil Registry and Chief Electoral Officer's office), and an executive agency have to be formed to identify the data needs, devising the forms for field data collection, coordinate and implement the entire operation. After completion of the project by the joint group, the required information can be extracted from the main database and can be provided to the MOI and the IEC.

While the project should be domiciled at the MOI, the executive agency shall be largely separated from the current affairs of the Ministry. It should preferably be headed by a Managing Director outsourced from within Afghanistan or an international expert. In any case, the person in this position shall have full responsibility on the conduct of the entire operation.

9. In-house endeavor

The implementation of the project shall be national. Afghan nationals will be doing all the work after being appropriately trained. Expert international assistance will be provided. All public authorities are required to assist.

10. Sharing responsibilities and legal mandate

The Civil Registry shall have responsibility to maintain the data and update it on a continuous basis. The IEC shall be responsible for composing and updating the voter list upon information provided by the Civil Registry.

The mode of sharing the data between the respective organizations –Civil Registry and IEC- shall be made according to provisions in the law.

11. Decentralized collection and distribution, but centralized production

Information will be collected in a decentralized manner, but the ID cards and voter lists will be centrally produced in Kabul. Teams of registrars will be visiting the different provinces and districts of the country. They will collect all the necessary data in cooperation with the chiefs and elders of the communities. At a second stage, ID cards and voter lists will be centrally produced in Kabul according to the appropriate technical specifications and safety guarantees. Finally, ID cards will be handed out directly to their owners back at the village or Nahia level. As for the voter lists, a centralized Voter Register will be built and maintained by the IEC in a computerized form, and ensuring that no multiple registration goes on the records. Disaggregate voter lists by province, district, polling center and polling station will be produced at the time of elections.

12. Timeline

The project will be implemented on a 3-year time line, including 9 months for implementing two pilot projects.

13. Two pilot projects

Two pilot projects shall be conducted in a number of districts before launching the nationwide operation. In principle, three districts may be selected taking into consideration the urban-rural divide, the multiethnic composition of the nation, accessibility and security conditions.

It is an operation that involves visits to difficult areas, therefore, any mistake would be almost impossible to correct later on. Thus, the pilot project may be envisaged and implemented in two or three districts representing an urban locality, a rural setting and a hilly and difficult terrain. The strategy may be fine tuned in line with the lessons of the pilot project before it is launched country wide. These districts may be identified by the Joint Group constituted under the project as suggested above.

14. Maintenance

Maintenance concepts are to be developed and budgeted as part of the project.

15. Budget gross estimates

A budget gross estimate for the two pilot projects would amount to US\$1,350,000 including technical assistance of 10 international experts. This budget gross estimate also includes newly acquired core hardware⁵ and field operation including training⁶.

As for budget estimates regarding the nationwide operation, this will very much depend on issues, which are still to be clarified or pending decision by the competent authorities such as: a) kind of identification document; b) validity for the purpose of the house mapping and numbering, which has already been done by the Population Census officials; c) age limit for issuance of the ID document; d) modality of field operation for data collection, depending on how many areas of the country are to be covered simultaneously. It is worth noticing that, once the pilot projects are concluded, reduced international expertise should be needed for the completion of the project along a timeline longer than 2 years.

⁵ This includes necessary hardware which is not available at present from Mol and IEC assets.

⁶ This amount may vary depending on availability of the 1500 field officers of the Mol. Additional staff shall be hired from among the around 6000 District Field Coordinators of the current IEC.

Annex IX: Equipment Retention Packages for IEC HQ and Provincial Offices

Equipment Retention Package for IEC Headquarters

Item(s)	Entitlement per staff member	Entitlement per Department	Entitlement for IEC	Remarks
Technical Equipment				
Generator (60 Kva)			2	Including Diesel consumption
Desktops	1			
Laptops		1	30	1 for each Dept Head, 30 to be held by IT Section, for loan to staff/sections as required
Servers			3	
Server rack with RKM			1	
KVM switch			1	
5KVa UPS for Server room			1	
Panasonic PABX			1	
Desk Phones			32	16 digital, 16 analog
Fax Machines			2	1 for each of the 2 IEC buildings
VSAT			1	
UPS	1			
Mobile phone	1			
Thuraya phone		1		
Thuraya FDU			1	
Network printer		1		B&W Plus 1 small printer for each Commissioners Office
Heavy duty photocopier			1	B&W
Light duty photocopier		1		B&W
Colour Printer			1	
LCD Projectors			3	
External HDD		1		For backup
Power stabilizer		1		
Scanner		1		

Shredder			2	1 for each of the 2 IEC buildings
Digital Camera or Polaroid cameras		1	4	Additional 4 are for civic education and training
Multimedia projector			1	
TV			2	
Air conditioner		2		Plus 1 for each Commissioners Office
Philips Cassette/CD player			5	For public outreach
Portable speakers			5	For public outreach
Microphones			5	
Gas stove		1		
Gas bottle		1		
Heater		1		Plus 1 for each Commissioners Office
Vehicle			12	Minibuses??
Office Furniture				
Desk	1			
Office Chairs	1			
Visitors Chairs	1			
Side table		3		
Sofa		1		Plus 1 sofa set for each Commissioners Office
Sofa Chairs		2		
Coffee Table		1		
Table (for printer & copier)		1		
Coat Rack		1		
Desk lamps	1			
Book shelves/Filing cabinets	2			
Safe locker		1		
Standing Fan		2		Plus 1 for each Commissioners Office
Fridge		1		Plus 1 for each Commissioners Office
Electric Water Kettle		1		
Electric Water Urns			6	For large meetings and training sessions

Stationery				
Bulletin Board (incl. pins)		2		
White Board (incl. pens)		3		
General Stationery (pens, pencils, scissors, tape, stapler, hole puncher, bins and extension cords/power boards etc.)	1			
Torches	1	1		As much as surplus exist should remain
Bundle of candles (incl. matches)		1		
Coffee/tea cups		10		What ever number are available should remain
Plates/cutlery			2	2 sets, one set for each of the 2 buildings
Maps of Afghanistan		3		For planning purposes
Flip chart stand			10	4 for training and civic education. Additional to be used as needed by other sections
PPE kits (Personal Protection Equipment)			20	Including Jacket and Helmet To be held by Logistics for distribution as needed for field trips etc.
First Aid kit		1		Plus additional stock
Fire Extinguishers		1		

