

**AFGHANISTAN**

ABDUL SAMAD

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## September 2008

### 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 early July and August:

The draft salary and ranking law of high ranking government officials was approved by the Lower House. According to this version of the draft law, an MP or a Minister would receive \$ 1,500 (75,000 Afghani) salary per-month. When the Lower House approved the draft public employees' salary law earlier, the minimum wage for a public employee was approved at 4,500 Afghanis (\$ 90 US) a month.

Since the collapse of the Taliban government a number of radio and television channels were established in the city of Kabul. It seems that the government is finding it increasingly difficult to tolerate criticism of its performance in these newly established media, as witnessed by the arrest of Nasir Ahmad Fayaz. Kabul media reported that Mr. Fayaz has been released but he has not returned to his work and is hiding.

The draft higher education law was under discussion in the Lower House during the month of August and a number of articles of

this law were approved. However, according to MPs in the Lower House, this draft law contradicts the constitution of Afghanistan and there is a need for a third institution to interpret the complicated articles in this draft law.

Both houses of the Afghan Parliament discussed the worsening security situation in the country, while the Upper House called for bringing the presence of the foreign forces under the laws of Afghanistan, some MPs in the Lower House as they have done on numerous occasions in the last three years once again said that former jihadi commanders and militias will be able to help improve the security situation because they have the experience.

The government cabinet also joined the two houses of the Parliament and issued a statement that calls for the re-organization of foreign forces operating in Afghanistan under binding international and Afghan laws.

### September 2008:

During the first week of September, Lower House MPs deliberated over the draft electoral law and also discussed the composition of the Independent Election Commission. Majority MPs wanted members of the Election Commission to get the approval of the Parliament. Some MPs considered the current Election Commission as pro-government because members of this Commission were appointed by the government.

Almost 1,000 refugees who have returned to Takhar province recently have not been able to settle back in their own homes and take possession of their lands. These refugees have taken refuge in the old prison of Takhar and have asked the government to get their land from the powerful people who have grabbed it while they were away from Takhar. Someone named Qaazi Kabir, is alleged to have taken the land of these refugees. Abdul Kabir Ranjbr, Lower House MP from Kabul says that the government needs to deal with this legal issue urgently, or persons with power will take the law in to their own hands and we will have the law of the jungle in this country which will become

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a national catastrophe. According to Farouq Wardak, the Minister for Parliamentary Affairs, refugees say that they have the legal right to their lands and are ready to go to court to prove that but the people who have taken their land say that these are not refugees but they are Alqaida.

In early September there was another incident of civilian casualties in the Hotkhil suburb of Kabul, where a woman, man and two very young infants were killed by unidentified forces at night. According to the residents of the area, around midnight a large explosion was heard which blew away the gate of the house where the deceased people were living in. Government and international security forces have all denied involvement in this killing. The next day the people of Hotkhil demonstrated on the Kabul/Jalalabad road and kept the road closed for hours. The people were also demanding from the government to return the two persons who were taken away from the same house. Following this incident, Upper House Senators strongly condemned this incident and said that the Afghan people have had enough of civilian killing by international forces present in Afghanistan, and Senators once again asked for the legalization of the status of foreign forces in this country.

Upper House Senators approved the draft salaries and benefits law of high ranking government officials on the 10<sup>th</sup> of September.

Lower House MPs discussed the draft benefits law of disabled and remaining families of martyrs. According to this latest version of the draft law approved by the Lower House MPs, all those disabled who do not have an official government duty will receive 750 Afghanis (\$ 7) and government officials who do become disabled during the tenure of their duty will be entitled to 20% of their last salary.

On the 15<sup>th</sup> of September, Upper House Senators received the four Afghan athletes who participate in the Beijing Olympics. All four athletes were presented with gifts and certificates.

Senators Mohammad Hanif Hanifi presented a report to the Upper House Senators about the continued civilian casualty in Uruzgan province. Senator Hanifi said that hundreds of people are killed during the day and night by American forces. The Senator said that before the month of Ramadan, 14 people of Shigai village were killed and on the second day of the month of Ramadan, 7 of his relatives were killed in the Qaht Abad village while traveling in a car. The Senator added that Uruzgan was the only province which supported and looked after President Karzai just before the collapse of the Taliban government. Once again Upper House Senators decided to voice their concern and decided

to write a letter to the Nato forces: the letter said that the people of Afghanistan will not remain indifferent in the face of such violent actions.

