



USAID
از طرف مردم امریکا
د امریکا دولس لخوا

**AFGHANISTAN
PARLIAMENTARY ASSISTANCE
PROJECT**

7 June 2010 Vol. 3, No.15

Legislative Newsletter

News

Senators second calls to clamp down on proselytizing

Following last week's emotional Wolesi Jirga speeches on the issue, the Meshrano Jirga on June 1 viewed the Noorin TV documentary about conversion of Afghan Muslims to Christianity. Not surprisingly, the senators strongly condemned proselytizing in Afghanistan, and formed a commission of 14 members to identify, in collaboration with the Ministry of Economy (where NGOs are registered), the organizations responsible. The senators plan to share their findings with the Attorney General's office, if deemed necessary, and called on the government to close and expel the guilty parties.

As reported, the documentary shows a group of male and female Afghans (mostly Hazara) being baptized and then praying. "The video shocked me, it is a grievous scene to see people who have come to Afghanistan in the name of cooperation and what their real aim is," said Hafiz Abdul Qayum (Nuristan).

Describing what he sees as anti-Islamic activity generally, including desecration of the Holy Quran at Guantanamo Bay prison and Danish caricatures of the Prophet Mohammad (PBUH), Abdul Qayum asked the senators: "Was the aim of our Jihad and sacrifices to allow proselytizing of Christianity in Afghanistan in exchange for construction of a few roads? If you are changing your religion, then why did you fight the Russians?"

A number of senators echoed the view of some Wolesi Jirga members that the issue is more serious than the country's security situation. "It appears that they have not come to Afghanistan to help us. They have their own goals...this issue [should not be] ignored by the government; Islam is more important than security for Afghans," said Mowlawee Erfan (Kabul).

Asking the government to take serious action, Erfan said that if the converts are not prepared to "repent," "they must be prosecuted based on Islamic Sharia," which many argue calls for the death penalty.

Calling the situation “unbearable,” Mowlawee Mahmood Danishjo (Balkh) warned of the destabilizing implications of converting Afghan Muslims: “If such movements continue...the current government will lose control...religious scholars, Jihadi leaders and elders will declare military Jihad.”

Subsequent to the MJ debate, Noorin TV broadcasted an interview with one Afghan Muslim accused of converting and arrested by the police. He denied turning to Christianity, instead claiming to have been assigned by a Muslim Council based in Qum, the second most sacred city in Iran, to gather information on Christian activities in Afghanistan. “I was working for Iran, I have proof that I sent reports two years ago to that Islamic base,” he said.

Several senators blamed the Afghan security authorities, including the National Directorate of Security (NDS), for failing to be aware of and preventing proselytizing.

Wolesi Jirga boycott continues, with exceptions

Responding to one of four Wolesi Jirga demands, as outlined in last week’s Newsletter, the government has submitted a list of nominees to the Commission for Oversight of Implementation of the Constitution. The list contains six names, with a seventh to follow ‘soon’ according to government sources. On June 7, the MPs decided that they will consider and vote on the nominees, but return to their boycott of Assembly duties thereafter pending government compliance with the other three demands.

MPs continue focus on proselytizers

Despite the ongoing boycott of Assembly business, MPs made an exception to continue their discussion of alleged Christian proselytizing in Afghanistan. On June 5, the Minister of Interior Affairs, Minister of Economy, National Directorate of Security (NDS) head and Attorney General appeared in the lower house to brief MPs on the issue.

The then (having resigned the following day for unrelated reasons) NDS chief, Amrullah Saleh, described the agency’s initial findings on proselytizers in Afghanistan and urged the MPs to exercise caution in judging the matter. He explained that while his department has no evidence against the two NGOs named by Noorin TV, Norwegian Church Aid and Church World Service, the agency does have the names of eleven other organizations it suspects of proselytizing. But the intelligence head asked MPs to exercise caution in making judgments based on a single TV package, the source of which, he said, was unknown.

In line with the alleged tie to Iran reported above, Saleh acknowledged possible global political interests in the case. “I won’t assert that there is definitely intelligence warfare happening, but our strongest guess is that there is.” He confirmed that one of the detained ‘converts’ confessed during interrogation to “taking instructions from Qum.” Saleh also

explained the ease of manipulating the public's emotions (against the West) by staging such events.

Apparently relieved by Mr. Saleh's briefing, the MPs applauded his candid approach. "I think everything is clear after the general director's explanations. As I said previously, it was a plot and I am glad that we learned about it," said Shahla Ata (Kabul).

"I thank the director of national intelligence for clarifying the issue. Some neighboring countries try to portray Afghanistan as an occupied country where Christianity is proselytized freely," said Mir Ahmad Joyenda (Kabul).

But other MPs cautioned that, because Afghans are deeply disturbed over the issue, dispelling the reports would not be easy. The "Afghan population is easily incited and a bad image has been portrayed. Correcting this takes time," said Sayed Abdul Qadeer Sayad (Badakhshan).

Unwilling to drop the issue, political manipulation or not, Qazi Nazir Ahmad Hanafi (Herat) argued that organizations suspected of proselytizing should be pursued. "Just closing their doors is not enough, they will strike from another door. We must prosecute them. Those who have distributed the Holy Bible and proselytized must be prosecuted," he said.

