



بنیاد انتخابات شفاف افغانستان  
د افغانستان درنو ټاکنو بنسټ

Transparent Election Foundation of Afghanistan

*TEFA's concern on the presence of widespread corruption and the capacity available for conducting the upcoming Presidential Elections*

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Kabul: The October.20<sup>th</sup>.2018 Parliamentary Elections were conducted in such an atmosphere, where big amount of money and resources were used; people ensured their wide participation despite all the challenges ahead; both domestic and international observers, observed the electoral process, candidates made serious expenditures for their campaign, and yet we are struck by a situation where the elections' legitimacy, transparency and its results are pre-dominantly questioned. Elections' transparency is seriously questionable in all its distinctive phases starting from its conduct and moving all the way to its final outcomes, and in some cases, the process has turned violent as of today we are witness to IEC's offices being shut down in some provinces and have been dauntingly threatened by various parties on the election results, all such issues have deeply questioned and undermined election commissions, and in turn have adversely affected Afghanistan's democratic structures, which is why TEFA is highly concerned about the future of democracy and democratic structures in the country.

With respect to the electoral calendar, the preliminary results of the parliamentary elections were due 61 days before and the final results were due 21 days before, to be announced by IEC; however the commission failed to do good on its promise and could not announce the preliminary results of some provinces including Kabul even after two months, which is a clear indication of IEC falling short on capacity and capability to function right, and presence of financial and political jobbery within the commission. Based on TEFA's observation findings, it is apparent that widespread electoral fraud and misconducts have caused procrastinations in announcement of the preliminary and final results of Parliamentary Elections. Instead of distinguishing between the valid and invalid votes, IEC's operation team is actively engaged in serious monetary deals with candidates on increasing their acquired number of votes during the ballot-recounting phase.

Few days after the elections, IEC openly announced that round about five million voters through Afghanistan excluding Ghazni managed to use their vote; however, as per the reports provided to TEFA, a certain party inside the commission is attempting to increase some candidates votes, which is why TEFA is endeavoring to embody these reports with a complete documentary that would depict such violation, and pledges to disseminate its results, soon after candidates' votes are announced and compared with the results form on hand.

In accordance with article 61 of the Afghan Constitution, President's tenure is set to be over in April of year fifth, and IEC while directly violating the Afghan constitution, extended the current government's tenure, which is an act beyond any official entity's authority; and with this procrastination of elections, IEC added another law-violating-act to its record. TEFA declares this extension of the National Unity Government's tenure a direct violation of the Afghan Constitution, and looks up to suppression of elections by the reconciliation process as a serious problem for conducting the upcoming presidential elections.

With respect to TEFA's observation, IEC lacks the required capacity for bringing electoral reforms or holding the upcoming presidential elections. Today is a serious moment for having extensive discourse on bringing about electoral reforms; however, by far no election stakeholder including the commission, government, international community, political parties, and others have developed serious agendas on this matter. On the other hand, TEFA is highly concerned about women's meaningful engagement in the coming elections, which has so far been clearly depicted in the electoral tickets of candidates.

At this critical stage of time, TEFA recommends the following for neutralizing this ongoing crisis and resolving the existing problems:

1. According to article 16 of the election law, all member of IEC should be terminated for violating the Afghan Constitution.
2. In accordance with constitution, the Afghan President must walk away from its position till the time of elections, and should appoint an acting-president.
3. TEFA calls upon the international community to break their silence and speak out on the existing disorders, and should stress the Afghan government on bringing the necessary electoral reforms, and should make these reforms a requirement for receiving financial and technical aids in future.
4. The upcoming presidential elections require structural reforms, for which TEFA recommends that an impartial team should be appointed to work independently for developing such needed reforms.
5. Elections commission should finalize and announce the parliamentary elections results as soon as possible, because procrastination will lower citizens' trust in the electoral process.
6. Judicial institutions should identify individuals who have committed electoral violations and crimes, and should then have them prosecuted.
7. To avoid repetition of technological malfunctions on E-Day, the commission should immediately start working on developing new ways and procedures for use of technology in coming elections.
8. TEFA calls upon the Afghan government and international community to contemplate the coming presidential elections and direct efforts towards ensuring its transparency in order to avoid potential crisis.