

## Legislative Newsletter

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### **NEWS:**

#### **Wolesi Jirga Briefed on Professor Rabani's Assassination**

The Wolesi Jirga (WJ) invited Interior Minister Bismillah Mohammadi, Defense Minister Rahim Wardak and Acting Director of the National Directorate of Security Rahmatullah Nabeel on 1 October to update MPs on progress in the investigation of Professor Burhanudeen Rabani's assassination and Pakistan's rocket attacks on Kunar province.

The security officials informed the House that evidence gathered so far shows that Prof. Rabani's assassination was planned in Quetta city of Pakistan, where key Taliban leaders are based. According to them the suicide bomber claiming to be a peace emissary from the Taliban was a citizen of Pakistan. "We have arrested some suspects and the person alleged to have carried out the suicide attack against Mr. Rabani was not an Afghan citizen," Mr. Nabeel said. He added that the whole plot was to stop peace negotiations in Afghanistan. "The Afghan government submitted to Pakistan's Embassy in Kabul evidences of the incident and requested the Pakistani government to cooperate with Afghanistan," Mr. Nabeel said.

Confirming that Pakistan's intelligence services is behind a string of high-profile assassinations in Afghanistan, Mr. Mohammadi alleged that the Afghan government has hard evidence that the former Afghan President's assassination was planned in Pakistan. "The assassination of Mr. Rabani was plotted in Quetta by high-level members of the Quetta Shura four months ago with the support of Pakistan's Inter-Services Intelligence," Mr. Mohammadi said.

Explaining the country's security situation, the Interior Minister said that government opponents have lost control of some areas and ANA and ANP have become stronger than before. He added, "Due to losing some areas, the Taliban have changed their tactics by carrying out complex attacks, suicide bombing and planting of mines."

Defense Minister Wardak updated the WJ about the security situation across the country and Pakistan's shelling in Kunar province saying, "ISAF contacted the Pakistani army but they denied and said they did not fire rockets on Kunar province." He also criticized the media for not playing a positive role in explaining the security situation to the nation. "We will defend our country until the last drop of our blood," Mr. Wardak added.

As MPs still wanted more details on Mr. Rabani's murder, the government officials proposed further discussion behind closed doors.

Meanwhile, Ms. Semeen Barakzai, a member of the Law Support Coalition and one of the nine MPs who were expelled from the Wolesi Jirga, went on a hunger strike on Tuesday. Ms. Barakzai held a press conference in the Coalition's offices before starting her hunger strike.

Speaking at the press conference, Ms. Barakzai said, "Ladies and gentlemen, I am glad to see you all here today in what is one of the most important political decisions I will ever make. My right as an MP was taken away from me by the Independent Elections Commission (IEC) and covert intervention of some government entities. To protest, I am going on hunger strike.

"A year ago I contested for a Wolesi Jirga seat from a district in Herat province. I had no assets or money, just trust and belief in my people. I ran a fair campaign and was declared the winner by the IEC and I even got the certificate. A few months later, my victory was nullified by the special tribunal and the IEC.

"It is worth mentioning that there exists a document signed by Mr. Manawee, the IEC Chairman, certifying that the person who has been selected to replace me violated the electoral laws of this country. I criticize the ongoing political situation, and no legal entity in Afghanistan will convince me otherwise. I will continue with this hunger strike until I get my rights back, even if it means I die. I don't want any government position; I just want to represent my constituents in Parliament."

She said that she would only end her strike if "national and international entities consider my case, the IEC provides a legitimate reason for my elimination and selection of my replacement, taking the nine people selected to replace the expelled MPs from the floor until the issue is resolved or the end of my life (death)".

Mr. Zaheer Qadeer (Nangarhar), head of the Law Support Coalition and 15 other Coalition members attended Ms. Barakzai's press conference.

### **Meshrano Jirga Backs Peace Talks with Pakistan Instead of Taliban**

The Meshrano Jirga (MJ) plenary session on 2 October corroborated President Karzai's stance to hold peace talks with Pakistan instead of the Taliban. Distinguishing Pakistan as a real problem, Mohammad Alam Izedyar (Panjshir), MJ First Deputy Secretary said, "The government should bravely and directly negotiate with Pakistan instead of the Taliban." He also called on the international community to eliminate terrorism and take serious steps against terrorists to secure the world. "If they don't act against terrorists, their presence in Afghanistan will come under question," Mr. Izedyar asserted.

After the assassination of former Afghan President Burhanudeen Rabani by a supposed peace emissary, current Afghan President Hamid Karzai told political, religious and influential elders in a meeting last week that the government cannot talk to anyone but Pakistan, which has provided aid and sanctuary to Afghan insurgents.

Supporting the government's position, Senators also confirmed that the other side of the talks is Pakistan; therefore, the Afghan government should focus their efforts on putting pressure on Pakistan. "I support the stance of the government and Jihadi leaders that we should negotiate with Pakistan instead of the Taliban. The Taliban and other terrorist groups are under Pakistan's Inter-Services Intelligence (ISI)," Mrs. Najiba Husaini (Daikundi) said. Echoing Mrs. Hussaini, Mrs. Tayeba Zahedi (Appointee) said, "We should negotiate with those who are supporting the Taliban."

