



Legislative Newsletter

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NEWS:

HOOAC Under Fire Over Customs Department Corruption Allegations

The Meshrano Jirga (MJ) on 17 April invited government officials to explain High Office of Oversight and Anti-Corruption (HOOAC) allegations that AFN5.5 billion was embezzled from the Torkham and Hairatan customs houses. Mr. Sayed Mubeen Shar Deputy Minister of Finance responsible for the Customs Department, Mr. Azizullah Ludin (Director of the High Office of Anti-Corruption) and Mr. Sharifullah Shareefi (Director of Audit and Control) attended the session.

The session opened with Mr. Hafez Abdul Qayoum (Nuristan) informing the House that the MJ Legislative Affairs Committee visited the Hairatan customs house to investigate allegations of corruption. According to Mr. Qayoum, the delegation did not meet anyone from the Hairatan HOOAC office but made the following findings;

1. The import duty exemption granted to international organizations such as International Security Assistance Force (ISAF) and North Atlantic Treaty Organization (NATO) is costing the government a lot of revenue. He cited the Hairatan border where only AFN8 billion a year is collected while up to AFN13 billion in customs duty on ISAF and NATO forces' imports is lost.
2. The system used to describe and verify goods imported into the country is not transparent. The Ministry of Finance should take necessary steps to ensure transparency in the description of goods at all boarder posts.
3. The MJ should review the contract between Afghanistan and ISAF on customs duty exemption.
4. The MJ delegation did not find evidence to back HOOAC claims of embezzlement of funds at the two border posts.
5. Border posts such as Torkham are not charging import duty and the customs declaration form is not being completed for petroleum products. Some powerful people do not pay customs duty on any goods brought through the border post.

Several Senators, including Mr. Daoud Assas (Zabul), Mr. Farukh Shah Janab (Faryab), Mr. Zalmi Zabuli (Zabul) and Mr. Abdul Wahab Irfan (Takhar), demanded that HOOAC provides evidence for its claims of corruption in the Ministry of Finance's Customs Department. HOOAC Director Mr. Ludin, who had in the past sent a letter to the Upper House Complaints Commission advising that he reports to the President and not to Parliament, had a barrage of criticism directed at him. Mr. Assas said, "Corruption in the customs departments has reached unprecedented levels. Mr. Ludin should provide evidence of the AFN5.5 billion fraud at Nangarhar and Hairatan customs departments." According to Mr. Janab, "Mr. Ludin should disclose the name of the minister who defrauded the government of USD17 million.

Mr. Nesar Ahmad Harris (Appointee) said there is no coordination between various government departments. "Mr. Ludin said that he is not answerable to the MJ but he is always giving media interviews

on alleged corruption by government officials. We have heard through the media that whoever wants to be recruited as director of any government department should pay USD40.000, allegations that ministers have refuted.”

Responding to Senators’ questions, Mr. Ludin said; “I never said I will not come to Parliament. I believe that without the support of Parliament, President Hamid Karzai and cabinet would not be able to achieve anything. The nation, the president and Parliament should join hands together to curb corruption.” Mr. Ludin however would not disclose the names of persons involved in corrupt activities arguing it is illegal to disclose the names of accused persons before the courts pass its verdicts.

On cases of corruption, Mr. Ludin said his office usually forms an investigation team composed of representatives of the Attorney General’s office, Audit and Control office, Ministry of Finance and HOOAC. “After we evaluate the case, we prepare the final report and send a copy to the President’s office and office of the Attorney General. Our investigation shows that AFN839 million was embezzled from Nangarhar customs department while AFN3.5 billion was misappropriated in Hairatan customs department.”

On his turn, Auditor General Mr. Shareefi told the House that his office audits and controls expenditures of all organs, prepares and develops an annual report on government departments’ revenues and expenses, a copy of which is sent to the President and Parliament.”

Mr. Shah Deputy refuted HOOAC allegations of embezzlement in Nangarhar and Hairatan custom departments. “It is our duty to curb corruption. In 1389 our revenue was USD800 million and that figure has since gone up to USD2.0 million. This is evidence that there is no corruption in the Customs Department. Mr. Ludin’s allegations are baseless,” said Mr. Shah.

Senators Fume Over Preferential Coverage of WJ over MJ, “Inappropriate” TV Programs

Information and Culture Deputy Minister Mr. Nabi Farahi, Radio-Television Afghanistan (RTA) Director Mr. Zareen Anzoor attended the Meshrano Jirga’s (MJ) 15 April session to respond to members’ concerns that RTA news broadcasts exclude news items related to the MJ.