To be listed separately:

1. Elections Resource Centre equipment
2. Chairman's and Commissioners' offices – special requirements
3. Tents, carpets and chairs for large public outreach meetings
4. Conference room/dining room facilities (1 big table and 8 chairs)
5. Ballot boxes and voter screens

Equipment Retention for Graphic Design in Headquarters

In order to run a limited program, the following is a list of equipment that would need to stay:

1. 1 desktop per person (we have a few hi end HPs in graphics which I would recommend keeping)
2. 1 monitor per person (21" Sony)
3. 1 hi end scanner (Epson Expression 1640XL)
4. 1 color laser printer (HP color laser printer 5500dn)
5. 1 color ink jet printer (Epson color stylus 3000)
6. 1 plotter printer (HP Design Jet 500)
7. 1 copier machine
8. 1 hi end digital camera and lenses (Canon EOS)
9. 1 80gb external drive per person
10. 1 memory stick per person
11. 1 UPS per person
12. 1 desk, chair, file cabinet, shelf unit, lamp per person
13. 1 set of graphics software per computer (Quark Xpress, Adobe Illustrator, Adobe Photoshop, Corel Draw, Macromedia dream weaver and flash)—this software is currently held by IT
14. 1 set of office software per computer (Microsoft office and Lewal Asia Soft)
15. 1 A3 Paper cutter, heavy duty stapler, binding machine, shredder, and standard office supplies (tape, glue sticks, pencils....)
16. 200 CDs and DVDs
17. Extra ink cartridges for the 3 printers 5 of each color
18. 10 boxes of each copier paper A3 and A4

Equipment Retention Package per Provincial Office

(The rest to be transferred to UNOPS-administered Regional Depots)

Item(s)	Entitlement per staff member	Entitlement per Provincial Office	Remarks
Technical Equipment			
Generator (20 Kva)		1	Including Diesel consumption
Desktops	1		
Additional desktop to be used as server		1	
LAN Switch		1	
UPS	1	2	For Server and switch
VSAT system complete		1	Shared pool of bandwidth countrywide
3 Kva UPS		1	For VSAT
Mobile phone	1		Thuraya phone where no mobile service
Thuraya phone		2	1 to always stay with Provincial Office and 1 for Field trips
Thuraya FDU		1	
Network printer		1	B&W
Light duty copier		1	B&W
Power stabilizer		1	
Scanner		1	
Digital Camera or Polaroid Camera		1	
Air conditioner		4	
Philips Cassette/CD player		1	For public outreach
Portable speakers			For public outreach
Microphones		2	
Gas stove		1	
Gas bottle		1	
Heater		4	
Vehicle		2	1 Jeep and 1 other more anonymous car
Office Furniture			

Desk	1		
Office Chairs	1		
Visitors Chairs	1		
Table (for printer & copier)		1	
Coat Rack		1	
Desk lamps	1		
Book shelves/Filing cabinets	5		
Safe locker		1	
Standing Fan		4	
Ceiling Fan		2	
Fridge		2	
Water Kettle		2	
Stationery			
Bulletin Board (incl. pins)		1	
White Board (incl. pens)		2	
General Stationary (pens, pencils, scissors, tape, stapler, hole puncher, bins and extension cords/power boards etc.)			
Torches	1	2	2 big torches for the office, and little pocket torches per staff member
Bundle of candles (incl. matches)			
Coffee/tea cups		20	
Big maps of Afghanistan			For planning purposes
Flip chart stand		2	
PPE kits (Personal Protection Equipment)	1		Including Jacket and Helmet
First Aid kit		1	
Fire Extinguishers		2	

Still under consideration, subject to provincial storage facilities:

1. Tents, carpets and chairs for large public outreach meetings
2. Conference room/dining room facilities (1 big table and 8 chairs)
3. Ballot boxes and voter screens

Annex X: IEC Training Issues

IEC In-house training

(Note from Asia Foundation consultant)

Following the elections, it will be essential to establish a targeted training program for staff of the newly formed IEC, in order to enhance professional skills and to build and strengthen the organization's capacity in all aspects of electoral administration.

Individual learning opportunities will be based on a skills and training needs analysis for all IEC permanent staff, with professional training courses to be undertaken on such subjects as planning, management and leadership skills, computer literacy, finance and budgeting, human resource management, and information technology programming skills.

Most important of all for the IEC is training designed to build institutional skills and capacity towards the effective conduct of future elections in Afghanistan. An important first step in developing in-house training capacity has already been scheduled to take place soon after the new IEC is established, and permanent staff have taken up their positions. This is a facilitators' training program in BRIDGE (Building Resources in Democracy, Governance and Elections). A total of 25-30 participants will be drawn from IEC senior and training section staff, together with key NGOs and professional trainers in the community. At the completion of the course, participants will receive partial accreditation as facilitators, and full accreditation upon successful presentation of a BRIDGE training program.

In this way, a cascade training approach can be implemented, to ensure that all IEC permanent staff, at both national and provincial levels, as well as key NGOs and partners, undergo training in the various modules of the BRIDGE Project. Presentation of specific modules, such as those on voter registration, boundary delimitation, public outreach, will be timed to suit the IEC timetable of forthcoming activities. This will then be followed by specific technical training for these activities on IEC procedural requirements.

Translation of parts of the BRIDGE into Dari and Pashtu would significantly contribute to the program's usefulness by making it more broad-based to the target group and to a wider audience. BRIDGE modules would also be well suited for use as part of the civic education program to increase electoral awareness and participation in the democratic process, and it is envisaged that staff of the Training Department and Civic Education Department within the IEC will work closely together.

To further enhance knowledge and broaden perspective on electoral administration, the study tour program for IEC delegates to visit election management bodies in other countries should continue. To gain optimum value, the tours would ideally be timed when elections are taking place in the hosting country, providing an invaluable opportunity to see first hand the on-the-ground operations and issues faced. Short-term study placements of selected IEC staff with the EMB of a hosting country may also be viable, as an on-the-job transfer of skills and knowledge of specific electoral processes and associated election management systems. It will be important for the IEC to establish and maintain contacts and networking with other EMBs, particularly those in the region, with often similar challenges to manage.

