

AFGHANISTAN

ABDUL SAMAD

DR. BABAK KHALATBARI

No. 01/2008

January & February 2008

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Review

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 November & December 2007

The Afghan Parliamentary calendar for the year 2006/2007 (1386) ended on the 7th of December 2007. The third year of the Afghan Parliament commences on the 21st of January 2008. The second year of the Afghan Parliament compared to the first year was a rather difficult year from the point of MPs in the Lower House. Continuously they referred to the government's lack of observation in regards to the decisions made in the Lower House and especially the government not taking into consideration the no-confidence-vote of MPs for the Minister of Foreign Affairs, Mr. Spanta.

Through out the second year, opposition MPs a number of time said that as the government didn't respect their decisions, the Lower House had lost its effectiveness and, therefore the doors of the Lower House

should be closed. However, the doors of the Lower House remained open until the end of the legislative year and this is how the Speaker of the Lower House, Mohammad Yonus Qanooni assessed the performance of the Lower House during the second year: He said that the overall performance of the Lower House has been positive and during the second year representatives of the people have learned more about the needs of the people and had more achievements.

Mr. Qanooni regarded the non attendance of MPs in the general sessions of the Lower House as a weakness and also referred to the loss of six Lower House MPs in a terrorist attack in Baghlan province.

Qanooni said from 170 legislations presented to the Lower House, 162 belonged to the government and the rest were the work of MPs. During the second year 40 legislations were approved by the Lower House, 30 areas were identified where the Afghan people had problems, and government officials were called in for 127 explanations. Qanooni also spoke about the continuous visits of Lower House MPs delegations to the provinces.

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The third working year of the Afghan Parliament was inaugurated by the President of the Islamic Republic of Afghanistan, Hamid Karzai on the 23rd of January 2008.

In the beginning, Mohammad Yonus Qanooni, Lower House Speaker, spoke about the work of the Lower House of the Afghan Parliament during the previous year. Mr. Qanooni said the Afghan Parliament performed much better during the second year than the first year in the areas of ap-

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proving legislations and oversight over the work of the government.

In his speech, President Hamid Karzai, spoke about many issues and said that last year was a year of achievements, obstacles and sadness for our nation. The Afghan Parliament as one of the three powers of the government learned a lot in approving legislations and performed better in monitoring the work of the government, and all these indicate that all important organizations of the government are moving towards political maturity and accepting responsibility.

The President mentioned the terrorist attack just before the Parliament ended its work last year and referred to the loss of many school children, civilians and six Lower House MPs, as well as the killings of Maulawi Mohammad Islam Mohammadi, Lower House MP from the northern province of Samangan and the Governor of the central province of Bamyan during the Taliban government and the killing of Abdul Saboor Farid, Upper House Senator and former high ranking member of Hizb-e-Islami, both members of the Afghan Parliament were gunned down in the city of Kabul in the day light.

President Hamid Karzai added that all security forces were gaining strength. The number of Afghan National Army (ANA) personnel has reached 58,000, the ANA continues to be equipped with modern weapons, the Afghan National Police and the work on reforming and strengthening the National Directorate of Security continue.

The President went on to say that increased foreign relation with the United States and Europe is a priority of our foreign politics. Other issues mentioned in the President's speech were: continuing reform of the government institutions, investment in the country and especially investment in the copper mine by a Chinese company, construction of roads and access to health services.

At the end of his speech, President Karzai said that it was time for the Afghan politicians to work together for the national in-

terest and help Afghanistan. The following day, members of the Lower House started their work from where they left last year and once again asked for the interpellation of the Minister of Commerce, Mohammad Amin Farhang. MPs criticised the Minister for the increasing prices of basic commodities and asked the Minister to come to the Lower House on Saturday the 26th of January.

On the 24th of January, Sultan Mohammad Awrang, MP from Badakhshan, Abdul Khabir, MP from Sarepol, Fazlullah Mujaddedi, MP from Logar, Mohammad Hashim Follad, MP from Nangarhar, Deen Mohammad Azimi, MP from Ghor, Mohammad Iqbal Safi, MP from Kapisa, Fahima Sadaat, MP from Jawzjan and Mohammad Anwar, MP from Helmand reported about their findings in their respected provinces on behalf of their provincial MPs in the Lower House. Almost all the respected MPs complained about the lack of public projects, increasing basic commodity prices, lack of paved roads, lack of bridges, drug cultivation, low wages of public employees, lack of attention by officials of the Ministry of Health in providing health services, stealing of precious stones, trafficking of historical heritage by irresponsible people, poverty, unemployment and the addiction of youth to drugs in the provinces.

MPs once again stressed that lack of attention by government officials in the above mentioned areas created a distance between the public and the government. MP from the province of Helmand also complained about the behaviour of international security forces and their lack of respect for the customs of the people while they searched the people's homes.

