

# Afghan Parliament Since 2015

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On 1<sup>st</sup> April 2018, the Independent Election Commission (IEC) of Afghanistan publicly announced to schedule the long-delayed Afghanistan Parliamentary elections, to elect members of *Wolesi Jirga* (House of People) and District Councils, on **October 15, 2018**. The parliamentary elections were scheduled to be held in June 2015 but were kept in abeyance owing to the fragile security and political environment. **According to Article 83 of the Afghanistan Constitution, parliamentary elections are to be held within 30 to 60 days before the end of the term of the current parliamentary session**, which was June 22, 2015. Afghan officials have

## Wolesi Jirga and District Council

In Afghanistan, the *Wolesi Jirga* or lower house, has total 250 seats, 239 of which are allocated to representatives of people in the provinces based on the population, ten others to representatives of the *Kuchi* (nomadic people), and the remaining one seat to the representative of Sikh followers. These seats are allocated by the IEC. Afghanistan has conducted two consecutive *Wolesi Jirga* elections since 2001, first in 2005 and then in 2010

The members of District Council of *Meshrano Jirga* or upper house, are elected for three-year terms. The number of District Council members is assigned proportionally to the population of each district. For example, districts with up to 40,000 population have five seats; with up to 70,000 population, seven seats; with up to 100,000 population, nine seats; and with over 100,000 population, 11 seats. The district elections have never been held before and fundamental preparations for them, including drawing up constituency boundaries, must be completed by June.

argued that if parliamentary election does not take place this year, it would coincide with the Presidential election next year.

### **Why it has gotten delayed?**

**T**he 2014 Presidential election was considered rigged by many scholars and Afghan nationalists. It resulted in a U.S-mediated deal under which of two rivals, Ashraf Ghani and Abdullah Abdullah agreed to share power as President and Chief Executive respectively.

**Both Ghani and Abdullah agreed to the need for electoral reforms “to ensure that future elections are fully credible, the electoral system (laws and institutions) requires fundamental changes” and that the objective is “to implement electoral reform before the 2015 parliamentary elections.”**

**I**t took them 10 months to reach to an agreement on electoral reforms. Soon after that, electoral reforms hit a roadblock. The demands for electoral reform made by Abdullah’s camp largely focused on the complete overhaul of the electoral bodies – the Independent Election Commission (IEC) and the Electoral Complaints Commission (ECC) – which they accused of favouring Ghani in the 2014 election. In addition to this, they also suggested to replace the current electoral system which is based on the Single-Non-Transferable-Vote and the creation of a clear voter identification system ahead of future polling; and moving to an electoral system that divides provinces into smaller voting districts that can be easily quarantined in case of fraud. The constitution does not give any right to the Chief Executive to make decisions and reforms on his own. He requires parliamentary consensus and President’s consent.

**I**n the meantime, parliament also started working on demands posed by Abdullah’s camp. The parliament, whose term expired still worked on the law for the ***Structure, Authorities and Duties of the Electoral Bodies (SAD)*** as well as a few articles of the Electoral Law. If it gets passed in its current form, it will be the first law recognising the role of the CEO, which is only a temporary position.

**T**he coalition government known as the National Unity Government (NUG) has managed to make a number of changes under President Ghani including modified electoral law, dismissal of all previous officers who were accused of favouring President Ghani during 2014 election, structural changes in IEC and ECC. But no systematic efforts have been made so far in terms of bringing about electoral reforms. The government has failed to make the boundaries and distribute the seats to provinces. Plus, IEC also failed to publicize their working agenda.

### **What ought to be done?**

**T**here are four areas where reforms need to be done. First and the most important is the issue of ***credibility and transparency***. To solve this, the government must invite electoral

experts (with a clean record), civil society activists, and lawyers to participate as election commission officers.

**There have been three election since 2001 It is estimated that 20 million voter ID cards have been distributed but in contrast, there are only 12 million voters are registered with the IEC.**

**O**ne of the major issues in need of reform has been voter registration. Afghan voters can use their pre-2001 registration card to cast their vote at any polling station (which has to stop). The top priority should be the creation of voter registration unit. It showed the need for *electronic voter registration* in the upcoming election to avoid fraud malpractices (like 2014 Presidential election).

**N**o democracy is capable of surviving without having a proper mechanism for *checks and balances*. Power should equally be distributed among all managerial hierarchy starting from the Chairman to the Director of the IEC and EEC.

**B**ecause the IEC is conducting district council election for the first time, it has become necessary to conduct electoral operations for *district-based constituencies* in Afghanistan (which is mostly done) by June, 2018.

**F**or a relatively young democracy like Afghanistan, it would be unfair to have Single-Non-Transferable-Vote which favours individual candidates. The country should move to *Proportional representation* which acts as a filter and treats all candidates equally regardless of their ethnic and political ideologies. It gives fair chance to minorities and independent candidates.

**PR tries to ensure that the election results are as proportional as possible, by curbing the inconsistency between the share of seats and votes. It gives fair chance to small party candidates and it has become very important to represent the small parties in the Afghan parliament (especially in LJ).**

Over the next two months, the IEC hope to register 14 million voters at 7,300 polling stations. But one of the biggest challenge one would face is that of security.

**“that of 7,300 polling stations due to be set up for the elections, 948 were in areas out of government control.”  
Said Mohd. Yousef Rashid, Head of Free and Fair Election Forum.**

Highlighting security concerns surrounding the election process, four police officers were reported killed in an attack in the eastern province of Ghazni on April 14. It seems very

difficult for IEC to conduct election in such an environment, but further delay would push country into the realm of absurdity.

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