PEC capacity building and training needs

(Note from JEMBS Legal Dept)

Given the varied mandate of the PECs, a comprehensive, permanent capacity building and training program should be established for members of the PECs. This program should cover not only election-specific topics, but should also include a rigorous professional skills development component. More specifically, the program should endow PEC members with a conceptual and technical understanding of electoral administration and complaints adjudication, as well as training them on techniques for effective project planning, advising, evaluation and dispute resolution.

Proposed topics include but are not limited to:

Election-specific concepts and technical knowledge

- Electoral systems (Afghanistan electoral system and at least two other electoral systems)
- Election administration and structure (includes technical aspects of voter registration to count)

- Comparative election administration (Afghan compared with 2-3 other administrations)
- Civic education principles and methods
- Complaint management
- Investigation techniques
- Adjudicating complicated complaints

Professional skills development

- Project planning and management (setting goals and objectives)
- Monitoring and evaluation skills
- Analysis and report writing
- Meeting management
- Advising techniques
- Recruitment standards
- Alternative dispute resolution
- Public speaking and dealing with the media

The program should be delivered to each PEC Commissioner over the course of six months to one year. Relevant portions of the program, such as complaint management and election administration, also should be delivered to PEC support staff.

Election Resource Centre

(Note from Asia Foundation consultant)

The Election Resource Centre will house a library of books on elections and electoral administration, training materials both written and audio-visual. It will establish and maintain an archiving system to ensure that key materials from the JEMBS are kept and catalogued for future reference. The main Election Resource Centre will be accessible to staff and the general public and will contain general materials. An important function of the ERC will be to translate particular documents as required into Dari and Pashto. The archives will contain key documents such as JEMBS decisions, minutes of Commission hearings, reports, as well as other documents related to the day-to-day work of the IEC, and will have limited access. A short-term technical advisor will be engaged to work with staff to set up the Centre in the new IEC premises, devising a step-by-step archiving plan for the collection, cataloguing, utilization, and management of materials. The plan will use a phased approach, starting with a modest amount of materials and simple system, and building up the resources and utilization, over the course of the project. Importantly, staff will be trained in designing, establishing and managing systems for resources and archives, in order to ensure that the Election Resource Centre continues to function as a vital repository of records of elections in Afghanistan, as well as systems for the conduct of democratic elections across the globe.

The Election Resource Centre should be the nodal point within the IEC for conducting workshops, seminars, guest lectures or round table discussions. The seminar hall in the IEC building, with its simultaneous translation facilities, would be under the custody of the ERC, which would coordinate seminars or workshops to be held by other IEC departments, including activities of civic education, training and public outreach to special groups.

Public Outreach Programs for select groups

(Note from UNDP Consultant)

It is necessary for the IEC to work out specially designed programs for certain select groups who have a role to play in the conduct of elections. To specify, school teachers, the military, police, and civil society would readily fall into this genre.

In view of the fact that so much of electoral work in the field is carried out by teachers it would be appropriate if a joint consultative committee is set up between the IEC and The Ministry of Education to

optimize the utilization of school teachers in the electoral domain. In this forum the details of inclusion into the school curriculum educational material on elections, types of democracies and values of democracy could be formulated for classroom implementation. Periodic workshops for teachers could be conducted at the district or sub district levels to reinforce and enhance their roles both in the actual conduct of elections as well as in their role in the classroom in imparting electoral education to the next generation. Within the classroom their role in promoting democratic values to impressionable minds is of immense value.

As regards the military and the police the IEC may bring out an information booklet giving an overall view of the constitution and the electoral law, the details of actual conduct of electoral activities like voters' registration and conduct of elections and the role of the security forces both military and the police in these operations. The information booklet can then be used within the command control system of the uniformed forces so that roles are understood right down to the cutting edge level.

As regards the Civil Society the interactions between it and the IEC must be on a different plane. The Civil Society should be associated with the programs of the IEC both in terms of working out the contents of the civic education programs as well as the mode of delivery. The inputs of the Civil Society would be of considerable value in the gender focused programs of the IEC. The IEC should periodically have round table discussions with the Civil Society on issues like changes in some provisions of electoral law or regulations that would lead to a greater democratic content in society. The Civil Society must be kept generally informed about the activities of the IEC.

Annex XI: Local Production of Ballots and Ballot Boxes

(Note from UNDP Consultants)

A primary concern of any national electoral body is to keep to the minimum the costs incurred in conducting elections. This is achieved through a variety of methods like choice of technology, selection of equipment, and adopting a certain style in operations that contributes towards scaling down of costs.

In the area of equipment two major areas of concern are printing of ballot papers and procurement of ballot boxes as these two items contribute substantially to the costs in conduct of elections.

In the case of ballot papers most countries particularly those that have a large number of electors print their ballot papers within the country. Due mainly to reasons of unavailability several countries get their ballots printed from outside the country. In the long run it is always more economical to print the ballots within the country. This would be the case of Afghanistan with its multi tiered set up of elected office bearers necessitating elections practically every two years. Local production of ballot papers within Afghanistan would be the most practical and cost effective approach for future elections. To achieve this, economical and secure printing facilities would need to be established in the country. It would not be advisable to burden the IEC with purchase and maintenance of such facilities, nor would the IEC be in a position at election times to undertake such a major exercise as the production of ballot papers, in addition to the overall conduct of the elections. The Government of Afghanistan should take the responsibility of establishing a central printing establishment and be its custodian. Whenever required, the IEC would arrange for the printing of ballot papers from such a printing facility. In non-election periods, other government departments would utilize the printing facility for a wide variety of printing requirements.