Other MPs called for an examination of the motivations for conversion. "I think one needs to look into the reasons why people convert. Poverty, asylum seeking, lack of religious knowledge, and widespread immorality are the reasons why people convert," asserted Nasrullah Sadeqi Zadah Neeli (Daikundi).

Concluding the session, Speaker Qanooni repeated Saleh's call for caution in reaching conclusions. "The relevant authorities explained that their findings are not final, that more needs to be done. Let's give them time to finish their investigation," he said.

Further Assembly-government communication on the matter is expected.

MPs differ over role and effectiveness of Peace Jirga

A majority of MPs last week attended the National Consultative Peace Jirga (NCPJ) convened in Kabul, despite the signing by over 40 of a petition threatening a boycott if their four outstanding demands to the government were not met.

A few, however, did not. "It was merely a publicity stunt by the ruling team," argued Ahmad Shah Behzad (Herat). The MP claimed that the ethnic balance of the Jirga was tilted towards Pashtuns. "All active leaders of the non-Pashtuns refused to participate: Dr. Abdullah Abdullah, Mr. Dostum, Mr. Mohaqeq, as well as about 100 MPs," he said.

Abdul Satar Darzabi (Jawzjan), however, rejected Mr. Behzad's numbers, arguing that all ethnic groups were properly represented. "There were people representing our Tajik brothers, Uzbek and Hazara brothers, all were represented in the Jirga." Those who did not participate were in the wrong, he argued. "Peace and security are of paramount importance. If we don't have peace, we will have nothing. They should have joined us."

Other MPs expressed reservations about the legality of such 'consultative' Jirgas. "This Jirga has no Constitutional basis, it's only consultative. We [elected MPs] could not be party to a mostly unelected gathering of people who were mostly Mr. Karzai's election campaign team members," argued Noorulhaq Ulomi (Kandahar). Ulomi, referring to one article of the NCPJ's final declaration, argued the need for better, more effective institutions in Afghanistan, rather than the creation of new ones. "One of the clauses in the declaration asks for the immediate release of prisoners who were wrongfully detained. Well, if there are prisoners in our jails who have been imprisoned wrongly, we shouldn't need a Jirga to tell us to release them," he said.

But Sayed Hashim Fulad (Nangarhar) rejected the idea that the NCPJ was unconstitutional. "If the constitution doesn't foresee such a consultative Jirga, it doesn't forbid it either," he said. Of the Jirga's achievements, however, Fulad said, "There is not a great deal, I am afraid, but at least we tried. The reason there was not a great deal of achievement is that it was unilateral." The MP was referring to the declaration's concessions to Taliban interests, without concessions of their own.

"All the Peace Jirga has achieved is to split our Jirga [Wolesi Jirga]," argued Ulomi. But Fulad disagreed: "We have sent the right signal that we are ready to negotiate, and that is a good start."

WJ members have argued previously that any policy manifestations of the NCPJ must come to the WJ for consideration and approval.

Senators demand release of innocent prisoners

The Meshrano Jirga (MJ) plenary, chaired by Hazrat Sibgatullah Mujadidi (Kabul), discussed the status of prisoners on May 30. The upper house demanded release of what they deem innocent prisoners held in jails under the label of Taliban.

The discussion followed a visit by a delegation headed by the Meshrano Jirga Complaint Committee chairman, Dr. Zalmai Zabuli (Zabul), to Pul-e-Charkhi and Nangarhar prisons. The committee reported that the ongoing detention of some aged, mentally ill, and terminally ill persons is illegal. "Some innocent people have been kept as political prisoners, their files have remained closed for years, and they have no right to appeal," Zabuli said in criticizing as unfair the decisions of certain judicial organs.

Corroborating Zabuli, Mahbooba Huqoqmal (Kabul), chairwoman of the MJ Legislative and Judiciary Committee, alleged corruption within the judicial departments. “Those who are convicted to intensive punishment are forgiven, but those who deserved to be forgiven are in prisons with an unknown destiny,” she said.

In early May the Meshrano Jirga expressed concern over the conduct of the judicial departments, requesting that they judge fairly. On May 18, Mohammad Zahir Faqeryar, deputy in the Attorney General’s Office, responded senators’ questions, promising to consider their recommendations.

Some Meshrano Jirga members accuse security agencies of jailing the mentally ill as Taliban or Al-Qaida as a public relations ploy. The “government arrests mentally ill people, broadcasts their reports on TV channels, and then puts them in prison. It is a great shame for the government, president, the attorney, and for all of us,” said Khan Mohammad Khaki (Paktia).

Meshrano Jirga announces summer recess

The Meshrano Jirga began its 45 day summer recess on June 5. The senators will return on July 22. Kapisa senator Noor Mohammad Kafil suggested that his colleagues use the opportunity to evaluate security problems in their provinces and report back to the plenary on implementation of development projects in their areas.

Legislation

Meshrano Jirga

Financial Lease Law

The law is proposed in pursuance of Article 10 and 13 of the Constitution for the regulation of financial lease related affairs. The objectives of the draft include development of small and medium investments through financial leases, creation and improvement of a competitive atmosphere in the investment sector through alternative bank loan grants, and creation of employment opportunities through financial leases.

Status: The Meshrano Jirga plenary approved the bill on May 30. The house omitted the Wolesi Jirga amendment in clause three of Article 14, which stated, “Both sides in a financial lease contract can agree on additional guarantees to be given by the lease holder, to ensure all future obligations are met.” The MJ considered the amendment duplicative.