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Legislative Newsletter

Calendar

- Wolesi Jirga (Lower House) Agenda:
 - Electoral Law
 - Independent Election Commission Structure Law
 - Law on Rights and Privileges of the Disabled
 - Law on Rights and Privileges of the Relatives of Martyrs and Missing
 - Communication Services Regulatory Law
 - Higher Education Law
 - Law on Social Behavior
 - Extradition Law
 - Law on Personnel Affairs of ANA, ANP and NDC Sergeants
 - Political Parties Law
 - Law on Civil Servants
 - Law on Salaries of High Ranking Government Officials
 - Law on Health

- Meshrano Jirga (Upper House) Agenda:
 - Mining Materials Law
 - Law on Petroleum and Gas (Hydro Carbons)

- Joint Committees:
 - Law on Reform Commission of National Police Forces
 - Law on Gatherings, Protests, and Demonstrations
 - Statistics Law
 - Medicine Law
 - Law on Military Courts

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

The status update and description of bills remaining inactive for several weeks have been removed. They will be reintroduced as the drafts become active. Bills on the official Assembly agendas will remain in the calendar above.

Electoral Law

The ad hoc group of 20 MPs – 10 opponents of designated seats and a national constituency for Kuchis (nomads) in the government's draft Electoral Law and 10 supporters of the same – did not meet during the legislative recess. The group plans to meet this week to discuss the opponents' Electoral Law amendments. A date for consideration in the plenary remains undetermined.

Prior to the break, the Kuchi seat opponents drafted amendments to the government bill. They include a national constituency for Kuchis in terms of voting (they would vote across Afghanistan for any candidate), but Kuchi candidates would have to register in a chosen province and be elected, or not, there. The 10 Wolesi Jirga seats designated for Kuchis are removed from the draft.

When the bill comes to the plenary, the Kuchi seat opponents will push for confidential voting – without further plenary discussion – to avoid the confrontation that led to a plenary boycott last session.

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

Mining Materials Law

The draft is under consideration of the Meshrano Jirga National Economy and Budget Committee. The law will tentatively be introduced to the plenary on August 10th.

The law will regulate mine ownership and control, security, management, private investment, minerals, and other affairs related to mining.

Law on Personnel Affairs of ANA, ANP and NDC Sergeants

The law has been returned from the President's office after being sent on June 8th. A group of Wolesi Jirga MPs are pushing for a 2/3 vote to make the bill law.

The law will regulate personnel affairs (appointment, transfer, vacation, discipline, rewards, and retirement) of ANA, ANP and NDS sergeants.

Statistics Law

The law is pending further discussion in a joint meeting of the houses.

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.

Medicine Law

The Wolesi Jirga has requested a joint meeting to discuss the Meshrano's amendments, but no date has been set.

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

Higher Education Law

Articles 24-28 of the law are being discussed in the Wolesi Jirga plenary.

The law will regulate the activities of public and private higher education institutions in Afghanistan.

Law on Civil Servants

The section of the law addressing civil servant salaries has been endorsed by President Karzai after being forwarded by Parliament. The remainder of the law is under consideration in the Wolesi Jirga.

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.

Law on Salaries of High Ranking Government Officials

Last week the Wolesi Jirga approved the law. It will now be sent to the Meshrano. The President's monthly salary is approved at 32,000*3 Afs (USD 1,920) or 3 times the salary of the top civil servant officials. The salary of vice presidents, speakers of the National Assembly, head of the Supreme Court, and Attorney General will be equal to 32,000*2.5. Ministers, 32,000*2.25; and MPs and senators 32,000*2.

The law determines salaries of all high ranking government officials.

Political Parties Law

The law is being considered by the Legislative Affairs Committee of the Wolesi Jirga after being returned to Parliament by the President's Office.

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

Law on Military Courts

The bill will be discussed by a joint meeting of the houses on August 5th.

The Military Court Law will regulate the structure and responsibilities of military courts.

Law on Petroleum and Gas (Hydro Carbons)

The law is under consideration by the Meshrano Jirga National Economy and Budget Committee. Tentatively the law will be introduced to the plenary in the second half of August.

The law regulates petroleum and gas (Hydro Carbons), ownership, production, use, leases, contracts, research, and protection.

News

Parliament Session Begins

The second legislative session of the National Assembly's third year began on July 22nd. During the Wolesi Jirga plenary, legislators paid respect to and prayed for the soul of their colleague killed in Kandahar during the break, Honorable Haji Habibullah. Wolesi Speaker Honorable Mohammad Younus Qanooni talked about the achievements of the Wolesi Jirga over the last two years and cited this session's priorities as the Law on Health, the Law on Higher Education, the Law on Civil Servants, the Electoral Law, and the Afghanistan National Development Strategy. The Speaker also indicated numerous challenges facing the country such as insecurity, a lack of healthy drinking water, administrative corruption, and disease.