Mirwais Yasseni, MP from Nangarhar, and former First Deputy Speaker for the past two years, Mohammad Arif Noorzai, MP from Kandahar contested the seat of the First Deputy Speaker. Mirwais Yasseni was able to get 107 votes from the total of 189 MPs present in the house and became the new First Deputy Speaker. Saleh Mohammad Saljouqi, MP from Herat received 101 votes and retained his post of

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the Second Secretary of the Lower House in which he has served for the past two years.

Abdul Satar Khawasi, MP from Parwan, retained his previous seat of the First Secretary in which he served last year. He won 99 votes from the total of 181. His opponent was Abdul Satar Darzabi, MP from Jawzjan province who received 73 votes.

Amanullah Paiman, MP from Badakhshan received 90 votes from the total of 167 and was voted as the new Second Deputy Speaker of the Lower House. His opponent was Ahmad Behzad, MP from Herat, who received 48 votes.

In comparison to the Lower House, where the posts of the two Deputy Speakers and two Secretaries have been hotly contested for the past two years and this year, the same posts in the Upper House were retained by the same four persons: Sayed Hamid Gailani, First Deputy Speaker, Burhanullah Shinwari, Second Deputy Speaker, Aminudin Muzafari, First Secretary and Abdul Khaliq Hussaini, Second Deputy Speaker all retained their previous posts.

One of the first controversial issues that also made headlines in the media in early February was the issue of a young Journalist named Parwiz Kambaksh, a student of the faculty of journalism, who had downloaded an article from a website and used it in the newspaper he was working for in the northern province of Balkh. Local authorities in the mentioned province arrested him and the local court sentenced him to death for blasphemy. The Upper House also endorsed the decision of the provincial court. This endorsement of the Upper House was not welcomed by some MPs and political parties. Shukria Barakzai, Lower House MP from Kabul speaking with the said that while she didn't want to comment on the decision of the provincial court, however, she wanted to say that it wasn't proper for the Upper House to have a say in judicial matters. About a week later the Solidarity Party of Afghanistan held a demonstration in front of UNAMA central office in Kabul. Demonstrators said that the case of Mr. Kambaksh had nothing to do with judicial court, it was a

case for the Media Commission, and they also said that those who are the real enemies of Islam, committed many atrocities and have power are never prosecuted.

A few days later Upper House issued a statement and said that the endorsement was a technical mistake and the Upper House only endorsed the investigation of the case by the provincial court. Current winter has been harsh and its effect in some parts of the country devastating. Heavy snow falls had blocked the roads, and the extreme cold has resulted in the loss of hundreds of Afghans and live stocks. Lower House MPs decided to call in the Emergency Assistance Committee, comprised of the Ministers of Agriculture, Public Works, Health, Rural Development, Commerce, Refugees Affairs, Labour and Social Affairs, the Heads of Emergency Response Directorate and Afghan Red Crescent, to explain what they have done to-date to help those affected by the winter, and what these Ministries and Departments are doing to prevent the same occurring in the future.

The debate between the MPs and Ministers became very heated and despite explanations from the Ministers that they are doing as much as they could, majority MPs accused the respected Ministers for their lack of effectiveness. Daoud Sultanzoy, Lower House MP from the western province of Ghazni, said to these Ministers that if he was a minister and couldn't help his country men and women, he would resign. After this comment, the Minister of Public Health, said that MPs in the Lower House are the first to know that he will be the first to resign and leave the door open for anyone who could serve the people of Afghanistan better, and he would be presenting his resignation letter to the President soon.

Aziz Ahmad Nadim, Lower House MP from the western province of Herat said that some ministers have failed in their jobs and the international community also knows about this. The extreme cold cuts the hands and feet of our people but the respected Ministers are thinking about acquiring more wealth. MP Alam Gul Kuchai, representing the Nomads in the Lower House accused the

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Minister of Agriculture, Obaidullah Ramin, for embezzling the money allocated for the Nomads live stocks.

The Emergency Assistance Committee has been working for one year in the government frame and is regularly chaired by the Second Vice President, Mohammad Karim Khalili, who didn't attend to the questions and answers session of the Lower House.

There was much tension the next day when the same Ministers came again to answer more questions from the MPs. In the absence of the Minister of Health, the Deputy Minister of Health, Ms. Nadira Hayat, was there to answer questions but she wasn't allowed to speak. She said to the MPs that if they wanted to hear answers, they should give an opportunity to the officials, she accused the MPs for not allowing the officials to speak. MPs then asked her to leave the house.

On the 4th of February, the Lower House decided to give the Emergency Assistance Committee 10 days to do something and help the needy people who have suffered from the cold, and if they didn't the Lower House would call them in for interpellation.

