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NEWS

Wolesi Jirga Summer Recess Delayed for the Second Time

On June 20, lawmakers in the Wolesi Jirga (WJ) decided to delay their summer recess for another fifteen days; this marked the second time this month that the WJ delayed the start of their recess. When the MPs initially delayed their break on 5 June to begin their “silent protest”, they hoped the government would meet their demands to submit cabinet ministers for approval by the Parliament. “The least the government could do is send the Parliamentary Affairs Minister to the WJ to, perhaps, negotiate a way out of this stalemate.” Mr. Abdul Latif Pedram (Badakhshan) said.

Arguing for yet another delay, Ms. Fawzia Kofi (Badakhshan) said: “We shouldn’t go on recess because we have not achieved anything to show our constituents.” This was a sentiment shared by most of the MPs present in the House. “I urge my fellow MPs to give up their summer recess and continue to work until the government meets our demands.” Mr. Muhammad Naeem Lalai Hameedzai (Kandahar) said.

Although a majority of MPs present in the session supported this action, Mr. Noor Mohammad Akbari (Dikundi) raised some legal issues. “I quote Article 107¹ of the Constitution,” Mr. Akbari said. “It states, ‘The National Assembly convenes two ordinary sessions each year. The term of the National Assembly in each year is nine months. When necessary, the Assembly can extend this period.’ It says the National Assembly can extend this period, not WJ on its own.” Mr. Akbari’s point was that the both houses of the National Assembly needed to approve an extension. He argued that the WJ had no unilateral authority to act.

Mr. Khaled Pashtoon (Kandahar), First Deputy Speaker of the WJ, announced that the silent protest would continue unless otherwise decided by the MPs.

¹ Article 107 of the Constitution:

“The National Assembly convenes two ordinary sessions each year.

The term of the National Assembly in each year is nine months. When necessary, the assembly can extend this period.

Extraordinary sessions of the assembly during recess can take place by the order of the President.”

MPs New Confrontational Tone

As the silent protest in the Wolesi Jirga (WJ) continued with no clear end in sight, by 21 June the MPs tone became increasingly confrontational towards the government. Speaking in that day's plenary session, some MPs suggested passing a no-confidence vote on numerous cabinet ministers. One of the MPs who spoke anonymously to the Afghan Parliamentary Assistance Program (APAP) said: "The MPs are frustrated with the government's lack of attention to their protest so they are picking on the Ministers, not necessarily always for the right reasons."

Mr. Abdul Satar Khawasi (Parwan) urged MPs to be strong and earn the respect that the people's representatives deserve. "I was always told that if you expect respect from others, you should respect yourself in the first place." said Mr. Khawasi. He reminded the MPs that during King Mohammad Zahir's era, the 13th Parliament extended a no confidence vote to the cabinet and prime minister because a traffic warden had been disrespectful to a legislator.

Mr. Khawasi's remarks came after Mr. Asadullah Saadati, MP from Bamyán, told his colleagues that meeting the Ministers is almost impossible. "I went to see the Minister of Defense, but upon arrival, the guards outside wanted to search my car using a dog." Mr. Saadati said. "I refused, not because of my personal ego, but because of the dignity of the people's representatives," he explained.

The Minister of Defense was not the only one who was facing the ire of the MPs. After explaining an incident that occurred in the eastern province of Kunar, Mr. Muhammad Reza Watandust Khoshak (Herat) questioned the competency of the Minister of Foreign Affairs and called on the Wolesi Jirga to summon him.

Mr. Muhammad Naeem Lalai Hameedzai (Kandahar) went further and called for the Ministers of Defense, Interior and Foreign Affairs, and the Directorate of the National Department of Security to be summoned and given a no confidence vote. "None of these officials respect the people's representatives. Nothing gets done in the Ministry of Interior Affairs." Mr. Hameedzai claimed.

In addition to the Ministers of Defense, Interior, Foreign Affairs, Public Works and Information and Culture and the Director of National Department of Security, the lawmakers also complained about the Director of Local Administration and the Attorney General. The complaints included claims that the officials did too little, on the one hand, or they were incompetent, on the other.

Mr. Mohammad Sarwar Usmani Farahi (Farah) went further still and said: "Two thirds of the MPs under this roof have been newly elected. All the Ministers need to come back for a vote of confidence."

MPs could be seen nodding in agreement when Mr. Qazi Nazeer Hanafi (Herat) shouted: "You will never receive the respect you deserve unless you begin passing no confidence vote to the Ministers."

Most of the issues raised by the MPs were referred to the relevant committees by Mr. Khalid Pashtoon (Kandahar) who was chairing the plenary. But the lawmakers complained that the committees are not sitting and therefore, it meant that no practical action would be taken. These MPs believe that summoning some of the Ministers for the purpose of passing a no confidence vote was just a matter of time.

Wolesi Jirga's Third Resolution on Special Election Court

For the third time in recent months, on 22 June members of the Afghan Lower House passed a resolution calling the Special Election Court (SEC) illegal. Despite numerous meetings between MPs and the president in regards to the SEC's fate, it continues to exist and investigate parliamentary election related complaints. "Unless we make a final decision about the SEC, we will not be able to make any difficult decisions while the threat of its verdict looms over the MPs." argued Ms. Fawzia Kofi (Badakhshan).

Although there was consensus about taking some action concerning the SEC, the MPs could not agree on specific steps to take. Views ranged from hunger strike to passing a resolution, reiterating the position of the WJ in regards to the SEC.

"Let's issue a resolution that is serious." Mr. Irfanullah Irfan (Kabul) called on his fellow MPs. "If this [issuing the resolution] doesn't work, we will have no other option but to kill or get killed." continued Mr. Irfan.

The MPs agreed to issue a resolution and hold an extraordinary session on Thursday, 23 June to discuss the matter further. They also summoned all members of the Supreme Court, including the Chief Justice, together with the Attorney General to the plenary at that time.

The resolution emphasizes that the SEC's existence is against the constitution and no verdict issued by it will be acceptable by the legislators. It further warns of "dangerous consequences" if it made any announcement. The resolution argues that any decision regarding the results of the election lies with the Independent Election Commission.

MPs Pass a No-confidence Vote on Attorney General

As MPs held an extraordinary session on 23 June to discuss the Special Election Court (SEC), the tension between the government and the Wolesi Jirga (WJ) took its first casualty. The Lower House had invited Mr. Mohammed Ishaq Alako, Afghanistan's Attorney General (AG) to that day's plenary session but he refused to attend, citing that the WJ had no authority to summon him. In his absence, the lawmakers passed a vote of no-confidence, in part, due to his stance regarding the SEC.

It was not the first time Mr. Alako refused to attend a WJ session. On two other occasions in recent months, the Attorney General failed to attend WJ sessions when requested by the MPs, maintaining that he was not legally obliged to do so.

“The Attorney General’s refusal to come to the people’s house leaves us with no option but to ask for a vote of confidence on his position.” said Abdul Rauf Ibrahimi (Kunduz) Speaker of the WJ.

Speaker Ibrahimi, therefore, asked the MPs to vote whether they wanted a secret ballot or an open vote. The majority of MPs agreed to an open vote. All but two of 132 MPs present voted in favor of a no confidence resolution.

The government has not yet responded to WJ’s no confidence vote in the AG.

Acronyms

MJ Meshrano Jirga
NA National Assembly
WJ Wolesi Jirga