Parliament Debates Statement about Former King

Both houses of Parliament condemned language used by Abdul Latif Pedram, head of Kangara-e-Milli, or National Congress Party, to describe former Afghan King Amanullah Khan, credited with gaining Afghanistan's independence from the British in 1919. A Meshrano Jirga majority called on the government to suspend the party and have Pedram investigated and prosecuted. The senators noted that such inflammatory statements could spark conflict along ethnic lines (Pedram is Tajik and King Amanullah Khan was Pashtun).

A group of Wolesi Jirga MPs also condemned the comments. Honorable Hajji Farid insisted that Pedram had defamed Afghanistan's "liberator" and that the Wolesi must demand his arrest. Several MPs, however, requested evidence that the offending voice in the broadcast belongs to Pedram, stirring debate in the hall. Honorable Qasimi argued that even if the voice is Pedram's, the Assembly should not interfere but let the judicial institutions take appropriate actions. During discussions Honorable Hajji Farid and Honorable Qasimi exchanged strong personal comments and had to be separated.

Honorable Alam Gul Kuchi criticized Speaker Qanooni for apparently not taking a strong stand on the issue. “I have an objection for Your Excellency, speaker of Wolesi Jirga and MPs, concerning Pedram’s insult to King Amanullah Khan. King Amanullah gained our independence not only for one tribe, but for all Afghan residents and tribes. Still, Your Excellency did not react to Mr. Pedram. I see that you are making some minor issues very large and some large issues very small and that you are careless. Pedram’s words were against the constitution and the national unity. You are asking for proof (that the offending voice is Pedram’s) while all of the people are witness to it. Your Excellency must judge impartially,” said the MP.

Assembly Debates Imprisonment of Journalist

The Wolesi Jirga discussed the detention of Naseer Fayaz, correspondent for Ariana Television’s ‘Haqiqat’ or ‘Truth Program’. Several MPs called for the release of Fayaz as soon as possible and declared his imprisonment illegal. Speaker Qanooni said, “Fayaz must be released first and the investigation process launched later.” Honorable Ranjbar added that, “the head of security directorate should be summoned to the plenary.” Put to a vote, Fayaz’s cause gained a majority.

Other MPs downplayed the importance of the Fayaz and Pedram issues. Honorable Abdul Khaliq Mujahed said, “I am astonished that sometimes Parliament denies accountability, but other times discusses a minor issue for hours, without an agenda.” Honorable Sarwar Jawadi agreed with, “Parliament should not make decisions based on personal relations. This issue was not included in today’s session, but because of personal relations we wasted several hours discussing it. It should have been proposed and approved for the agenda through the normal process.” Honorable Tokhi agreed with, “I never want to discuss Pedram’s insult case, he is not worth presuming an important person.”

Meshrano Discusses Security

Last week the Meshrano Jirga addressed national security and international involvement in Afghanistan. Honorable Shir Aqa criticized US Senator Obama’s position on additional troops saying, “Why does Obama advocate deploying troops to Afghanistan while the issue has been put in front of the Parliament and the Parliament did not agree with it.” Calling the government weak, Honorable Urfani said, “We do not want additional NATO troops in Afghanistan. The government should act according to the Islamic Sharia - cutting of hands and retaliation shall be legitimate so people will be improved.” Haji Nazar Mohammad rejected Urfani’s suggestion saying, “When the Taliban were in power and there was Sharia, we knocked on the doors of the USA and we invited the USA here, but now we are talking about Sharia. I think, for ending war, the government of Pakistan and Afghanistan should sit, discuss, and find a solution through debate, not through military power. The more NATO forces kill innocent people, the more enemies it creates.”

A special session to discuss security was canceled due to lack of a quorum.

Senator Delivers Report on Province

Honorable Haji Khairojan, Senator of Uruzgan Province, delivered a report on his province to the Meshrano Jirga, a summary of which follows.

1. Compared to previous months, the Senator and citizens he consulted assessed the security situation as better.
2. The tribal elders complained that soaring prices and drought in Helmand and Uruzgan Provinces are unparalleled in history and called the rate of poverty very high.
3. The people complained that administrative corruption is at an all time high.
4. The people complained about the coalition forces entering houses at night without permission and searching them. Their action causes abhorrence and distance between the people and government and NATO.
5. Senator Khairojan explained that NATO is compelled to enter some houses based on intelligence.

Tribal elders had two proposals:

1. While NATO is compelled to search based on information, the soldiers could blockade the locality and when the people come out for praying in the morning, search the suspected house and arrest the criminals.
2. Reconstruction activity should be developed so the people can become collaborators with the government.