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“The Presidential Election in the Afghan Constitution”

The President is the highest ranking official in Islamic Republic of Afghanistan. Considering that the president in Afghanistan is both the head of state and the head of government and therefore has wide-ranging duties and competences, the position of presidency in Afghanistan is distinct from that in other half parliamentary and half presidential political systems. So, the Afghan constitution has devoted some of its provisions to setting out the eligibility requirements for presidential candidates and also providing the rules for the timing of presidential elections, the presidential election system, the incident of a presidential candidate's death, the term of office and its renewal, and the administration of elections and the supervision of it. Fundamental eligibility requirements for the presidential candidacy in Afghanistan are as follows: being an Afghan citizen, being a Muslim, being born to Afghan parents, not holding the citizenship of any other country, being at least forty years old, and having no record of criminal convictions relating to crimes against humanity, atrocity, or deprivation of civil rights by courts.

This article aims at elaborating the above requirements with more details. It will also attempt to investigate, with more precision, the provisions relating to the operation of elections and the issue of supervision during the elections by doing a comparative study of the laws of other jurisdictions.