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## REVIEW

On 19 December 2005 the Afghan Parliament came together for the first time in three decades. The inaugural gathering began with a reading from the Koran and was followed by a brief speech by the ageing former King *Zahir Shah*, who was ousted in a coup in 1973. "I thank God that today I am participating in a ceremony that is a step towards rebuilding Afghanistan after decades of fighting. The people of Afghanistan will succeed!" the 91-year-old *Zahir Shah* told the assembly to applause. The parliamentary and

provincial council elections were held on 18 September 2005. Afterwards, the first results were declared on 9 October. Final results were delayed by accusations of fraud, and were announced on 12 November. Former warlords and their followers gained the majority of seats in both the Lower House and provincial councils. Women won around 28% of the seats in the Lower House, six seats more than the 25% guaranteed in the Afghan Constitution which was launched in 2004. Approximately twelve million voters



were eligible to vote for the 249 seats of the *Wolesi Jirga*, the Lower House of Parliament, and the 34 provincial councils.

## EXECUTIVE SUMMARY of SEPTEMBER 2007

In the previous month, as it has been through out this year, the issue of Parliament against the government figured prominently in both house of the Afghan Parliament. Since the Lower House delivered the no confidence vote in the Minister of Foreign Affairs

a few months ago, for the time being other members of the cabinet are heeding the calls of both houses of the Parliament with caution, as witnessed this month when the Minister of Hajj Pilgrimage and Religious Trusts was asked to appear before the

Complaints Hearing Commissions of the Upper House. The Minister did not appear, citing work commitments. The Head of the Commission called him an outlaw and the minister called in the media to say that the Head of the Commission didn't have the right to



call him and outlaw and he would be asking relevant institutions to investigate. Other issues as usual were the issues of security and delegation of Senators and MPs traveling to provinces and reporting to their houses about problems in the provinces.



## OCTOBER 2007

On Monday the 1<sup>st</sup> of October 2007, MPs in the Lower House discussed and approved the law for demonstration and going on strike. This law has three chapters and 28 articles. Second article of this law says: the citizens of the nation have the right for legitimate and peaceful means that are not in contradiction with the interest of national unity and the provisions of the constitution to form gatherings, go on strikes and demonstrate. Also according to this law, security personnel are not allowed to go on strike, demonstration or form gatherings.



The capital city of Kabul witnessed two suicide attacks in the space of eight days, one on the bus carrying the officers of the Afghan National Army and the other attack was on the bus carrying the officers of the Afghan National Police. Both attacks caused a number of casualties including women and children, who were near the vicinity of the attack. On the 3<sup>rd</sup> of October, the Lower House discussed the two attacks and condemned these senseless attacks. Lower House MPs also called on the media not to cover reports related to the activities of Taliban for one week. On this day Lower House approved the prosecution law for military personal which has 3 chapters and 48 articles.



On the 5<sup>th</sup> of October, the Lower House held an extraordinary general session in which the Ministers of Defense, Interior and the National Director of Security were invited to talk about the reason behind the recently increased



suicide bombing and the general insecurity in the country. This session was held behind closed doors. After the session ended, the Minister of Defense said to the media that for the improvement of security, the number of foreign forces and the Afghan National Army personal needs to increase quickly. The Minister also said that a number of countries, which he didn't name, assisted the insurgents. The insurgents have new weapons, receive more financial aid and there are more foreign fighters. As well as asking for increased number of Afghan National Army troops, the Minister said that to face these challenges, more coordination is needed between domestic and foreign forces.

The National Director of Security said that while the government security forces has 8,000 personal in the city of Kabul, private security companies have 12,000 personal stationed in this city.

The joint commission of both houses worked on differences in the media law and agreed that in accordance with this new law approved by both houses, Radio Television Afghanistan (RTA) will be managed by an independent commission and not as in the past by the Ministry of Culture.

