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**AFGHANISTAN
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Legislative Newsletter

Calendar

- Wolesi Jirga (Lower House) Agenda:
 - Electoral Law
 - Independent Election Commission Structure Law
 - The Law on Rights and Privileges of the Disabled
 - Law on Rights and Privileges of the Relatives of Martyrs and Missing
 - Statistics Law
 - Higher Education Law
 - Law on Civil Servants (formerly referred to as the Government Employment Law)

- Meshrano Jirga (Upper House) Agenda:
 - Forensic Medicine Law
 - Communication Services Regulatory Law
 - Medicine Law
 - Labor Law

- Joint Committees:
 - Law on Sale of Immoveable Property to Foreign Embassies and International Organizations
 - Law on Reform Commission of National Police Forces
 - Law on Gatherings, Protests, and Demonstrations
 - Cooperatives Law
 - Political Parties Law

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

The Kuchi-Hazara rift and subsequent Assembly boycott by approximately 100 Hazara, Uzbek, and Tajik MPs continued without resolution last week. The ad hoc committee established to resolve the conflict saw little success despite considerable time and energy devoted to the issue. The Electoral Law remains atop the Wolesi Jirga agenda. 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

After reviewing the bill last week, the Wolesi Jirga Justice and Judiciary Committee distributed the draft to other Wolesi committees for debate. The Committee has amended the draft to require Lower House approval of the Independent Election Commission Chairman.

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 scheduled joint Wolesi-Meshrano committee did not meet on the bill last week due to the MP boycott.

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

Law on Reform Commission of National Police Forces

The joint Wolesi-Meshrano committee did not meet last week due to the MP electoral law boycott.

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

Forensic Medicine Law

The law is on the Meshrano Jirga plenary agenda.

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

Law on Rights and Privileges of the Disabled

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 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 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 Services Regulatory Law

The law has been approved by the Wolesi Jirga and sent to the Meshrano Jirga.

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 Statistics Law is with the National Economy Committee of the Wolesi Jirga, which did not meet last week due to the electoral law protest and boycott.

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 law is with the Wolesi Jirga Legislative Affairs Committee which did not discuss it last week due to the electoral law protest and boycott.

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 included in the Meshrano Jirga's plenary agenda.

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

Law on Gatherings, Protests, and Demonstrations

The law had been rescheduled for review by a joint Meshrano-Wolesi committee on April 17th, but did not see activity due to the electoral law boycott. The draft is again tentatively scheduled for review this week.

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

Cooperatives Law

A 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 the houses has been appointed to review the draft and Meshrano Jirga's amendments, but did not meet last week due to the boycott.

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

Law on Civil Servants (formerly referred to as the Government Employment Law)

On April 16th, the Wolesi Jirga plenary session discussed several articles of the law. A majority of MPs agree that the 4,300 Afs for salary, transportation and food proposed in the new draft regulation is inadequate. The Budget and Finance Committee has proposed a minimum total allowance of 6,400 Afs. The draft is scheduled for further debate.

The law addresses the salaries and ranks of civil service employees, and outlines measures to: make administrative corrections to Government systems; clarify job descriptions for Government employees; improve education standards of Government employees; improve employee talent and work ethic; and provide employee housing and benefits.

Labor Law

The law is on the Meshrano Jirga agenda.

The Labor Law will regulate the rights, responsibilities, and benefits of employees.

Road Toll Law

The Meshrano Jirga made several amendments, including restricting the use of chains on heavy vehicles, increasing the overweight fine, and requiring that the Ministry of Finance, rather than the Ministry of Public Affairs, monitor, control, and collect all

road toll revenues. The Meshrano approved the draft on April 15th and will send it back to the Wolesi Jirga for review.

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

Science Academy Law

A joint Meshrano-Wolesi committee approved the law on April 17th. The law will now move to the President's office.

The law outlines the structure, duties, authorities, procedures, and staffing of the body.

Law on Social Behavior

Reports are circulating of a draft law in parliament which would bring back many of the prohibitions enforced under the Taliban regime. The Wolesi Jirga Antinarcotics Committee Chairman had reportedly asked the Committee's staff to come up with a draft law on social behavior, which it did, borrowing from the existing Criminal Code and inserting its own assumptions about social behavior. The Legal Research Unit, on receiving the draft, recognized it as illogical, mistake ridden, and duplicative of the Criminal Code. The Chairman has subsequently denied requesting or endorsing it. The draft is still under review by the head of the Legal Research Board and may be introduced as a Member bill if deemed satisfactory.

The original draft reportedly included a code for properly wearing a Hejab (a woman's headscarf), and prohibitions on: pigeon flying; men and women in the same room at weddings; unrelated men and women speaking with each other in public; long hair on men; loud music at weddings; shops selling revealing clothing; and materials considered offensive to Islam, etc.

News

Electoral Law Debate

Resolution of the boycott by approximately 100 Hazara, Uzbek, and Tajik MPs over a national constituency for Kuchi nomads as mandated in the Government's draft electoral law went unresolved last week. Intensive discussions of the ad hoc committee established to address the conflict continued with the members, like the Wolesi Jirga as a whole, remaining divided. The boycotting group is now calling itself the Constitution Supporters and supports a balanced committee to review the situation. The Pashtuns and Kuchis (primarily Pashtun) favor continuing Wolesi Jirga business as usual but have been reigned in by the Speaker for lack of a quorum. Speaker Qanooni has met with the protesters but has been unsuccessful in persuading them to rejoin the Assembly. The Speaker has also suggested that a committee of lawyers investigate the potential conflict between a Kuchi national constituency and Article 22 of the Afghan Constitution, which calls for the equal rights for all citizens.