As regards ballot boxes these should be in the category of reusable equipment. However, the plastic ballot boxes that are currently available should, when their usefulness runs the course which should be in another two years be replaced in established areas by rugged steel ballot boxes which would serve the IEC for decades requiring the minimum by way of care and maintenance. Besides the design of the metal ballot boxes bring in another security feature that enhances the purity of the election process namely a seal (paper, plastic or metal) with a unique number that ensures that if the ballot box has been tampered with or switched after the polling is over it would be easily detected at the counting centre. In addition, bearing in mind the diverse geographical features in Afghanistan, further research should be undertaken to explore other ballot box designs A variety of ballot boxes could be used to suit the different conditions and topography. For instance, where only donkeys or camels can reach, metal ballot boxes may prove difficult to transport, and therefore a better alternative may be ballot boxes made of thick canvass, currently used in Ethiopia.

Annex XII: International Assistance

No.	Natl/Intl.	Section	Job Title
1	Intl.		Chief Technical Advisor
2	Intl.	Planning and Procedures	International Advisor - Planning and Procedures
3	Intl.	Logistics	International Advisor - Logistics
4	Intl.	Administration	International Advisor - Administration
5	Intl.	Communications & IT	International Advisor - Communications & IT
6	Intl.	External Relations	International Advisor - External Relations & Media
7	Intl.	Legal	International Advisor - Legal
8	Intl.	Public Outreach	International Advisor - Public Outreach
9	Intl.	Training & Capacity Building	International Advisor - Training & Capacity Building
10	Intl.	Field Operations & Security	International Advisor - Field Operations & Security

Annex XIII: Terms of References for Assistance from International Advisors

TERMS OF REFERENCE

International Chief Technical Advisor

Post Description:

The International Chief Technical Advisor on elections to the UN Special Representative of the Secretary General, working in close coordination with the IEC Commissioners, will undertake the following activities:

Duties and Responsibilities:

- Advise the SRSG on all aspects of the electoral administration and its activities;
- Plan and coordinate the project activities;
- Advise to the electoral authorities in relation to the overall organization of the electoral process;
- Coordinate and supervise the activities of the experts and consultants working as part of the technical assistance team to the Electoral Commission;
- Coordinate and supervise any activities related to the provision of international assistance to the electoral process;
- Initiate procurement requests for equipment or sub-contracts to be funded and delivered by the project;
- Initiate recruitment procedures for additional technical assistance staff funded by the project;
- Advise to the electoral authorities on the preparation and control of budgets and financial administration;
- Advise to the electoral authorities on the presentations to be made to foreign donors, and coordination of technical and financial assistance to the electoral process;
- Advise to the electoral authorities, as required, on the registration of eligible voters, including the type of document and records to be used, the procedures to be followed, and the logistics of the organization of the registration process;
- Advise to the electoral authorities, as required, in relation to procedures to be followed for the conduct of the polls, including ballots design, organization of the poll, vote counting and computation of final results;
- On the basis of the experience of the electoral process, make recommendations to the electoral authorities on reforms and adjustments that might be introduced to the electoral system for future elections; as well as possible actions that might be undertaken by the United Nations to assist the consolidation of the democratic process;
- Prepare a bi-monthly periodic report to UNDP and the Electoral Assistance Division on the project activities.

Qualifications

Candidates must possess a higher university degree and a minimum of 6 years of experience at senior levels in electoral administration. The post requires considerable cultural and political sensitivity and an ability to meet deadlines.

Language: Fluency in written and spoken English is essential; fluency in other UN official languages or Dari/Pashto is highly desirable.

TERMS OF REFERENCE

International Advisor – Planning and Procedures

Post Description:

The International Advisor in Planning and Procedures works closely with the Chief of Operations to develop, coordinate, and manage the work of the planning and procedures team, hereunder the joint registration operation, and manage and coordinate the planning and implementation of the regulations and procedures. The International Advisor is responsible for increasing awareness, knowledge and skills at all levels in his section. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The International Advisor will consult regularly with IEC staff to ensure the procedural set-up is appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the section and effective and efficient management of the IEC's planning and procedural activities.

Duties and Responsibilities:

Under the direct supervision of the Chief Electoral Officer (CEO) and the Chief of Operations (CoO, the incumbent will;

- Design and conduct capacity needs assessments of Afghans;
- Develop, in coordination with the Training and Capacity Building Department, training materials and organize training courses on various electoral functions for Afghans – registration officers, polling officials etc. – in practical and culturally appropriate and gender sensitive ways, in the local languages to build capacity, through the trainers methodology to maximize efficiency;
- Evaluate the training courses offered by the Training and Capacity Building Department, by actively seeking views from beneficiaries and re-align, re-design the procedures which make the basis for the training programs as appropriate;
- Assist the Training Department on developing and organizing training courses for IEC staff on electoral procedures;
- Develop and coordinate the procedures for the up-coming joint registration exercise;
- Plan, coordinate and manage the interaction with Ministry of Interior on the registration exercise;
- Assist IEC Management in drafting relevant papers;
- Compile, draft and distribute regular progress reports to IEC Management and Donors;
- Perform such other related duties as may be assigned.

Core Competencies:

- Shows persistence when faced with difficult problems or challenges. Remains calm in stressful situations; Client Orientation - Ability to identify and analyze clients' needs and provide appropriate solutions to meet business requirements;
- In-depth knowledge of and extensive experience voter registration programs and development, management and implementation of complex information systems.
- Excellent communication skills, including the ability to convey complex technical concepts and recommendations to non-technical staff at senior levels, both orally and in writing, in a clear, concise style.
- Demonstrated planning and organizational skills and ability to coordinate the work of others, work to meet tight deadlines and handle multiple concurrent projects/activities.
- Excellent interpersonal skills and ability to establish and maintain effective working relations in a multi-cultural, multi-ethnic environment with sensitivity and respect for diversity.
- Supervisory skills and ability to coach, monitor and develop staff; ability to plan, and secure resources.

Qualifications:

- Education: Advanced University Degree in management development, training, human resources development, social sciences or other related field, or an equivalent combination of education, certification and experience in relevant area.
- Experience: Minimum five years experience in management and electoral training and staff development functions. In addition, experience in evaluating and implementing technical registration systems is required. Experience at the international level, especially in international organizations, desirable. Afghanistan and Elections related experience invaluable.
- Language: Fluency in written and spoken English is essential; knowledge of Dari/Pashto is highly desirable.