On the 7<sup>th</sup> of October, the Deputy Minister of Interior, Deputy Minister of Borders and Tribal Affairs attended the session of the Upper House Defense Commission to answer questions from the Senators. The Head of the Commission according to the media said that the Taliban have created their own offices such as the prosecutor and prisons in Helmand province and named Mullah Abdul Rahim as the governor of this province, and the Taliban also control a number of districts along the border with Pakistan.

In the Complaints Hearing Commission of the Upper House, the Deputy Minister of Education reported the printing of 23 million new books for the students of primary schools. The issue of Afghan refugees' expulsion from Iran continues to come under discussion in



the Afghan Parliament. The joint meeting of the Lower House Nomads and Refugees Commission and International Affairs Commission asked the Deputy Ministers of Foreign Affairs and Refugees to explain the expulsion of almost 20,000 Afghan refugees from the Iranian provinces of Sistan and Baluchistan. The Commissions asked the authorities and the UNHCR to prepare a program in one week to assist these refugees.

As members of the Afghan Parliament returned from a week holiday on the occasion of Eid-al-Fitr, on the 17<sup>th</sup> of October, a member of Lower House said that a number of officials in the Ministries of Defense and Interior and the National Directorate of Security are behind insecurity and he can prove this. According to the media, Interior Ministry Spokesman rejected the claim and said that if the MP has evidence, he should give it to the officials of the Interior Ministry for investigation.



The Lower House discussed the benefits law for the disables and martyrs families on the 20<sup>th</sup> of October. Upper House Foreign Affairs Commission discussed the invitation extended to the Ambassador of Israel by the Afghan Ambassador in Berlin, Germany on the occasion of Afghan Independence Day. The Commission said that as Israel was still not recognized by Afghanistan, this invitation was against the foreign policy of Afghanistan. Members of the commission decided that officials of the Ministry of Foreign Affairs should attend the next session of the mentioned commission for explanations.



The following day, the Upper House in its general session discussed the invitation to the Israeli Ambassador and considered this a deliberate act by domestic and foreign political forces to undermine the people of Afghanistan. Upper House members also pointed to the Israeli occupation of Palestinian land and rejected any kind of relation between Afghanistan and Israel. Members of the Upper House called on the government to remove the Afghan

Ambassador in Germany.

The government of Afghanistan announced the names of the 25 people for the monitoring committee to monitor the implementation of the decisions taken by the 5 joint committees of the Afghanistan/Pakistan Joint Peace Jirga in the month of August 2007 in Kabul.

The Mayor of Kabul attended the session of the Lower House Commission for Transport, Communication and Municipalities Affairs to brief members about high rise buildings in the city of Kabul built by powerful persons against the city's master plan. According to Kabul Municipality and the Ministry of Urban Development, these high rise buildings have made the task to make Kabul a normal city almost impossible for the reasons that these buildings were constructed on top of the roads and most of them lack proper sewerage systems. Media announced that the Kabul Municipality proposed to the mentioned commission that it has made a decision and would be asking the buildings owners to pay 35% of the cost of the building to the Kabul Municipality and the buildings would remain as they are.

On the 22<sup>nd</sup> of October, while discussing the benefits law for the families of martyrs and disabled, members of the Lower House once again resorted to attacking one another with the bottles of water. The bottle throwing started after a number of MPs could not agree on the definition of a martyr. Pro jihadi MPs considered those who were killed in the jihad against the communist government and the former Soviet Union red army as the martyrs but pro communist MPs said that those who were killed during the communist government are also martyrs. A women MP said to the media that there is no need to find a definition for a martyr, what is important is to look after the welfare of those women and children who have lost their bread winners.

On this day members of the Lower House approved the prosecution law for members of the armed forces. On the 23<sup>rd</sup> of October, the security situation in the





province of Helmand came under discussion in the Upper House. A member of the Upper House from Helmand said that the local officials in those areas under the control of opposition groups are not working to bring back the areas under their control; therefore, the oppositions are being encouraged to try and bring more and more areas of this province under their control. The same member of the Upper House considered the work of foreign forces inadequate and most of the time foreign forces resorted to the use of air force.

