



Press release

Monday, 10 June 2019:

Due to the numerous controversies in connection with the results of the parliamentary election, the 17th term of the parliament has eventually been inaugurated on April 26, with more than two months of delay. In order to compensate the two-month delay, this term of parliament was expected to immediately start working and, after electing the administrative board and its commissions, to classify their priorities and address the problems of the country and the people and carry out their own tasks, but now that One month after the grand opening of this term parliament, this important pillar of the three powers of the system has sunk into the internal impasse caused by the selection of chairperson, which, given the current situation, does not seem to end so soon. Unfortunately, this assembly has not managed to put an end to the crisis caused due to selection of the chairpersons in the past 17 sessions. What is happening today in the Afghan parliament is unfortunate, and has created a very negative image of this institution in the minds of the people. According to FEFA findings, the 17th legislature is younger in terms of age and is in a higher position both in terms of educational level. It was expected that this term of the parliament will present a new chapter in the new Afghanistan by ignoring Narrow-minded ethnic, azimuth and political point of view.

Since the beginning of the 17th term of the National Assembly, FEFA regularly observes the meetings of both chambers of parliament and is closely monitoring what has been going on in the House of Representatives ever since. The findings of the Institute indicates that there are several factors involved in the creation and continuation of the crisis caused due to selection chairperson. But what is more regrettable is the consequence of the current situation, which, on the one hand, has damaged the, the credibility and dignity of the national Assembly, and, on the other hand, has actually crippled one of the powers of the regime. While there are now many problems in government and most ministries are headed by acting officials, the Afghan parliament has no control over the performance of the government due to the collapse in the crisis of internal disputes. Overtly, the continuation of this situation has paved the way itself for further continuation of the crisis and has made the "House of the Nation" virtually incapable of solving its internal problems. Moreover, the current ambiguous status of the parliament can affect the presidential election - which is scheduled to take place in the next three months - both in terms of the level of voter participation and the acceptance of its outcome and its aftermath.

Given the s experiences of selection of head in the 16th and 15th Terms, and considering the inadequacies and shortcomings in the principles of internal duties, the current situation was predictable. In the light of the lessons learned from the challenges of selection of head of the parliament in previous terms, FEFA conducted research and studies in order to provide a solution to the deadlock in parliament of Afghanistan. The details of this study have been published in a brochure entitled "Challenges for the election of the head of the Wolesi Jirga; a way out of the existing deadlock", which is briefly summarized here as guidance to resolve this stalemate:



1 - Emphasis on solving the crisis of the Parliament by itself: The crisis created in the Wolesi Jirga is a legal and technical problem and needs to be discussed and resolved by representatives with patience and determination. Referring this problem out of the parliament, most of all, tarnishes the legitimacy and dignity of the legislative branch, which is the highest manifestation of the will of the nation. The referral of the controversial case of selection of the head parliament to the Supreme Court may put an end to this controversy, but it also, to that extend, sheds light on the incapacity and misery of the National assembly in solving its internal problems. The question that arises is: "How a parliament that cannot solve its problems, to handle a mountain of country's problems?" beside FEFA considers solving the problem through its legal channels (respect for laws and procedures and the submission to the truth) as a fundamental solution. However, even if this method does not remedy, it is suggested that the representatives of each province vote to one of their respective representatives to form a committee of comprised of 36 members (one from each province, in addition to a representative from the Kuchi constituency and a representative of Sikhs and Hindus constituency) to be formed. The decision by the committee of 36 persons in relation to the problem is acceptable to all parties. It also requires that a document to be arranged and signed by the members in order to make the result acceptable.

2 - Avoiding personalizing (dignifying) the chairmanship of Parliament: In almost every country in the world, the presidency is a ceremonial and non-executive position. The task of the head of the parliament is to manage the meetings and represent the parliament outside the institution. For this reason, in the majority of countries in the world, head of parliament is called the "Speaker". Which means that the head of parliament is, the language of the members of parliament. Dignifying this post and unfair competition for its acquisition is not suited to the limits of its competencies. Therefore, the issue of the presidency of the parliament should not lead to disputes among the representatives and ultimately make the parliament crippled;

3 - Combat Corruption: The challenge of the selection the head of national assembly and the crisis that emerged from it have brought serious allegation of corruption to the Afghan parliament. The debate on corruption charges in Parliament has also been discussed in the past. These allegations have seriously damaged Parliament's status and affected the performance of the representatives. The 17th term of the parliament must seriously consider the issue of combatting corruption inside the parliament. A mechanism must be developed to eliminate the possibility of financial corruption and the sale of votes.

4 - The transition from narrow-minded ethnic issues: Ethnicization of the emerged problem in the parliament, unfortunately, complicates the theorem and makes it more difficult to reach to a comprehensive solution. The problem with the selection of the head of National assembly is a legal and technical matter, and must be resolved through a legal ways. The honorable members of the Wolesi Jirga should not allow elements inside and outside the House to ethnicize the challenge.

5- The impartiality of the Speaker of the Parliament: Based on the provisions of article 13 of the principles of internal duties, the speaker of the parliament shall perform his duties and responsibilities in an impartial manner. The usual practice in all countries is that if a party chairman has a membership any political party, he must step down from his party and be totally neutral. Therefore, the observance of



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neutrality during

the period of the tenure must also be a condition that is necessary for the holding and preservation of the seat of the Presidency.

6 –The presence of the Electoral Commission in the selection process: The oversight of the process and the provision of professional and technical support to the interim administrative board for conducting the election of the Administrative Board by IEC, can partly solve the problem. Professional and neutral observers should also be allowed to monitor the selection process of the head of Wolesi Jirga. The presence of unbiased observers contributes to the transparency and integrity of the election, and in the event of a disagreement among the candidates, it is possible to consider the opinion of the impartial observers to resolve the conflict. The electoral law should be amended so that it defines the valid and invalid votes and determines the requirements of a valid vote. It also defines the conditions for invalidation of votes.

7 – Dedication and preference of national interests by representatives: Instead of selfishness , dedication and preference of national interests by representatives can restore and revive the lost dignity and glory of parliament. Observance of the rules of the political games and the usual democratic procedures and practices in the world by the candidates and other representatives is a vital precondition /requirement.

To a prosperous and proud Afghanistan
Wa Min Allah e Tawfiq