TERMS OF REFERENCE**International Advisor – Logistics****Post Description:**

The International Advisor in Logistics works closely with the Head of Logistics and the Chief of Operations to develop, coordinate, and manage the work of the logistics team. The International Advisor is responsible for increasing awareness, knowledge and skills at all levels in his/her section. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The International Advisor will consult regularly with IEC staff to ensure the logistics set-up and support is appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the section and effective and efficient management of the IEC's logistical and supply activities.

Duties and Responsibilities:

Under the direct supervision of the Chief Electoral Officer (CEO) and the Chief of Operations (CoO), in liaison with the Head of Logistics, the incumbent will;

- Design and conduct logistics and supply needs assessments of the IEC;
- Coordinate the requirements to carry out the electoral activities and election projects in a timely and cost-efficient manner;
- Develop logistics plans for activities to support the daily activities of the IEC;
- Manage the daily pool of IEC drivers and vehicles, hereunder assign duties to drivers ensuring timely services, issuing fuel, recording log-books and maintenance and repair/recovery of vehicles;
- Develop logistics plans and provide support on voter registration logistics requirements in coordination with the IEC provincial offices and other relevant entities;
- Manage the timely supply of all voter registration and elections related supplies and equipment for headquarters and provincial offices;
- Manage the planning and deployment of staff and delivery of materials in the provinces;
- Develop plans to ensure the secure transport and delivery of sensitive and non-sensitive material;
- Assist in obtaining security clearance and organize field mission for International Staff;
- Ensure the timely and cost-efficient delivery of tasks and duties such as sub-contracting of local companies, renting or rehabilitation of IEC premises, office equipment and supply, transportation and fuel agreements;
- Ensure proper record keeping of inventory;

- Liaise regularly with the procurement section to ensure a seamless receipt and further delivery of goods and items;
- Assist IEC Management in drafting relevant papers;
- Compile, draft and distribute regular progress reports to IEC Management and Donors;
- Perform such other related duties as may be assigned.

Core Competencies:

- Shows persistence when faced with difficult problems or challenges. Remains calm in stressful situations; Client Orientation - Ability to identify and analyze clients' needs and provide appropriate solutions to meet requirements;
- Extensive experience with big-scale logistics operations and development, management and implementation of complex logistical arrangements.
- Demonstrated planning and organizational skills and ability to coordinate the work of others, work to meet tight deadlines and handle multiple concurrent projects/activities.
- Excellent interpersonal skills and ability to establish and maintain effective working relations in a multi-cultural, multi-ethnic environment with sensitivity and respect for diversity.
- Supervisory skills and ability to coach, monitor and develop staff; ability to plan, and secure resources.

Qualifications:

- Education: University Degree in related field, or an equivalent combination of education, certification and experience in relevant area.
- Experience: Minimum five years of progressively responsible logistic and management experience. Experience at the international level, especially in international organizations, desirable. Afghanistan and Elections related experience invaluable.
- Language: Fluency in written and spoken English is essential; knowledge of Dari/Pashto is highly desirable.

TERMS OF REFERENCE

International Advisor – Administration

Post Description:

The International Advisor in Administration works closely with the Head of Administration to coordinate and manage the administrative and financial work of the Administration team and manage and coordinate the implementation of the IEC permanent financial functions and election projects.

The International Advisor in Administration is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of Administration, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The International Advisor will consult regularly with IEC staff to ensure financial set-up is appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the IEC's financial activities.

Duties and Responsibilities:

Under the direct supervision of the Chief Electoral Officer (CEO) and the Chief of Operations (CoO), and as support to the Head of Administration the incumbent will;

- Assist the Head of Administration in preparing the work program of the Admin Department, determining priorities, and allocating resources for the completion of outputs and their timely delivery;
- Assume shared overall implementation responsibility for all aspects of election administration;
- Provide management and supervision of all aspects of internal HR issues, including preparation of Terms of References, timely submission of personnel requests forms, and renewal of contracts;
- Advise and support the Head of Administration on all aspects of administration and finance, particularly budgetary matters;
- Supervise, monitor and account for all procurement issues for the IEC;
- Provide advice on all issues pertaining to the recruitment and selection of national staff for the IEC throughout Afghanistan;
- Manage, and where necessary train, the administration, finance and procurement officers with the Administration Department;
- Initiate and develop appropriate administrative and financial systems within the Administration Department in order to contribute to rapid capacity building;
- Take active part in the interaction with the Ministry of Finance and the Civil Service Commission, for preparations and agreement on the inclusion of 2006 budget in the national budget and IEC salary scales;
- Advise and support administrative staff in IEC Provincial Offices;
- Assist IEC Management in drafting relevant papers;
- Compile, draft and distribute regular progress reports to IEC Management and Donors;
- Perform such other related duties as may be assigned.

Core Competencies:

- Shows persistence when faced with difficult problems or challenges. Remains calm in stressful situations; Client Orientation - Ability to identify and analyze clients' needs and provide appropriate solutions to meet business requirements;
- Previous procurement experience is essential;
- Excellent communication skills, including the ability to convey complex administrative concepts and recommendations to non-admin staff at senior levels, both orally and in writing, in a clear, concise style.
- Demonstrated planning and organizational skills and ability to coordinate the work of others, work to meet tight deadlines and handle multiple concurrent projects/activities.
- Excellent interpersonal skills and ability to establish and maintain effective working relations in a multi-cultural, multi-ethnic environment with sensitivity and respect for diversity.
- Supervisory skills and ability to coach, monitor and develop staff; ability to plan, secure resources and manage administrative operations.

Qualifications:

- Education: Advanced University Degree (Master or equivalent) in Public Administration, Management, Business Administration, and Logistics or equivalent professional experience;
- Experience: Candidates should possess at least 8 years of progressively responsible relevant professional experience within administration, logistics, operations, financial management, and human resources. Demonstrated organizational, supervisory and interpersonal skills;
- Language: Fluency in written and spoken English is essential; knowledge of Dari/Pashto is highly desirable.

TERMS OF REFERENCE

International Advisor – Communications and IT

Post Description:

The International Advisor in Communications and IT works closely with the Head of the Communications and IT to coordinate and manage the work of the IT team and manage and coordinate the implementation of the communication and IT programs.

