

S/No. __38_____

Date: 30/2/1388 (20 May 2009)

DECREE

Of the President of the Islamic Republic of Afghanistan

On Non interference in the Electoral Affairs of Elections 1388 (2009)

According to the provisions of the constitution and the electoral law, the eligible citizens of the country including men and women have the right to participate in elections by casting a free, secret and direct vote as a voter or a candidate.

Therefore, for the purpose of the realization of this responsibility and the conduct of free, fair and transparent elections, and to avoid the interference of the government officials during the presidential and provincial council elections of 1388 (2009), I approve the following arrangements:

Article 1:

The officials of the government institutions, including the Ministers, Directors of the Independent Directorates, Deputy Ministers, Judges, Attorneys, Heads of the government institutions, Governors, Deputy Governors, and all officials of the Ministry of Defense, Ministry of Interior, General Directorate of National Security, are obliged to observe the following points during the conduct of elections:

- 1- Non interference in the electoral process, except where predicted in the law.
- 2- Refrain from actions that influence the voters to unveil whom have they voted for, or to force them to vote to a specific candidate or committing any action that can interrupt the principle of free, confidential and direct voting.
- 3- Non interference in the meetings, preparation of meetings, gatherings, peaceful rallies during the electoral process.
- 4- Refrain from misusing the government resources and facilities in favor or against any candidate.
- 5- Refrain from collection, misshaping of the posters or other electoral campaign materials and resources of the candidates.
- 6- Ensure the security of the candidates and voters,
- 7- Restrain from designation or termination of individuals on government positions for the purpose of electoral campaigning.

Article 2:

In case of violation of the provisions of this decree, the offender shall be taken under legal custody and face judicial pursuit.

Article 3:

The UN agency, its relevant organizations and the international community are requested to avoid any interference prior and after the electoral process, that can jeopardize their impartiality.

Article 4:

This Decree shall enter into force upon signature; the relevant organizations are responsible for its enforcement.

Hamid Karzai

President of the Islamic Republic of Afghanistan

Note written with pen on the Dari copy, provided for translation:

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A copy of this decree is forwarded to the legal and external relations departments of the IEC.

Zekria Barekzai

Deputy Chairperson of the IEC Secretariat

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