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**AFGHANISTAN
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Legislative Newsletter

Calendar

- Wolesi Jirga (Lower House) Agenda:
 - Electoral Law
 - Independent Election Commission Structure Law
 - Law on Personnel Affairs of ANA, ANP, and NDC Sergeants
 - 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
 - Higher Education Law
 - Cooperatives Law
 - Law on Civil Servants
 - Law on Social Behavior
- Meshrano Jirga (Upper House) Agenda:
 - Mining Materials Law
 - Statistics Law
 - Medicine Law
 - Law on Military Courts
- 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. Bills on the official Assembly agendas will remain in the calendar above.

Electoral Law

The ad hoc committee of former boycotters (Kuchi seat detractors) and non-boycotters (primarily but not entirely Kuchi seat supporters) did not meet last week. The detractors report having made changes to the draft which will be discussed with the non-boycotters.

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 Meshrano Jirga plenary will tentatively discuss the law on May 27th.

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

Wolesi Jirga Justice and Judiciary and Defence Affairs and Territorial Integrity Committees have accepted the Meshrano Jirga's amendments. The law is pending final approval in the Wolesi plenary.

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

Law on Rights and Privileges of the Disabled

On March 20th, before introducing the law to the plenary session, the Wolesi Jirga Disables, Martyrs, and Widows Committee shared the draft with representatives of other Wolesi committees; the Deputy Minister of Labour and Social Affairs; and Finance, Defence, and Justice Ministry representatives. It was suggested that the ministries of Finance, Justice, Defence and Martyred and Disabled develop a common implementation plan for the law and share it with the committee.

The law aims to integrate and support the disabled economically.

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

A Wolesi plenary discussion on this legislation scheduled for the 21st was cancelled due to the walkout over an American soldier's desecration of the Holy Quran in Iraq.

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 20th the Wolesi Jirga Communication, Transport, and Municipality Committee met with Roshan, Areeba, Etasalat and AWCC phone company representatives to discuss the committee's amendments, which the members then approved. The law is pending further discussion.

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

On May 20th the Wolesi Jirga sent the law to the Meshrano Jirga. The Legal Research Board distributed it to all Meshrano committees on May 21st.

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

A Meshrano plenary debate scheduled for May 20th did not happen due to debate over desecration of the Holy Quran. The law is on the May 25th agenda. However, the Civil Servants Law will take priority if it has been received by that time.

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

Higher Education Law

Discussion in the Wolesi Jirga Religious, Cultural, Education and Higher Education Committee continues.

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

After amending the draft, the Justice and Judiciary Committee introduced the law to the plenary. On May 20th the Wolesi Jirga approved the complete draft. The law will be sent for Meshrano approval as soon as possible given the urgency of salary increases in light of increased food prices.

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

A joint committee of the houses is scheduled to review the draft and Meshrano Jirga's amendments on May 26th.

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

Law on Military Courts

The Wolesi Jirga forwarded the law on May 20th to the Meshrano Jirga for consideration.

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

News

Desecration of the Holy Quran

Both houses of Parliament last week walked out briefly and issued resolutions (see page 6) to protest desecration of the Holy Quran by an American soldier in Iraq. In the course of discussions, a majority of MPs condemned the action in the strongest terms, drawing parallels to other recent offenses, including the Danish cartoons depicting the Prophet Mohammad (Peace Be Upon Him), the Dutch film on the Holy Quran, and home searches and civilian deaths by international forces. Some asked that the soldier be handed over to an Islamic tribunal.

Several MP statements summarize the discussion's tone. Honorable Awrang blasted those who have offended Muslims with, "On one side there is Islam and on the other side the school of the infidel. They offend Islam and then they apologize. Every time they humiliate our sacred religion – from Guantanamo to Afghanistan and Iraq – we just drop a few tears. We have sacrificed for 30 years for the beloved Islam and now we are just watching, cowardly. By trusting in Allah Almighty shall we start and decide practically what to do." Honorable Shahkila Hashimi added that, "It is not the first time that America and Europe have humiliated our sacred religion. The Russians were invited by the government of the time, not by the people, and just the same, America and Europe are invited by the government, not by the people of Afghanistan. This is a direct aggression – the people should not keep quiet. They must react." Honorable Sayed Daud illustrated the point with, "The countries which consider themselves developed and democratic are against democracy themselves. They target the Holy Quran. If we could fight with empty hands against the Russians with wood, now a gun could be found in each house." On a more moderate note, Qazi Nazar requested that, "The ambassadors of Denmark and America should be questioned and

Bush should be asked to explain. We should not cry as old women or as children on the streets.”