The International Advisor in Communications and IT (CIT) is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of CIT, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The International Advisor will consult regularly with IEC staff to ensure technical set-up is appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the IEC's IT activities.

Duties and Responsibilities:

Under the direct supervision of the Chief Electoral Officer (CEO) and the Chief of Operations (CoO), and as support to the Head of Communications and IT the incumbent will;

- Assist the Head of Communications and IT in preparing the work program of the CIT Department, determining priorities, and allocating resources for the completion of outputs and their timely delivery;
- Develop and promulgate information management policies and procedures Advise IEC Commissioners and IEC Management on implementation of the election operation according to country requirements;
- Formulate and implement the substantive work program related to Communications and IT issues together with the Head of Communications and IT;
- Analyze information flows and formulate functional needs for information management systems and procedures;
- Analyze and evaluate present and future software requirements of the IEC;
- Assist the Head of Communications and IT in daily operations
- Advise the Head of Communications and IT in strategic long and short term planning;
- Develop, maintain, and make recommendations for the deployment of information technology applications, including database systems and web-based applications, as well as information management, document management, content management and archives and records management;
- Liaise with key Afghan stakeholders, including local private companies regarding necessary technical set-up for electoral activities;
- Participate in and guide project management for information management projects, contributing to feasibility studies, systems analysis, design, development and implementation of systems;
- Develop training materials and user manuals; train staff in use of information management systems;
- Coordinate the variety of organizational communications systems supporting the IEC;
- Provide expert advice on the management, operation and maintenance of complex communications systems to transport voice, data and image, including assessments for efficient bandwidth usage and growth; identify the need for new systems (or modifications to existing systems) or respond to requests from users; provide plans for set-up and operation of communication infrastructure at local and wide area levels;
- Develop, implement and monitor communication standards and guidelines;

- Develop and recommend strategies to address specific telecommunications, development, connectivity and related training needs of the project;
- Ensure effective coordination with Ministries, NGOs and Government agencies in order to maximize possibilities of inter-agency collaboration in the field of telecommunications;
- Develop disaster recovery plans and ensure appropriate planning and training of those responsible;
- Coordinate installation and maintenance of all CIT communications equipment within the IEC and provinces;
- Assist IEC Management in drafting relevant papers;
- Compile, draft and distribute regular progress reports to IEC Management and Donors;
- Perform such other related duties as may be assigned.

Core Competencies:

- Shows persistence when faced with difficult problems or challenges. Remains calm in stressful situations; Client Orientation - Ability to identify and analyze clients' needs and provide appropriate solutions to meet business requirements;
- Technology – In-depth knowledge of and extensive experience in information systems design and development, management and implementation of complex information systems.
- Professionalism - Experience at senior levels in developing, operating, maintaining, and overseeing large information systems. Previous experience conducting 'in extremis' operations highly regarded.
- Communications - Excellent communication skills, including the ability to convey complex technical concepts and recommendations to non-technical staff at senior levels, both orally and in writing, in a clear, concise style.
- Judgment/Decision-making - Discretion and sound judgment in applying technical expertise to resolve complex and/or sensitive issues, which are typically broad in scope; strong negotiating skills and ability to influence others to reach agreement.
- Planning and Organizing – Demonstrated planning and organizational skills and ability to coordinate the work of others, work to meet tight deadlines and handle multiple concurrent projects/activities.
- Teamwork -Excellent interpersonal skills and ability to establish and maintain effective working relations in a multi-cultural, multi-ethnic environment with sensitivity and respect for diversity.
- Leadership and Supervisory skills and ability to coach, monitor and develop staff; ability to plan, secure resources and manage communication operations.

Qualifications:

- Education: Advanced University Degree in Information Science, Information Management or other related field, or an equivalent combination of education, certification and experience in the ICT area.
- Experience: Minimum five years experience in information management functions, especially in the analysis of information flows. Thorough experience in evaluating and implementing ICT systems is required. Experience at the international level, especially in international organizations, desirable. Afghanistan and Elections related experience invaluable.
- Language: Fluency in written and spoken English is essential; knowledge of Dari/Pashto is highly desirable.

Other Desirable Skills:

Practical experience in software development, information management, local and wide area networks, radio / broadcast / satellite technologies, voice and data communication protocols, including voice over IP, and telecommunications.

Terms of Reference

International Advisor - External Relations

Post Description:

Work closely with the Head of External Relations Department to coordinate and manage the IEC's relations with political entities, the media and election observers. The IERA will be responsible for actively contributing to campaigns to promote the voter registration, electoral activities and other key IEC activities. The IERA will work closely with the Afghan and international media and will also provide advice on organizing public/media events. The IERA will coordinate his/her activities with the IEC HQ public information team.

The IERA is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of the External Relations Department, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The IERA will consult regularly with IEC staff to ensure plans and processes are appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the IEC's external relations programs.

Duties and Responsibilities Relating to Media Relations:

- Establish and maintain close contacts with journalists and media organizations (radio, television, media NGOs, newspapers, magazines and other printed publications).
- Provide accurate and timely information to media organizations about voter registration and elections, and other functions and activities of the IEC.
- Be on call to respond to questions posed by journalists through telephone, email and visits.
- Prepare press notes for the Spokesman of the SRSG and coordinate media information and events.
- Liaise with IEC Secretariat on media related issues.
- Schedule interviews with appropriate officers of the IEC and attend and record the interviews.
- Write press releases and background notes
- Organize press conferences and other public events.
- Draft Fact Sheets, Frequently Asked Questions and other public information texts as required.
- Monitor international and local media to gain an understanding of the information and messages that are being broadcast and distributed about the IEC, voter registration and elections.
- Respond effectively and immediately to erroneous information distributed by the media.
- Assist, train and coordinate with National Media Relations Officers.
- Design, organize and conduct training for the National Civic Education and Public Information staff on media relations.
- Coordinate information and messages with the civic education and public information team.