Senator Taiba Zahidi presented the report of a recent visit by four Senators to Tajikistan. Senator Zahidi spoke about the problems of Afghan residents in Tajikistan and the bad status of the Afghan Embassy building in the city of Dushanbe, Tajikistan.

On the 18<sup>th</sup> of September, Lower House MPs discussed the draft taxation law and after brief discussion the draft law was handed over to the commissions for scrutiny to be presented back to the general session of the Lower House for further deliberation and approval.

On this day Mohammad Daoud Sultanzoy, MP from Gahzni province and a number of other MPs complained to the general session about the ever increasing prices of basic commodities and the unwillingness of relevant Ministers to come to the Lower House and provide an explanation about this dilemma. MPs asked the Lower House general session to make a decision about this issue.

In the Complaints Hearing Commission of the Upper House chaired by Dr. Zalmay, a report of the assault on an 8 year old girl in Takhar province was heard, also the same commission heard a complaint about the removal of 100 people from an area in the district 17 of Kabul by a person named Haji Nayeem with the assistance of the district officials despite the people having lived in the area for 35 years and holding legal titles to the lands.

In the Defence Hearing Commission of the Upper House chaired by Shir Mohammad Akhonzada, the Interim Governor of Logar Province described the reason for the latest insecurity in the mentioned province and said that the ISI, drug and chromites traffickers, as well as irresponsible persons who have grabbed government lands and the lack of coordination between foreign and domestic forces, as well as lack of trained domestic security personnel and lack of proper administration are the reasons behind insecurity in Logar province.

On the 21<sup>st</sup> of September both houses of the Afghan Parliament celebrated the International Peace Day. Upper House Senators stressed that the one day cease fire by both the government and the Taliban is not sufficient and cannot cure any pain, what is needed is to look for a solution to save Afghanistan from the catastrophe of destructive wars.

On the 22<sup>nd</sup> of September as part of the draft taxation law, Lower House MPs ap-

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proved relevant article about the amount of tax to be deducted from the salaries of government employees. Government employees earning from 5,000 to 12,500 Afghanis a month would pay 2%, from 12,500 to 100,000 Afghanis 10% and above 100,000 Afghanis 20%.

On the 23<sup>rd</sup> of September, Upper House Senators approved the draft Petroleum law, which was approved by the Lower House earlier.

As part of the draft taxation law, Lower House MPs approved rental taxation: Those receiving from 10,000 to 100,000 Afghanis rent per-month month would pay 10% and any amount above would need to pay 15% tax.

On this day, Lower House MPs also received some athletes who recently participated in sport tournaments of boxing and wrestling in the countries of South Africa and Iran and came back with gold, silver and bronze medals. All the athletes were presented with certificates.

**Conclusion:**

As the voter registration for the Presidential election is starting to begin in early October in some central and north-eastern provinces, MPs in the Lower House have been trying to approve the draft electoral law. However, the draft electoral law has been in and out of the general sessions of the Lower House many times and during the month of September Lower House MPs said that the current composition of the electoral commission is pro-government as it was appointed by the government. Lower House MPs want officials of the electoral commission to get their approval.

During the month of September there was another incident of civilian casualties and this time in one of the inner suburbs of Kabul city (Hotkhil) situated on the road from Kabul to Jalalabad. What was very distressing about this incident was that two very young infants about 2 years old were also killed. The people of Hotkhil were very upset about this incident and closed the main Kabul to Jalalabad road for hours. The demonstrators were demanding to know who was behind this act and they also wanted the return of two persons taken away from the house at night. Foreign security forces and government denied any involvement in this incident.

Both houses of the Afghan Parliament along with the central government are trying to resolve the recent issue of land grab in Takhar province. About 1,000 refugees who have recently returned from the neighboring countries to try and settle back in their homes and take possession of their lands

are being denied access by powerful militia commanders. After more than seven years of the current government and the wide presence of the international community in Afghanistan, in some areas of the country, Afghans are still unable and afraid to return to their homes and lands.