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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
  - Communication Services Regulatory Law
  - Statistics Law
  - Higher Education Law
  - Cooperatives Law
  - Law on Civil Servants
  - Law on Social Behavior
- Meshrano Jirga (Upper House) Agenda:
  - Mining Materials Law
  - Law on Personnel Affairs of ANA, ANP, and NDC Sergeants
  - Medicine Law
- Joint Committees:
  - Law on Sale of Immoveable Property to Foreign Embassies and International Organizations
  - Law on Reform Commission of National Police Forces
  - Forensic Medicine Law
  - Law on Gatherings, Protests, and Demonstrations
  - Political Parties Law
  - Road Toll Law
  - Labor 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

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

### ***Electoral Law***

The new ad hoc committee of Kuchi seat supporters and detractors of this component of the government's draft Electoral Law is tentatively scheduled to meet this week to begin discussions on last week's boycott settlement and law content.

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 law is on the Meshrano Jirga Public Welfare Committee agenda.

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 Meshrano Jirga sent the law to the Wolesi Jirga on May 13<sup>th</sup> after approving President Karzai's amendments and making some minor adjustments of its own.

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

### ***Forensic Medicine Law***

On May 14<sup>th</sup> the Wolesi Jirga Health, Sports, Youth, and Labor Committee requested a joint committee of the houses to discuss the Meshrano Jirga's amendments.

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

### ***Law on Rights and Privileges of the Disabled***

An integrated group of Wolesi Jirga committees discussed its amendments last week. The law will be introduced to the plenary for approval at an unspecified date.

The law aims to integrate and support the disabled economically.

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

An integrated group of Wolesi Jirga committees discussed its amendments last week. The law will now be introduced to the plenary for approval.

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***

On May 13<sup>th</sup> the Wolesi Jirga Communication, Transport, and Municipality Committee met with phone and internet company representatives to discuss the law. The discussions will continue on Sunday May 18<sup>th</sup>.

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. In preparation for the draft's arrival, the Meshrano Jirga briefly discussed the efficacy of conducting a census under current security conditions, but acknowledged its importance for the upcoming elections.

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 law is under final review of the Meshrano Jirga Public Welfare and Environment Committee. The law is tentatively scheduled for plenary review this week.

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

### ***Law on Civil Servants***

The Wolesi Jirga in consultation with the Ministry of Finance approved minimum salaries for civil servants, including 5,000 Afs for the lowest level employees and 6,200 Afs for teachers. Deliberation on other articles continues within the Wolesi. See *News* below.

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 Meshrano's amended draft is under review by the Wolesi Jirga Health, Sports, Youth, and Labor Committee which has requested a joint meeting of the houses to negotiate the final version.

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

## **News**

### **Food Prices**

Chairman of the Meshrano Jirga National Economy and Budget Committee, Senator Mohammad Akbar Wahad, presented a document to the plenary last week assessing the current food price increase and recommending short and long term solutions to the problem. The majority of senators voted to support the plan.

According to the Committee, the food price problem stems from a variety of factors, including: the international increase in food prices; decreased imports of wheat from neighboring countries; inadequate governmental market regulation; hoarding by private commodity suppliers; illegal tariffs by border personnel; rapid implementation of free market rules; and a lack of strategic food supplies. The report faults the government for failing to develop adequate policies to moderate price increases.

The Meshrano Jirga calls on the government to implement near term measures to control food prices, including: purchasing food with the government's allotted USD 50 million; temporarily eliminating tax on consumer purchases of this food; reducing bureaucratic procedures in purchasing the food; subsidizing basic food items for government employees; diversifying source countries; requesting international assistance via the WFP; reducing tariffs; and cracking down on corruption.

Longer term, the report makes over 25 recommendations for improving the situation, including: reviewing government open market policies and strategic plans; formation of a committee of government, NGO, private sector experts to solve the issues in culturally appropriate terms; improving civil servant compensation to reduce incentives for corruption; encouraging the wealthy to share Zakat (Islamic charity) with the poor; improving agricultural output and strategic supplies; preventing hoarding and monopolies; and encouraging private investment in agriculture.

During its debate of the Law on Civil Servants and public salaries, the Wolesi Jirga, unsatisfied with the government's proposed salary increases, continued its call for government provision of subsidized food items to civil servants. "The rates of the basic and essential foodstuff will rise, so this salary will not help. It would be better for the teachers and employees to be granted coupons," said one MP.

## **Law on Civil Servants - Public Salaries**

The Wolesi Jirga last week approved the civil servant salary component of the Law on Civil Servants in consultation with the Ministry of Finance. The minimum salary for the lowest level employee will be raised to 5,000 Afs per month from 4,300 Afs. MPs had pushed for a minimum of 7,000 Afs but lowered their demand based on the Minister's explanation of government finances and pledged World Bank salary assistance. Minimum salaries for teachers were approved at 6,200 Afs to be raised to 8,000 Afs over four years. The teachers' salaries will be capped at 32,500 Afs. Minister of Finance, Anwar-ul-Haq Ahady, reported that donors have pledged 26 USD or 1,300 Afs per month to augment teacher salaries until the new salary structure is fully implemented.

The MPs decided to form a committee of MPs and Ministry of Finance officials to discuss implementation of the salaries increase.

## **Law on Civil Servants - Recruitment**

After completing the salary component of the Law on Civil Servants last week, the Wolesi shifted its focus to recruitment articles which state that all hiring must be done through open competition.

Honorable Haji Farid weighed in with, "Until now I haven't seen any high ranking official be appointed by his own talent and capability - here open competition means pay money and gain position. Some of the ministers have only graduated from 9th grade, but are hired with fake documents. The 'open competition' system is enacted for poor and unqualified people."

On the other hand, Honorable Shafiq Noori, pointed out that the prohibition on appointing relatives may unfairly discriminate against qualified candidates. "If a relative of a Minister or Director is appointed within the same Ministry or Directorate through open and fair competition, it is their right - if not, then what does the competition system mean? I think that in our society the open competition and open marketing system is of no use."

## **Meshrano Weighs in on Teachers' Strike**

On May 13<sup>th</sup> the Meshrano Jirga issued a declaration on the teachers' strike, as outlined below.

"The Meshrano Jirga considers it the right of all Afghans to protest and strike according to the Article 36 of the Afghan Constitution.

1. The Meshrano approves and supports the teachers' demands regarding a salary increase and other benefits as appropriate to them. The issue must be resolved through negotiations of the teachers' representatives and the Ministry of Education.
2. The Meshrano asks the teachers to peacefully express their demands and avoid actions which may damage public and private properties.

3. The Meshrano asks the administration, specifically the Ministry of Education, to meet the legitimate demands of the teachers as soon as possible.”

### **Wolesi Jirga Speaker Meets UNSRSG**

Wolesi Jirga Speaker Qanooni last week met with the UN Special Representative for the Secretary General, Mr. Kai Eide. The two leaders discussed progress on the Civil Servants Law and Electoral Law. Mr. Eide said that approval of the Electoral Law prior to the Paris Conference would help facilitate elections funding discussions at the conference. Speaker Qanooni expressed his hope that the “Paris Conference should be a new page in the life of Afghans and not another official meeting.”

Source: Wolesi Jirga DIPR