Duties and Responsibilities relating to Party and Candidate Services

- Support the Head of External Relations to ensure that party and candidate services are functioning effectively
- Inform political parties and independent candidates representatives of the Electoral Law and procedures on nomination
- Work with staff of the Department to ensure that comprehensive plans are in place and effectively implemented on the candidate nomination and registration process

- Assist in the development of an information package for political entities on the overall electoral process, including campaigning, the electoral system, the counting process, and guidelines for party and candidate agents
- Ensure an effective method is in place to provide accurate and consistent information to all political entities in a transparent and impartial manner

Required Qualifications, Skills and Experience:

- Advanced university degree in political or social sciences, journalism/communications, anthropology, management/training and/or related fields.
- Experience from working with media and in the development and delivery of education and information programs particularly in developing countries.
- Previous electoral experience an asset.
- Fluency in English essential.
- Proficiency in the local language(s) an asset.
- Flexibility and willingness to live and work in hazardous conditions involving physical hardship and little comfort.
- Ability to work harmoniously with people of different cultural backgrounds.

Terms of Reference

International Advisor - Legal

Post Description:

Work closely with the Head of the Legal Department on the day to day management of the Department, and provide sound advice the IEC Secretariat on legal issues relating to electoral law.

The SLA is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of the Legal Department, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the IEC's legal interpretations and guidelines.

The SLA will consult regularly with IEC staff to ensure consistency with the Constitution and the Electoral Law, and that the legislation is accurately reflected in all IEC procedures, training and information packages

Duties and Responsibilities:

Under the supervision of the Head of the Legal Department, the ILA will:

- Provide sound legal advice to the Chief Electoral Officer and the Management Office on legal issues related to elections and IEC activities
- Become fully conversant with the Constitution of Afghanistan, the Electoral Law, Regulations, Legal Decisions, Codes of Conduct and any other relevant legislation
- Write and present legal positions to the IEC Secretariat;
- Perform extensive legal research and analysis and assist staff of the Department to prepare legal opinions, studies, briefs, reports and correspondence;
- Review, advise on, and draft subsidiary electoral legislation and materials, develop new modalities to meet unique needs/circumstances
- Support and assist the Head of the Legal Department to represent the IEC in electoral, judicial, arbitral, or administrative proceedings;
- Contribute to the review and design of new, or new application of, electoral legal instruments, policy and guidelines;

- Compile, draft and distribute regular progress reports to the IEC Secretariat Management;
- Perform such other related duties as may be assigned.

Desirable Qualifications, Skills and Experience:

- Postgraduate University Degree in Law;
- Extensive election experience in senior legal positions;
- Sound knowledge of international election law and electoral systems;
- Proficiency in legal writing and expression and ability to prepare legal briefs, instruments, opinions and related documents;
- Discretion and sound judgment in applying legal expertise to sensitive, complex and at times conflicting legal issues;
- Good management and team skills;
- Previous experience in Afghanistan or other Islamic countries an asset;
- Personal interest, commitment, efficiency, flexibility and willingness to work in a highly motivated team of professionals.
- Ability to work effectively and harmoniously with colleagues from varied cultures and professional backgrounds.
- Ability to adapt to a difficult working environment, under pressure and with limited timeframes.

Languages:

Excellent knowledge of English; working knowledge of Pashto and/or Dari an asset.

Terms of Reference

International Advisor - Public Outreach

Post Description:

Work closely with the Head of the Public Outreach Department to coordinate and manage the work of the public outreach Headquarters team and manage and coordinate the implementation of the public outreach program and gender focal point issues in Afghanistan, including voter education campaigns. This will include providing support and assistance to management of the field operations section, materials development section, and regular coordination with other Departments for the best implementation of the civic education/public information program.

The IPOA is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of the Public Outreach Department, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The IPOA will consult regularly with IEC staff to ensure public outreach programs and materials are appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the IEC's public outreach programs.

Duties and Responsibilities:

Under the supervision of the Head of the Public Outreach Department the IPOA will:

- Provide sound advice and support for the implementation of the entire public outreach program;
- Ensure the proper development of the civic education and voter education campaigns, the strategies and methodologies for the civic education program implementation in Afghanistan;
- Coordinate with and act as a link between the different sections within HQ;

- Advise on production of all civic education/public outreach materials, on development and management of the civic education/public information strategy at national level;
- Advise on the reporting system from the field and within the HQ sections;
- Advise on development of training sessions;
- Review monitoring reports with regards to the use and effectiveness of public information through media, organize and conduct meetings and briefings with key stakeholders for the successful implementation of the civic education program in Afghanistan;
- Ensure information sharing and coordination between Public Outreach and other IEC Departments;
- Provide advice on new projects/initiatives designed to contribute to the development or the better implementation of the public outreach program;
- Provide sound advice on strengthening the knowledge base on gender issues, women's organizations, women's networks and gender expertise in Afghanistan;
- Liaison and coordination on means to improve the participation of women in the election processes with local and international NGOs, government departments (Ministry of Women's Affairs) and national machineries for gender as well as UN agencies;
- Liaison and coordination with local and international NGOs, political parties to improve the knowledge and build the capacity of women to participate as candidates in the election process;
- Documentation of best practices and lessons learned on methods for increasing women's participation in election processes;
- Assist the public outreach media implementation program to ensure effective and sufficient media coverage on the participation of women in the elections

Required Qualifications, Skills & Experience:

- University degree, diploma or equivalent training in civic education, media, journalism, social sciences, human resources management or related field;
- Must have high level project management organizational and administrative skills,
- Expertise in public speaking;
- Excellent written and oral communication skills;
- Practical experience in development and implementation of civic/voter education/media/ public information activities;
- Sound knowledge of gender issues, and commitment to improving the participation of women in the electoral process;
- Previous experience in Afghanistan or other Islamic countries an asset;
- Ability to work effectively and harmoniously in a team, especially with colleagues from varied cultures and ethnical backgrounds;
- Ability to travel and work long hours;
- Extensive knowledge of the areas/provinces, languages, customs, and culture;
- Extensive knowledge of the media present in different regions and at National level;
- Education/training and/or practical experience in media, media relations or related field;
- Ability to adapt to a difficult working environment, under pressure and with limited timeframes.