MPs, in the Constitution Supporters absence, weighed in on the issue last week. Several MPs suggested that the personal dispute between Honorable Alungul Kuchi and Honorable Fahimi had been blown out of proportion but that while personal insults have been exchanged on other occasions, this situation had escalated beyond anything to date. Suggestions for resolving the issue included temporarily suspending Honorable Alungul and Honorable Fahimi, and sending the draft law to the Ministry of Justice for a constitutional review. Others accused the boycotters of not respecting the majority vote (the walkout started after a vote approving the Kuchi's national constituency). Honorable Niazi suggested that if the Administration Board had acted more decisively the issue would have been resolved. But the ad hoc committee Chairman, Honorable Almas, defended the cautious approach by citing ethnic sensitivities exacerbated by 30 years of war.

Honorable Sultanzoy voiced MPs' concern that certain parties were playing the ethnic groups off of each other in a bid to bolster their own positions. Honorable Qarar argued that such politicking, if true, is unacceptable and that MPs should avoid falling into factionalism. Honorable Almas reinforced these concerns by reporting that the fierce debate had already spread to some remote corners of Afghanistan. After one MP's comparison of Pashtuns' reaction to a past unfavorable vote to the current non-Pashtun reaction, Speaker Qanooni appealed for reason with, "I would ask all of you as I did ask all of them to not use the words which may have a negative impact at the moment. I ask you to compromise for the sake of Afghanistan's interest."

Cost of Living

In the April 12th Wolesi Jirga plenary, several MPs addressed Afghanistan's increasing cost of living. Honorable Sadeqi questioned how government employees can afford to live on their wages while Honorable Zazai explained that eighty constituents had visited him the previous Friday about the crisis. Honorable Sultanzoy criticized the Ministry of Agriculture for not doing more to develop Afghanistan's agricultural output over the last eight years and argued that the Ministers of Agriculture and Commerce had been let off too easily in previous questioning. With the final word on the day, Honorable Kargar asserted that Afghanistan had been better off under Soviet occupation.

Antinarcotics Committee Questions Deputy Interior Minister for Antinarcotics

The Wolesi Jirga Antinarcotics Committee questioned Deputy Minister of Interior, General Mohammad Daoud, on April 13th. General Daoud explained that, "lack of security in some provinces, insufficient help to farmers with alternative livelihoods, and lack of cooperation among the domestic and international organizations are the main problems in the fight against drugs." The Committee requested that the Ministry of Interior intensify its activity to reduce drug production this year.

Source: Wolesi Jirga Department of Information and Public Relations

Internal Affairs Committee Reviews Arms Drop

The Wolesi Jirga Internal Affairs Committee, led by Chairman Mujadidi, questioned the National Directorate of Security Director, Amerullah Saleh, about arms provided

to Taliban commander Mullah Mohammad Alam in Arghandab District of Zabul Province by NATO forces. Director Saleh explained that a supply of Kalashnikovs, RPG launchers, and light arms, was mistakenly left in an area controlled by Taliban forces instead of being dropped to Ghazni police forces. Some have cited the example as evidence that NATO forces have at times intentionally supplied arms to the Taliban.

International Affairs Committee Questions Ministry of Foreign Affairs

On April 14th, by request of the Meshrano Jirga International Affairs Committee, the First and Second Deputies of the Ministry of Foreign Affairs reported on the Ministry's activities over the last three months. The First Deputy talked about improved relationships with India, Pakistan, and China, and cited the Ministry's work in signing a purchase agreement with Pakistan for 520 tons of wheat at a reasonable price, and securing a promise from China for 20 million USD worth of wheat. Source: Wolesi Jirga Department of Information and Public Relations

Security Concerns

Security concerns were also a common topic in last week's Wolesi Jirga plenary sessions. Honorable Mujahid, MP from Urozgan explained that teachers and students from his constituency are regularly apprehended by the Taliban while travelling to and from Kandahar. The victims are usually either assassinated or released for large sums of ransom.

Honorable Qazi Zadeh, MP from Herat told the plenary that his constituents continue to be distressed about the ongoing kidnappings there. The MP also reported incidents of the Iranian Border Patrol firing on and killing Afghans traveling to and from Iran. The MP refuted as nonsense Iranian claims that the victims are smugglers and traffickers and requested that the Wolesi encourage the Government to raise the issue with the Iranian government.

Northern Front Meets Taliban

Former Afghan President and current Chairman of the Wolesi Jirga Legislative Affairs Committee, Burhanuddin Rabbani, told the Associated Press, in explaining the Northern Front's negotiations with the Taliban that, "We the National Front and I myself believe the solution for the political process in Afghanistan will happen through negotiations" with more moderate Taliban elements. While President Karzai has said that he supports this effort, Honorable Rabbani says that the President should do more to establish a formal and organized negotiation process involving all stakeholders. Taliban spokesman, Zabiullah Mujahid, claimed ignorance of the reported negotiations. Professor Safi questioned the Northern Front's, as a non-Governmental body, motives for negotiating with the anti Government Taliban. Source: Daily Outlook Afghanistan, 17 April 2008