Once again MPs in the Lower House discussed the benefits law for the families of martyrs and the disables. On the 25<sup>th</sup> of October, there were a number of suggestions from MPs on how to help the families of those who were killed in the fighting and those who were maimed. One suggestion was to establish a trust fund and the money for this fund to come from the traders. Other suggestions were that a plot of land should be given to the families and MPs should make a contribution from their salaries to the trust fund.

On the 27<sup>th</sup> of October, MPs in the Lower House once again briefly discussed the continuous lack of interest by MPs to stay longer in the house and vote on laws and issues. It was said that some MPs were missing for weeks from the house. MPs also discussed the draft law for the Academy of Sciences. This law has 4 chapters and 39 articles. This law is based on article 47 of the Afghan constitution. MPs managed to discuss only 4 articles of this law, after that remaining MPs also left the house in protest of MPs who don't take part in the meetings and considered this as being irresponsible.

The security situation of Nangarhar and Uruzgan provinces were discussed in the general session of the Upper House on the 28<sup>th</sup> of October. Upper House Senator from Uruzgan considered the security situation in that province as grave and said that weapons from the

neighboring countries are seen there and an agent of ISI is preaching in Uruzgan and inviting people for a jihad against the government.

Upper House senators accused the Ministry of Foreign Affairs for neglecting the Afghans who remain in the prisons of foreign countries. The Ministry of Foreign Affairs says that it has exhausted every diplomatic channel to help Afghan prisoners but foreign countries have not extended the necessary cooperation in this regard. According to media reports, more than 2000 Afghans are behind bars in foreign countries and majority of them are in the prisons for not having legal documents.

The Economic Commission of the Lower House called on the Ministry of Commerce to open its stores of basic food commodities soon as winter is approaching and to help the people. The commission also asked the mentioned ministry to send its report in this regard to this commission.

## CONCLUSION

There are many Afghans killed or maimed during the almost three decades of war starting between mujahideen and the former Soviet Union backed communist government. The issue on how to help the families of martyrs and disables was a controversial issue and after many days of discussions MPs in the Lower House could not agree with one another to find a definition for a martyr and find a way to help the families. The other issue which was the subject of discussion in the Upper House was the issue of an invitation to the Ambassador of Israel by the Afghan Ambassador in Berlin, Germany.

As usual the issues of Afghan refugees in the neighboring countries appear in the agendas of both houses and other issues of security in the provinces, as



well as the problems of implementing the Kabul city's master plan, increasing prices of food commodities and for the first time the Afghan Parliament is making enquiries about the plight of Afghan prisoners in other countries and putting pressure on relevant authority to help the prisoners.



### ***Abdul Samad Khan***

Born in Kabul in 1961 Abdul Samad Khan graduated from the Afghanistan Military Academy. After the end of the Taliban regime he started to work with foreign media organizations like BBC, Süddeutsche Zeitung and Neue Zürcher Zeitung. In 2003 he worked with the EU Commission as a media analyst then he served as a political officer at the Canadian Embassy for three years. Since 2006 he is in charge of the Konrad-Adenauer-Foundation's Parliamentary Program. He is fluent in English, Pashto and Dari.



### ***Dr. Babak Khalatbari***

Born in 1975 in Germany, he started his studies on the Middle East after his military service. He was a scholar of the Konrad-Adenauer-Foundation and studied at the University of Muenster, University of Cologne and Kuwait University. Since 2005 he heads the Kabul Office of the Konrad-Adenauer-Foundation. He speaks German, English, Arabic and some Dari.

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## **Parliamentary Bulletin**

The Bulletin covers on a monthly base issues discussed in the Afghan Parliament. Additionally, chosen Members of Parliament make a contribution to the bulletin on issues discussed in the previous month.

