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**AFGHANISTAN
PARLIAMENTARY ASSISTANCE
PROJECT**

8 June 2008 Vol. 1, No. 12

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
 - Law on Petroleum and Gas (Hydro Carbons)
 - Extradition Law
 - Statistics Law
 - Medicine Law
 - Law on Military Courts
- Meshrano Jirga (Upper House) Agenda:
 - Mining Materials Law
- Joint Committees:
 - Law on Reform Commission of National Police Forces
 - Law on Gatherings, Protests, and Demonstrations

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.

Last week saw significant progress on legislation in the Meshrano Jirga and joint committees. The following laws have been sent to the President for signature: Law on Civil Servants, Political Parties Law, Road Toll Law, Labor Law, Forensic Medicine Law, Law on Sale of Immovable Property to Foreign Embassies and International Organizations, and Cooperatives Law.

Electoral Law

The Kuchi seat detractors on the ad hoc Electoral Law committee have finalized their changes to the government draft law and will discuss them with the rest of the committee. Honorable Registani, Chairman of the Wolesi Jirga Electoral Law Subcommittee and ad hoc committee member reports that the Subcommittee has requested that the draft be discussed in the plenary immediately after the legislative recess. The Subcommittee aims to approve the draft before October 9th, the constitutionally mandated date (one year prior to the next elections) for amending the law.

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

Discussion of the Mining Materials Law has been delayed in the Meshrano Jirga until after the legislative recess.

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

Statistics Law

The Meshrano Jirga approved the draft with amendments on June 3rd. The bill will be sent to the Wolesi for review next 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.

Medicine Law

The Meshrano Jirga approved the law with amendments on June 3rd and sent the draft to the Wolesi for review.

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

Higher Education Law

The Wolesi did not discuss the law last week.

The law will regulate the activities of public and private higher education institutions in Afghanistan. The Wolesi Jirga Legislative Affairs Committee has made several amendments to the bill.

Law on Civil Servants

The Meshrano Jirga approved the law with amendments on June 1st. A joint committee considered and approved the draft on June 4th. The law has been sent to President Karzai for signature.

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.

Political Parties Law

On June 2nd a joint committee of the houses approved the Meshrano Jirga's amendments. The law has been sent to the President.

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

Law on Military Courts

The Meshrano Jirga approved the law with amendments on June 4th. The law will be sent to the Wolesi next week.

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

Road Toll Law

On May 26th a joint committee of the houses approved the Meshrano Jirga's amendments. The bill has been sent for Presidential approval.

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.

Labor Law

On May 31st a joint committee of the houses approved the Meshrano Jirga's amendments. The law has been sent to the President.

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

Forensic Medicine Law

On May 28th a joint committee of the houses approved the Meshrano Jirga's amendments. The law has been sent to the President.

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

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

On May 31st a joint committee of the houses approved the Meshrano Jirga's amendments. The law has been sent to the President.

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

Cooperatives Law

On June 2nd a joint committee of the houses approved the Meshrano Jirga's amendments. The law has been sent to the President.

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.

Law on Petroleum and Gas (Hydro Carbons)

After consultation with the Minister of Mines and Industry, Ibrahim Adel, the Wolesi Jirga plenary considered and approved the law on June 4th. The law will be sent to the Meshrano for consideration on June 9th.

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

Extradition Law

The law is with the Wolesi Jirga Justice and Judiciary Committee which will consider it in order of arrival.

The law regulates issues related to extradition of suspected, accused, and jailed Afghans from foreign countries according to international law and aims to facilitate improved international relationships.

News

Wolesi Jirga Publicizes Names of Absentees

On May 31st, for the first time the Wolesi Jirga announced the names of legislators who were absent for 3 or 4 days the previous week. Wolesi Jirga Deputy Secretary Dr. Mohammad Saleh Saljoqi provided the MPs and media with the list which includes high profile MPs like former Afghan President Rabani, Baghlan MP Qazi Ha Ramin (Brother of the Minister of Agriculture and Livestock), Kandahar MP Abdul Qauem Karzai (President Karzai's cousin), Baghlan MP Helaludeen Helal (former Deputy Minister of Interior), the Budget and Finance Committee Chairman, Sadiq Ahmad Osmani, and Panjshir MP Honorable Saleh Mohammad Registani, the Wolesi Jirga Electoral Law Subcommittee Chairman.

For their part, several MPs criticized the Administrative Board for reporting certain names. Honorable Jamil Karzai said, "I criticize the Administrative Board because some MPs are introduced as absentees while they are abroad on official visits. The Board is so incompetent that it is not aware of the MPs official visits." Honorable Sultanat added that, "We are present, every day, but MPs are treated differently. Some MPs are affiliated with the President and some are linked to the Administrative Board. The rules are enforced on us, only." Deputy Speaker Yasini defended the Admin Board with, "We judge matters impartially. If some excused MPs' names are listed as absent, we apologize."

Wolesi Jirga Asks for Cancellation of Refugee Agreement with Iran

On June 3rd the Wolesi Jirga International Affairs Committee asked the Ministry of Foreign Affairs (MoFA) to cancel an apparent agreement between the Ministry of Refugees and Repatriation (MoRR) and the Islamic Republic of Iran. The agreement would make Afghans living in Iran without documentation illegal immigrants rather than refugees and provides Iran with wide authorities with regards to forcible return. The Committee Deputy Chairman, Honorable Mir Ahmad Joyenda, points out that the MoRR did not have the authority to sign such an agreement and demands that the Ministry of Foreign Affairs cancel it through diplomatic channels. The Committee has also asked the government to investigate the case and punish those responsible. The Deputy Minister of Foreign Affairs has said that the agreement was signed independently of the MoFA. The Minister of Refugees and Repatriation, Sher Mohammad Etibari, responded that the document signed is not an agreement but a summary of a meeting between the Ministry and Iranian officials focused on the Iranian arguments.

MPs React to Presidential Decree on Recess Activities

President Karzai issued the decree, "Regarding the Duties of Members of National Assembly during Summer Vacations of the National Assembly of Islamic Republic of Afghanistan" on May 31st. The decree states that, "the members of national assembly in cooperation with the local administrations, provincial councils, scholars and elders are assigned to:

1. Evaluate the security situation in their respective provinces and submit their recommendations for improvement to the President's office.
2. Study the effects of drought, emergency needs of the people and resolution of the problems in their provinces and report in writing to the President's office.
3. Provide documentary reports regarding implementation of reconstruction and rehabilitation projects, and identify priority development projects for next year, in consultation with the relevant departments of the ministries.
4. Governors and security authorities are obligated to provide necessary facilities for security of the members of National Assembly and Provincial Councils.
5. The Ministry of Parliamentary Affairs is obligated to consolidate the suggestions and reports of the members of National Assembly, and submit it to the President's office at the earliest possible time."

Many MPs have taken exception to the directive. Honorable Ranjbar said, "I believe according to his decree, the President tasks us with a responsibility that is illegal. The President is not to blame. His advisors and the people around him are to blame. According to the Constitution, the MPs are not accountable to the President." Honorable Khabir agreed with, "This is the second time the President issues a decree. This decree has no legal basis. He is sending us to the provinces while we want to eliminate the administrative corruption here." Honorable Awrang said, "The President issues decrees and the reports are provided by the representatives to the government, but there is still has no action. There are no sighted eyes to see and no listenable ears to listen. The incapable ministers do not value our recommendations."