On this day, Hamiduallah Tokhi, MP from the southern province of Zabul, said that what the Afghan people need were national Ministers, and not Ministers who just worked for themselves. A number of MPs believed that these government officials should have been called in for interpellation earlier and they didn't deserve another ten days to prove themselves, which they would use for campaigning in the Lower House.

On the 11th of February another round of explanation begun in the Lower House, this time it was the Minister of Commerce, Mohammad Amin Farhang, who was called in for explanations in relation to the ever increasing prices of basic commodities. MPs asked many questions and also gave the Minister ample time to answer them. Aziz Ahmad Nadim, MP from the western province of Herat said that there are documents showing million of dollars embezzled by this Ministry. Ramzan Bashardost, MP from Ka-

bul said that the Minister himself was involved in the importation of low quality products to Afghanistan. Minister Farhang was complaining about the interference of IMF in the economic affairs of Afghanistan and stressed that he had confronted these institutions seriously. The Minister also rejected alleged accusation thrown at him by members of the Lower House and said that he had performed his duty properly, but the government didn't pay any attention to his proposals.

Two days later, majority MPs in the Lower House decided that Minister Farhang can stay as the Minister of Commerce for the time being and majority believed that his answers were convincing. But they warned all cabinet Ministers that the Lower House would be watching them.

The increasing use of foreign terminologies in Afghanistan is an issue for the Ministry of Culture, and it would like Afghans to use Afghan terminologies instead of foreign, which are also recommended by the constitution of Afghanistan. Since the collapse of the Taliban Government in late 2001 and soon after the emergence of numerous private media outlet has caused a headache for the mentioned Ministry. However, when the Minister of Information tried to do something about this issue, he acted against an employee in his own Ministry. In mid February media reported that an employee of Radio Television Afghanistan in the northern province of Balkh was suspended for using a foreign terminology. Other media outlets quickly alleged that the Minister of Culture was behind this. The Cultural Affairs Commission of the Lower House also discussed this issue and called on the Minister of Culture to explain this issue. Some members of this Commission alleged that the respected Minister was only paying attention to one language and ignoring the other.

While some members of this Commission were equally divided for and against the Minister, a women MP was asking MPs and government officials to concentrate on improving the lives of the Afghan people as many people were struggling with their lives

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and even people dying from hunger and cold.

The budget for the year 1387 (2007/2008) is under discussion in the Upper House. The total budget as explained by the Upper House for the year 1387 is around 7, 5 billion dollars, from which the ordinary budget is 1 billion and 370 million dollars, and development budget is 1 billion and 388 million dollars and there is also another development budget which will be funded by external sources and it is 4 billion and 850 million dollars. While the Upper House discussed this year's budget, the Lower House was busy in discussion with the Ministry of Finance, the Afghanistan Bank and the Control and Inspection Directorate about the details of the budget for the year 1384 and 1385 before the existence of the Parliament.

On the 18th of February, about 300 University students gathered in front of the Parliament to express their displeasure about the continuous use of foreign terminologies in the newly found free media in Afghanistan. Two Lower House MPs met with the students, one of them Maulawi Deen Mohammad Azimi, MP from the western province of Ghor, who said to the students that the national terminologies stipulated in the constitution of Afghanistan were in Pashto language and not in Dari. The students shouted him down and didn't allow him to speak further.

Friday the 22nd of February coincided with the upraising of the people of Kabul against the former Soviet Union Red Army, who invaded Afghanistan in 1978. This day wasn't forgotten by the two houses of the Afghan Parliament. Both Houses issued statements about this day.

The elections are almost two years away, however, the government is thinking about whether to hold both Presidential and Parliamentary elections together or separately. The first Presidential and Parliamentary elections since the fall of the Taliban of the government and the Bonn agreement of late 2001 were held almost a year apart. The draft Electoral Law approved by the Afghan

cabinet was presented by the Minister of Justice to the Lower House of the Afghan Parliament on Saturday the 23rd of February 2008. According to the Minister of Justice, this Law covers the Presidential, Parliamentary, Provincial Councils, Districts Councils, Local Councils and Municipalities Elections.

Conclusion:

During this Parliamentary Bulletin, the third year of the Afghan Parliament was inaugurated by Hamid Karzai, the President of the Islamic Republic of Afghanistan. In accordance with the internal procedures of the Lower and Upper Houses, the Deputy Speakers and Secretaries were appointed and for the first time since inauguration of the Parliament in December 2005, there are new First and Second Deputy Speakers in the Lower House. During these two months, government Ministers were once again asked by MPs and Senators to provide an explanation about their lack of competence.

The budget for the year 1387 was presented to the Lower House for approval.

The draft Electoral Law has been approved by the government cabinet and it was sent to the Lower House for approval. There are many issues that need to be considered in the draft Electoral Law before elections can be held and held successfully.