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**AFGHANISTAN
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Legislative Newsletter

Calendar

- Wolesi Jirga (Lower House):
 - The Law on Rights and Privileges of the Disabled
 - Law on Rights and Privileges of the Relatives of Martyrs and Missing
 - Electoral Law is on the plenary agenda
 - IEC Structure Law
 - Law on Rights and Privileges of the Relatives of Martyrs and Missing
 - Communication Law is pending discussion in an integrated committee
 - Higher Education Law is under review

- Meshrano Jirga (Upper House):
 - Road Toll Law
 - Government Employment Law
 - Medicine Law is in the committees
 - Forensic Medicine Law
 - Statistics Law

- Joint Committees
 - Cooperatives Law is pending approval by a joint committee
 - Law on Gatherings, Protests, and Demonstrations
 - Political Parties Law is pending approval by a joint committee
 - Law on Sale of Immoveable Property to Foreign Embassies and International Organizations
 - Law on Reform Commission of National Police Forces

National Assembly weekly meeting schedule:

- Sundays and Tuesdays: Wolesi Jirga committees and Meshrano Jirga plenary
- Saturdays, Mondays, and Wednesdays: Meshrano Jirga committees and Wolesi Jirga plenary

Legislation

Electoral Law

Debate over the Government's proposed national constituency for Afghanistan's nomads, the Kuchis, saw a heated exchange in the Wolesi Jirga last week and subsequent boycott by some MPs. The situation has disrupted the Assembly's function and increased friction between various ethnic groups. See *News* below.

The Electoral Law establishes the electoral system and will regulate electoral issues, including voting centers/polling stations, observers, election campaigns, candidacy, and counting.

The Independent Election Commission (IEC) Structure Law

Debate was delayed last week due to the boycott over the Electoral Law.

The law will outline the funding mechanism, structure, duties, authorities, procedures, and staffing of the body.

Law on Sale of Immovable Property to Foreign Embassies and International Organizations

The law is in a joint Wolesi-Meshrano committee this week.

The law will regulate the sale of immovable property to foreign embassies and international organizations.

Law on Reform Commission of National Police Forces

The law is in a joint Wolesi-Meshrano committee this week.

The law establishes a commission to reform the National Police Forces.

Forensic Medicine Law

The law is under consideration in the Meshrano Jirga.

The law aims to professionalize forensic medicine services during criminal investigations by the Afghan justice institutions.

Law on Rights and Privileges of the Disabled

The Wolesi Jirga Communication and Transportation, and Women's Affairs Committees did not meet last week to continue their discussion due to the electoral law conflict.

The law aims to integrate and support the disabled economically.

Law on Rights and Privileges of the Relatives of Martyrs and Missing

A scheduled Wolesi Jirga integrated committee meeting was not held last week due to the electoral law conflict and boycott. The law is pending consideration.

The law will regulate the special rights and privileges of families of the martyred and missing. The draft addresses the social, economic, and political needs of the families, including housing and employment benefits.

Communication Law

A Wolesi Jirga integrated committee meeting scheduled for the 8th did not happen due to the electoral law conflict and boycott.

The draft addresses rules and regulations for the telecommunication companies, including the number of operators in the country, and control of communication services.

Statistics Law

The law did not see debate in the Meshrano Jirga last week but is again tentatively scheduled for consideration this week.

The Statistic Law addresses the duties, authorities, and organization of the Independent Central Statistics Department. The law establishes a central office for coordination and integration of all statistical activities at the country level.

Higher Education Law

The Wolesi Jirga Legislative Affairs Committee did not discuss the law last week.

The law will regulate the activities of public and private higher education institutions in Afghanistan. The law addresses student rights and faculty benefits.

Medicine Law

The Medicine Law is under review by the Meshrano Jirga Committees.

The Medicine Law regulates the production, import, stocking, and distribution of medicine and medical equipment.

Law on Gatherings, Protests, and Demonstrations

The law is tentatively on scheduled for review by a joint committee on April 16th.

The law addresses management of gatherings, protests, and demonstrations.

Cooperatives Law

At joint Meshrano-Wolesi committee meeting is pending introduction of the Wolesi Jirga members.

The Cooperatives Law aims to regulate creation, registration, organization, and development of non-governmental and non-political cooperatives and cooperative unions with economic, social, cultural, and other goals.

Political Parties Law

A joint committee of both houses will now review the draft and Meshrano Jirga's amendments.

The law will regulate political parties' creation, activities, and rights and responsibilities.

Government Employment Law

The law is in Wolesi Jirga committees for comments and amendments, but did not see activity last week due to MP protests over certain articles in the electoral law.

The Government Employment Law outlines measures to: promote effective Government agencies; make administrative corrections in the government system; clarify job descriptions for Government employees; improve education standards of Government employees; improve employee talent and work ethic; and provide housing and employment benefits to employees.

Road Toll Law

The draft law was on the Meshrano Jirga's agenda last week but other priorities delayed discussions. The law is at the top of the Meshrano's agenda this week.