Languages:

Fluency in English, working knowledge of Pashto and/or Dari an asset.

Terms of Reference

International Advisor - Training and Capacity Building

Post Description:

Work closely with the Head of the Training and Capacity Building Department to coordinate and manage the work of the training and capacity building headquarters team, to build strength and capacity within the Department and within the IEC as a whole.

The ITCBA is responsible for working with the Head of the Department to develop and implement a training and capacity building program for staff of the IEC, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The ITCBA will consult regularly with IEC staff to ensure training programs and materials are appropriate to the Afghanistan context, and are designed to build organizational strengths to ensure professional and sustainable management of the Training and Capacity Building Department and professional, effective and efficient management of the IEC as an independent electoral management body.

Duties and Responsibilities:

Under the direct supervision of the Head of the Training and Capacity Building Department the ITCBA will:

- Provide sound advice on the development and implementation of capacity building programs;
- Assist with the design, development and implementation of training programs on electoral matters for IEC staff, other UN agencies, government departments, key NGOs and other stakeholder groups;
- Coordinate a skills and training needs assessment for all departments and staff of the IEC
- Research the availability of professional management training courses/consultants and make relevant recommendations;
- Assist with the revision of existing, and development of new, training materials for in-house courses, including handbooks, handouts and other supportive documents
- Assist the Department to organize and conduct capacity building training courses on various IEC electoral functions and procedures, for headquarters and provincial electoral staff members;
- Assist in devising a cascade training program and timeframe for operational training;
- Mentor and support to develop the skills and strengths of the trainers within the Department;
- Ensure information sharing and coordination of the Department with Public Outreach, Operations and other IEC Departments;
- Advise on, support and monitor training conducted and assist with reports;
- Write regular reports on program development and final report on program assessment.

Required Qualifications, Skills and Experience:

- University degree in political, social science, education or related field;
- Experience in development training, human resources development;
- Strong commitment to the principles of true capacity building, and the experience and ability to guide, support, and mentor to build strength, confidence and knowledge;
- Substantial experience in elections, electoral training and staff development;
- High level project management, organizational and administrative skills;
- Excellent verbal and written communication skills;
- Ability to work effectively and harmoniously in a team, especially with colleagues from varied cultures and ethnic backgrounds;
- Well developed interpersonal skills and sensitivity to local custom and traditions;

- Knowledge of political issues related to Afghanistan is an asset;
- Flexibility and willingness to live and work in hazardous conditions involving physical hardship and little comfort.

Languages:

Fluency in English essential, working knowledge of Pashto and/or Dari an asset.

Terms of Reference

International Advisor – Field Operations and Security

Post Description:

Work closely with the Head of the Field Operations and Security Department to ensure overall coordination of IEC daily operations, effective communication between Headquarters and the field structure of the Provincial Offices, and development and implementation of relevant security policies, measures and arrangements.

The IFOSA is responsible for working with the Head of the Department to develop and implement a capacity building program for staff of the Field Operations and Security Department, to increase awareness, knowledge and skills at all levels. This will include team building, training and staff development programs, ongoing support and encouragement to increase confidence and ability, and involvement of staff in decision making. The IFOSA will consult regularly with IEC staff to ensure plans and processes are appropriate to the Afghanistan context. This will build organizational strengths to ensure professional and sustainable management of the Department and effective and efficient management of the organizational structure of the IEC.

Duties and Responsibilities relating to Field Operations:

Under the direct supervision of the Head of Field Operations, the IFOSA will:

- Support the Field Operations Manager to maintain regular communication with Provincial Offices on all aspects of day to day operations to ensure implementation of activities as directed by Headquarters and in accordance with IEC functions and electoral timelines;
- Provide sound advice on operational and other requests from the field and channeling such requests in a timely manner to relevant departments IEC Secretariat Management;
- Assist in coordinating and compiling an Instruction for Field Operations for regular distribution to Provincial Offices. Ensure that Heads of Department contribute to the Instruction;
- Assist in developing a standardized form to facilitate completion of regular progress reports from Provincial Offices to the Field Operations Manager;
- Perform such other related duties as may be assigned.

Duties and Responsibilities relating to Security:

Under the direct supervision of the Head of Security, the IFOSA will:

- Assist the security manager to conduct security assessments and analyse security factors and levels of risk related to IEC day to day management, and to IEC activities in the field, such as elections and voter registration exercises;
- Liaise with the security coordinators on security issues, policies and guidelines. Review security reports relating to field activities from Provincial Offices;
- Support the preparation, coordination and management of ongoing security planning to ensure security arrangements are in line with the ever-changing security environment in Afghanistan;
- Liaise and co-ordinate with Ministry of Interior, ISAF, Coalition and other actors as needed;
- Support the implementation and management of all issues related to advice provided on security issues;

- Provide sound advice and assist in developing detailed documents to cover medical and emergency situations;
- Ensure staff are briefed on, fully conversant with, and follow, radio communication procedures, convoy procedures and related security measures based on Standard Operating Procedures;
- Provide advice to maintain and update SOPs as required;
- Provide advice on training courses and information required on security issues/preparedness/methodology/approaches/practical arrangements;
- Ensure coordination of all security issues with all key security focal points in Afghanistan;
- Assist with the maintenance of updated security information and periodical situation reports to ensure that the IEC Secretariat and the Chief of Operations are kept informed of security issues.
- Perform any other relevant duties.

Required Qualifications, Skills and Experience:

- University degree in Communication, Law, International Relations, Political Science or other related fields.
- Military/police or security background is essential;
- Ten years previous job experience in security operations and information management in a police or military environment, including at least 2 years in an international capacity;
- Election experience in post conflict countries;
- Excellent written and verbal communication skills;
- High standard of computer literacy and an excellent knowledge of security information databases;
- Sound judgment, good interpersonal and diplomatic skills are essential;
- Previous experience in Afghanistan or other Islamic countries will be a distinct advantage;
- Ability to work effectively and harmoniously in a team environment with colleagues from varied cultures and professional backgrounds;
- Ability to adapt to a difficult working environment, under pressure and with limited timeframes.

Languages:

Fluency in written and spoken English; working knowledge of Pashto and/or Dari an asset.