Senators proposed that the nation should outline a new strategy towards Pakistan. They criticized the international community for not playing a decisive role against Pakistan. “Our neighbors and the international community do not have a positive policy towards the nation and the government. The MJ should call on political parties, Jihadi leaders, human rights groups and tribal elders of all provinces to adopt a policy to defend our country from neighbors and the international community,” Mr. Zalmay Zabuli (Zabul) said.

Agreeing with Mr. Zabuli, Mr. Abdul Hanan Haqwayoon (Paktia) said that although the international community knows that the roots of terrorism are in Pakistan and Iran it does not put enough pressure on these two countries. “Pakistan and Iran are trying to resume war in Afghanistan. The international community understood everything about Pakistan but they did not take serious steps against Pakistan because they do not want to lose Pakistan. They have common interests,” Mr. Haqwayoon added.

Mr. Rafiullah Gul Afghan (Kabul) said, “The international community is here to eliminate terrorism and narcotics but unfortunately terrorism and narcotics have increased. The main reason for these problems is the gap between the Afghan government and the nation.”

Most Senators believe that the existing problems could be solved through national unity and reviewing relations between Afghanistan and Pakistan. “National unity is the main reason for Afghanistan’s instability,” Mr. Jamshidi (Daikundi) commented. According to him, “The relations with Pakistan should be reviewed, because the tension with Pakistan is not in the interest of Afghanistan.”

Meanwhile, the Meshrano Jirga asked the Minister of Interior and NDS Acting Director Rahmatullah on 4 October to brief Senators on the latest developments in the investigation of Prof. Rabani’s assassination. Mr. Nabeel reported to the House that four things could explain the reasons behind the assassination: thirst of the Afghan people for peace without establishing a mechanism for peace; terrorists’ thirst for bloodshed; trust in the enemy; and lack of confidence in the High Peace Council (HPC) and other government agencies. Mr. Nabeel added that when the HPC was established all members were assigned to use their influence to reconcile with the Taliban. “The NDS has not been involved in the affairs of the High Peace Council, but we have helped the HPC in their efforts to reintegrate the Taliban. The NDS was not allowed to monitor activities of the HPC. We arrested mid-level Taliban commanders in Kabul but the HPC accused us of stalling the peace process and demanded that we release them,” he said.

Mr. Nabeel informed the legislators that the Afghan government hand over all the evidence on the assassination of Prof. Rabani to the military attaché of the Pakistan Embassy in Kabul and request them to cooperate with the joint interrogation team. “Despite all the evidence we shared with them, the Pakistan Ministry of Foreign Affairs refuted our information and evidence that the Pakistan government is supporting the Taliban and other insurgent groups,” said Mr. Nabeel.

Interior Minister Bismilah Khan Mohammadi said the assassination of Prof. Rabani was a painful incident. “The assassination plot of Rabani was prepared by the Taliban Quetta Council four months ago in coordination with the Pakistan Inter-Services Intelligence (ISI). People involved in the murder of Prof. Rabani were on our list and we were tracking them for the last 10 years. We shared all the evidence we had with the government of Pakistan and requested them to cooperate in this regard to arrest the perpetrators. Remember Prof. Rabani will not be the last leader to be assassinated; the process of killing Afghan leaders is still ongoing. We should improve the capacity of our intelligence to monitor and hamper the Taliban and other insurgent groups’ activities, train and equip Afghan police to fight our enemies,” Mr. Mohammadi said.

After security officials' briefing Senators were of the view that apparently there is tension between Afghanistan's security organizations and neighboring countries and nation should not leave them alone in this battle. "The NDS, ANA and ANP are in war with Pakistan. We need national unity," Mr. Nazar Mohammad Faqeri (Appointee) said.

Mr. Ghulam Muhaiuddin Munsif (Kapisa) criticized the prosecution process of the terrorists. According to him, lack of coordination between the Judiciary and the Executive will hamper security officials' efforts to fight enemies of the country. "There is a lack of coordination between the NDS, the courts and the Attorney General's Office. The NDS arrests the terrorists but the court is releasing them," Mr. Munsif said.

Mr. Arifullah Pashtoon (Khost) wanted to find out why the NDS was not monitoring the HPC's activities. "Who prevented the NDS from monitoring activities of the High Peace Council?" he asked. Mrs. Shehnaz Ghousi (Herat) asked why Mr. Rahmatullah Wahedyar, chairman of the Invitation and Liaison Committee of HPC, was arrested. "Was he involved in the assassination of Prof. Rabani?" she asked.

The Acting NDS Director refused to answer the legislators' questions in front of the media and requested a closed door discussion.

### **Meshrano Jirga Ratifies Budget Annex**

During an extraordinary plenary session of the Meshrano Jirga (MJ) on 5 October, the Upper House ratified a budget annex for the current year. The annex includes US\$51 million for the Central Bank reserve and US\$20 million for the Hairatan-Mazar Sharif railway line.

