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CONSTITUTIONAL COMMISSION OF AFGHANISTAN DRAFT CODE OF CONDUCT

General Principles

1. By accepting their office, Constitutional Commissioners undertake to fulfill to the best of their abilities the letter and spirit of Presidential Decree No. and this code. Constitutional Commissioners shall work collaboratively towards producing a Final Draft of the constitution of Afghanistan that reflects the aspirations of the people of Afghanistan.
2. The position of a Constitutional Commissioner is a high public office, carrying with it strong ethical obligations. The conduct of a Constitutional Commissioner should always uphold the dignity and solemn responsibility attached to the task of drafting the constitution of Afghanistan. Constitutional Commissioners must therefore act with honesty and propriety and ensure that their conduct does not discredit the Constitutional Commission.
3. The duty of a Constitutional Commissioner is to act in the best interests of the people of Afghanistan. Constitutional Commissioners shall exercise their functions without regard to any improper influence, direct or indirect, from any source, and at all times should faithfully attempt to represent the views and concerns of all of the people of Afghanistan.
4. When conducting public consultations on the constitution, Constitutional Commissioners shall treat each member of the public with courtesy and respect and demand similar conduct of those under their direction and control.
5. Constitutional Commissioners are appointed on a full-time basis. Constitutional Commissioners must not accept retainers, honorarium or income from work other than their remuneration as Constitutional Commissioners.
6. Constitutional Commissioners shall at no time afford any undue preferential treatment to any group or individual, discriminate against any group or individual, or otherwise abuse the power vested in them.
7. No Constitutional Commissioner, by his or her membership, association, statement, or in any other manner shall jeopardize the credibility, impartiality, or integrity of the Constitutional Commission.
8. Constitutional Commissioners, other than the Chair, shall not speak on behalf of the Commission. The Chair of the Constitutional Commission is the spokesperson of the Commission and the Chair or his or her designate has the sole authority to speak on behalf of the Commission.

Decisions or Deliberations of the Constitutional Commission

1. Constitutional Commissioners shall be bound by the decisions of the Commission made in accordance with Presidential Decree No. __ and shall not harm the credibility of the Commission by undermining those decisions in public. This provision is particularly important regarding the Commission's agreement on the Final Draft of the constitution that is prepared for submission to the Constitutional Loya Jirga.

Confidential Information

1. Matters of a confidential nature in the possession of a Constitutional Commissioner shall be kept confidential, unless the needs of justice strictly require otherwise. Such restrictions shall also apply after the Constitutional Commissioner's tenure is concluded.

Attendance

1. Constitutional Commissioner's have been entrusted with an important task and must make every effort to carry out their duty with diligence and attend every meeting of the Commission, including consultations with members of the public.

Compliance

1. Constitutional Commissioners shall comply with the provisions of this Code of Conduct and Decree No. ____.
2. In the event of uncertainty about any of the provisions of his Code of Conduct, a Constitutional Commissioner shall consult the Chair of the Commission.
3. A Constitutional Commissioner may be removed from office by the President after consultation with the Cabinet and based on evidence indicating incapacity or incompetence, or the commission of an act which violates his or her oath or threatens to compromise the credibility of, or public trust in, the Commission.