MPs Call for Resolution of MP Family Murder and Kidnap

On Saturday, May 17th, Wolesi Jirga Speaker Qanooni and other MPs asked the government to pursue the issue of the killing of Honorable Hazrat Ali’s father and kidnapping of seven family members. Honorable Ali has said that if the government does not take substantial measures, he may take his own. Last week supporters of Honorable Ali in Nangarhar blocked the Jalalabad-Kunar highway for several hours and warned the government they will recommence the action if it does not find the criminals.

Teachers’ Strike

Speaker Qanooni last week assigned a committee under the leadership of Honorable Ghafari to review the case of three Kabul high school principals suspended for allegedly inciting aggressive teacher/student protests. The Wolesi sent a request to the Minister of Education and the three principles were returned to their posts. According to Honorable Ghafari, however, the Minister suggested that the Wolesi is the place where laws are approved and as such requested that the body not support violators of the law in the future.

Wolesi and Meshrano Jirga Resolutions on Desecration of the Holy Quran

Resolution of Meshrano Jirga of the National Assembly of the Islamic Republic of
Afghanistan Denouncing the Humiliating Action of an American Soldier in Iraq,
against the Holy Quran, the Holy Book of Muslims
May 20, 2008

In the Name of Almighty Allah, the Most Merciful and the Most Compassionate. According to the information disseminated in the mass media, an American soldier in Iraq has shot and desecrated the Holy Quran, the book of Muslims and holy message of Almighty Allah, and was arrested on the spot by the military authority of the United States of America. The soldier showed his hostility and enmity against beloved Islam and the world’s Muslims and took the mask off his infidel face. As far as having beliefs and following religions it is the right of each individual and the beloved Islam is a complete religion which Almighty Allah has selected for human beings in order to pursue their life goals which causes the welfare and prosperity of both this world and the next world. There are about one and half billion followers of Islam and the Holy Quran. The reason is because the Holy Quran responds to all requirements and access to both spiritual and physical needs of human beings in all periods, particularly at the present era, which is called the time of civilizations and peaceful competition of cultures. The Holy Quran is supported by the principles of understanding each other and [guides] its followers to be neither violent nor violated.

Thus Meshrano Jirga of the National Assembly of Afghanistan discussed seriously the issue in its plenary session on Tuesday, May 20th and approved the following unanimously:

1. We as representatives of the Afghan Muslim nation cannot tolerate any humiliation and sacrilege to beloved Islam and particularly against the Holy Quran in any title and we severely denounce and condemn this pertinacious action.
2. We are requesting the international community, including the United States of America to try the mentioned soldier by tribunal, openly, as soon as possible.
3. In Kabul, the Ambassador of the United State of America and political deputy from the Ministry of Foreign Affairs of the Islamic Republic of Afghanistan were summoned to the International Affairs Committee of the Meshrano Jirga and asked to present information about the measures of the United States regarding this issue.
4. The governments of those countries where there citizens have been identified as they have committed humiliations against the sacred beliefs, they should be punished and make the commitment, on international level for avoiding such deeds, movements, and infidel preaching in their respective jurisdiction, otherwise the responsibilities of such nefarious deeds and actions will be on their shoulders.
5. In addition we, the Muslims, pay respect to and believe in all celestial religions. Those who humiliate Islam or other religions are punishable. We strictly want others to respect and regard our religion as well.

-Professor Hazrat Sabghatullah Mujadadi, Speaker of the Meshrano Jirga of the National Assembly of Afghanistan

On May 21st, the Wolesi Jirga also issued a declaration condemning the desecration. The MPs left the session as a sign of protest shortly after the meeting began. A majority of legislators voted for the following declaration:

1. We strongly condemn the illogical and inhuman approach of an American soldier and consider it as an open humiliation of Muslims' Holy book;
2. The soldier who committed this crime deserves severe punishment. Therefore we strongly ask the United States government to bring the criminal to justice and punish him;
3. Obviously such actions cannot be tolerated by Muslims. In order to maintain world peace and stability we ask the world's governments and nations, particularly the UN Security Council, as the institutions protecting the world peace, to prevent such actions in the future;
4. In order to prevent such inhuman and humiliating actions in future, we ask all Muslims, particularly the Islamic Conference, to take comprehensive, joint and logical decisions regarding such incidents, in addition to condemning this crime;
5. Based on our Islamic beliefs, we consider that respecting all religions will help world peace and stability between the world's nations, and we ask the peace supporting countries to join with Muslims in condemning the inhuman approach of the American soldier which humiliated the beliefs of more than 1 billion people;
6. We ask the Islamic Government of Afghanistan to express severe condemnation regarding the incident through diplomatic channels, and take appropriate actions before such incidents are repeated.