The Road Toll Law will regulate taxation of vehicles using national highways. Vehicles moving out of the cities will be required to pay the road toll. The revenues collected will fund construction of new and maintenance of existing highways.

News

Electoral Law Debate

On April 5th, the Wolesi Jirga approved district versus provincial counting centers with the objective of simplifying the counting process. On April 7th, in a session chaired by First Deputy Speaker Yassini, an important vote came when MPs rejected delimitation of the largest constituencies, citing a lack of population data, geographical barriers, and possible friction over ethnic representation in the new constituencies.

Significant tension erupted over Article 9 of the Government's draft, which would, as in previous elections, allow for Kuchi voting throughout a single national constituency. Some MPs, citing equal rights embodied in Article 22 of the Afghan Constitution, see this accommodating measure as a special – and inequitable – favor to the minority Kuchis. Honorable Registani, Chairman of the Wolesi Jirga Electoral Law Subcommittee, suggested an amendment requiring Kuchis to register in 2 or 3 electoral districts, which was strongly backed by several Hazara and other representatives. Kuchis oppose this measure as overly restrictive to their nomadic lifestyle. Tension escalated during the debate with an exchange of ethnic insults. The situation is particularly sensitive at the moment due to recent Hazara-Kuchi friction over Kuchi grazing in Bamyan, which is dominated by Hazaras. When the First Deputy Speaker called a vote to defuse the situation, a majority supported a single national constituency for the Kuchis, prompting a group of Hazara-led MPs to leave the session in protest.

Subsequently, a contingent of Hazara, Tajik, and Uzbek Wolesi Jirga MPs has announced a boycott of plenary and committee sessions. The group is calling for the leadership to prevent discriminatory action within the house and demands that Honorable Gul apologize for his comments. They also insist on reconsideration of the national constituency for Kuchis.

On April 8th, the Wolesi Jirga Internal Affairs Committee discussed the situation. The Committee considers the fight – which ended in humiliation along ethnic lines – unacceptable and has requested that Wolesi leadership develop solutions for such incidents to improve trust within the Assembly. A Committee of Chairs also discussed the conflict, but reached no conclusions.

Several MPs criticized their colleagues for walking out of the Assembly when votes do not go their way and warned that boycotts by the larger tribes could pose a threat to the Assembly's effectiveness.

Speaker Qanooni cut short the April 9th plenary reportedly due to lack of a quorum resulting from the boycott.

Members Meet President Over Elections Date

Wolesi Jirga Speaker Qanooni told the plenary on April 9th that, in meetings with President Karzai, the Meshrano Jirga Speaker, the Independent Election Commission, the Justice Minister, the Supreme Court Chief Justice, Attorney General representatives, and other Assembly leaders, he had been firm in defending the Wolesi's position that presidential and parliamentary elections should be held separately. The group agreed on separate elections but shifted the presidential and provincial council elections to fall of 2009 and the parliamentary and district council elections to summer of 2010.

Drought Planning Oversight

The Minister of Agriculture and head of the Natural Disasters Department were summoned April 6th to report to the Meshrano Jirga plenary on preparations for a

possible drought. MPs were unsatisfied with the Ministry's responses and advised them to improve their work.

Joya Petitions for Reinstatement

Honorable Malalai Joya has petitioned for reinstatement to the Wolesi Jirga. Honorable Joya was expelled by fellow MPs after referring to them as "worse than donkeys and cows" in an interview last May. (Afghanistan Times, April 6th, 2008)

Kabul Security

On April 6th the Wolesi Jirga Internal Security Committee supported President Karzai's proposal to transfer Kabul security to Afghan forces and redeployment of NATO and ISAF forces outside the city.

Investigation of Senator's Murder

On April 6th the Upper House commemorated the first anniversary of the death of late Senator Ustad Abdul Farid. The senators criticized the slow movement of the case and demanded the responsible officials' appearance at the Upper House to report on progress.

Kabul Mayor Responds to Senators' Questions

The Provincial Council, Senators Immunity and Privileges Committee of the Meshrano Jirga questioned Kabul Mayor, Mr. Mir Abdul Ahad Sahibi, regarding the condition of the capital's streets and garbage removal on April 7th. Mayor Sahibi told senators that this year the Kabul Municipality plans to pave 85 kilometers of road, built 20 parks and entertainment sites, and review complaints of the 30,000 Kabul residents who have ownership documents but have never been provided land. The Mayor criticized the work of trash removal companies and vowed to dissolve contracts. Mayor Sahibi suggested creation of a joint commission of municipality representatives and MPs, which was welcomed.

Committee Questions Ministry of Interior on Crime

On April 7th the Internal Security and Defense Committee of the Upper House discussed the increase of robberies, abductions and murders in Herat, Helmand, Kunar, Kunduz and Wardak provinces with the Administrative Deputy of the Ministry of Interior, General Abdul Baser, who acknowledged police weakness in fighting the challenge. General Baser said, however, that "the Ministry of Interior takes all possible actions to build a professional and patriotic police force," and added that 95% of the police force has undergone the PRR. The General promised to increase the Ministry's efforts in preventing such crimes.