According to Mr. Izedyar, the MJ First Deputy Speaker, if the National Assembly does not approve the annex, the government will struggle to pay government salaries. "The Meshrano Jirga should ratify the annex of the budget because this money has been already transferred to Kabul Bank and we cannot reverse that. The Meshrano Jirga will ratify the annex of the budget and will send it to the Wolesi Jirga (WJ) along with its consultative view. The government should sell properties of the people who were involved in the Kabul Bank fraud," said Mr. Izedyar.

Normally during the midyear budget review the Ministry of Finance (MoF) sends an annex of the budget for additional projects, but this year the government only asked for US\$51 million. The MoF had requested US\$73 million in the 1390 budget for the Central Bank to bailout the Kabul Bank, but the WJ refused to approve it and rejected the budget. As a result the MoF did not disburse the US\$73 million to the Central Bank in the past six months. According to the MoF, the government has so far collected US\$22 million from Kabul Bank debtors and is asking for the remaining US\$51 million to be approved by the National Assembly in order to complete the US\$73 million reserve for the Central Bank. Although the annex has not been discussed yet in the WJ, during the budget review in the WJ finance committee MPs denied approving the bailout for Kabul Bank.

The Commission on National Economy of the MJ provided consultative views about the annex of the budget for the Senators to read carefully and ratify it. "The IMF and international donors stopped more than US\$1 billion of aid to Afghanistan and they have told the Afghan government to return Afg37 billion to the Central Bank which was given to Kabul Bank as a bailout. The National Economy Commission of the MJ discussed this issue several times with government officials but the government did not show interest in solving the problem in this regard. The Meshrano Jirga should ratify the annex of the budget in favor of the nation," Mr. Mohammad Din Hamdard (Kunduz) said. The Minister of Finance also requested

the National Assembly to ratify the annex of the budget; otherwise the government will not be able to pay teachers' salaries and will face problems.

Mr. Hassan Hotak (Appointee) said, "The Meshrano Jirga should give consultative views about the specific financial proposals of the Ministry of Finance in regard to budget affairs. If anyone wants to amend or add something to the document it should favor the interests of the nation. Consultative views of the commission are not clear about the document that was sent by the government. The government should sell properties and announce the names of the people who took illegal loans from Kabul Bank and bring them to justice." Mrs. Najiba Husaini (Daikundi), Rafiullah Haidari (Kunar), Sefatullah Haqmal (Lugar) and Mr. Arifullah Pashtoon (Khost) also supported ratification of the annex of the budget but asked for further governmental restrictions to prevent "future frauds".

### **Law Support Coalition Changes Tactics of Their Struggle**

The Law Support Coalition (Coalition) of the Wolesi Jirga (WJ) announced on 5 October that they will attend next sessions of the House and will continue their campaign from within Parliament to achieve their goals. The decision comes after mediation with provincial council heads from throughout the country convinced 104 members of the "Coalition" to end their boycott in the national interest. A representative of eastern Nangarhar province and head of the Law Support Coalition Hajji Zahir told the media that their boycott would end on Saturday and the Coalition would continue their struggle within the House to prevent violations of the law. "The heads of 34 provincial councils requested that the Coalition attend plenary sessions of the WJ and end the boycott in the national interest. We accepted but will try to campaign for our goals within the House."

The Coalition still insists on its demands and refers to the nine new MPs as "illegal". "The nine new members who have been brought by the government to the House are not elected representatives of the people. The Coalition will make a decision soon accordingly and will change the tactics of their approach," Coalition spokesperson Asadullah Saadati said. He also called upon international and national organizations to consider the demands of Mrs. Semeen Barakzai, one of the nine unseated MPs who is on a hunger strike since last Tuesday.

Meanwhile, some MPs in the WJ's 5 October plenary session called upon government to appoint Barakzai as a senator. "The Meshrano Jirga needs two senators to be appointed since two senators resigned. Let's suggest to the President that he appoint Mrs. Barakzai as a senator to the Meshrano Jirga," Mr. Sayed Mohammad Akhond (Kandahar) suggested. Criticizing the international community and human rights groups for ignoring the voice of Barakzai, Ms. Habiba Sadaat (Helmand) said; "Today is the fourth day of Semeen Barakzai's hunger strike. She is a mother of three kids. Where are international supporters of human rights to listen to her? Do they want her to die?"

Ms. Shenkai Karokhail (Kabul) concurred on the issue of Mrs. Barakzai and added, "Ms. Semeen Barakzai is pregnant. She should be taken to the hospital and should be fed through serum and injections for retention of her life."

At the end of the session, Speaker of the House Mr. Ibrahim (Kunduz) assigned a committee consisting of Mr. Alhaj Abdul Mutaleb Bick (Takhar), Ms. Ustad Humaira Ayoubi (Farah), Ms. Habiba Sadaat (Helmand) and Mullah Sayed Mohammad Akhond (Kandahar) to talk with Mrs. Barakzai and find a solution.