Opening the session MJ Speaker Mr. Fazel Hadi Muslimyar (Nangarhar), said, “The House will also discuss issues relating to inappropriate programming being broadcast by private television channels. These programs are against the sacred values of Islam.”

In his contribution, Mr. Mir Hamedullah Muneeb (Parwan) said that several private TV channels are broadcasting inappropriate programs. He accused Tolo TV and 1TV for broadcasting pornographic films and serials that do not conform to the Afghan tradition and Islamic values. Mr. Muneeb wanted to find out what steps the Ministry of Information and Culture taken to stop the broadcasting of such immoral programs. Mr. Khaleqdad Balaghi (Kabul) criticized RTA for not broadcasting Shia community prayers.

Contributing to the discussion, Mr. Abdul Wahab Irfan (Takhar) criticized RTA management for not giving the Upper House as much coverage as the Wolesi Jirga. “The MJ news always comes after news on various ministries. This is evidence RTA holds the MJ in lesser esteem and this is not acceptable to us.” He also asked the Deputy Minister of Information to confirm National Directorate of Security Spokesman -Mr. Lutfullah Mashal’s recent allegations that neighboring countries fund some TV channels. “I think Mr. Mashal’s allegations are unfounded. The media is playing a very important role as a fourth estate,” said Mr. Irfan.

Mr. Abdul Hanan Haqwayuon (Paktia) concurred, adding that Mr. Mashal should produce evidence to support his claims. Mr. Noor Mohammad Kafeel (Kapisa) also agreed, saying; “Mr. Mashal should not have released such sensitive information to the media. Releasing such information threatens our national interests.”

Mr. Mullah Faizee (Panjshir) on his turn said most of the programs shown on TV brainwash Afghan youth, prompting Mr. Maulawee Habiburahman (Baghlan) to call for limitation on the media. “Media freedom does not give the media the right to undermine Islamic values,” said Mr. Habiburahman.

In his contribution, Mr. Hafez Abdul Qayoum (Nuristan) said that in the last 10 years the media has played a very important role although some media organizations have overstepped their limits by broadcasting immoral programs. He urged the Ministry of Information and Culture to ensure that the media operates within the law. Mr. Hassan Hotak (Appointee) concurred, adding; “We have seen positive developments in the media sector in the last 10 years. Media organizations have sacrificed a lot to provide information to the Afghan people.”

Mr. Sher Mohammad Akhondzada (Appointee) alleged that some media organizations are working in cohorts with provincial governors. “Some governors pay media organization to get positive coverage. Provincial journalists do not adequately report on what is happening in the provinces because of their ties with provincial governors.”

While acknowledging media organizations’ sacrifices in the last 10 years, Speaker Muslimyar said that there was an urgent need for media reforms.

Responding to members’ concerns, Deputy Minister Farahi said; “My ministry is enforcing the Media Law passed by the Parliament a few years ago . . . Both the Upper and Lower Houses are important to us. We do not discriminate against either House. We respect both Houses.” On the question of Mr. Mashal’s allegations, Mr. Farahi said; “We have regulations to control the media and have formed a media violation commission. Those who do not adhere to the provisions of the Media Law will be referred to the Attorney General’s office. Senators can also send us a list of media organizations that violate the law for investigation and subsequent prosecution.”

Mr. Anzoor assured members that RTA considers both Houses equal and does not discriminate against either the WJ or the MJ. “We respect both houses and our policy is very clear. We treat the MJ and WJ equally. We do not edit the news clips we receive from both Houses. We broadcast them as they are. If the Senators agree, we will devote the daily seven o’clock evening news bulletin to Parliament news.”

Ministers Grilled Over Afghan Refugees’ Living Conditions in Iran and Pakistan

The Minister of Foreign Affairs Mr. Zalmai Rasoul and Refugees and Repatriates Minister Jamaher Anwaree attended the Wolesi Jirga (WJ) 15 April plenary session to respond to MPs’ questions on Afghan refugees’ living conditions in Iran and Pakistan. Members also discussed the upcoming Chicago and Tokyo conferences

Mr. Ubaidullah Rameen (Baghlan) said the Tokyo conference is a golden opportunity for Afghanistan’s economy. He called on the council of chairs to include the conference in the Lower House plenary agenda. “I propose to form a committee from the concerned committees of the Wolesi Jirga to hold meetings with

the Economics Committee of the Council of Ministers to discuss the Tokyo conference in order to develop a sound concept for infrastructural development in the country,” said Mr. Rameen.

Mr. Abdul Satar Khawasee (Parwan) requested the Foreign Affairs Minister to update MPs on his recent visit to Qatar as well as the upcoming Chicago and Tokyo conferences.

Responding to the request, Mr. Rasoul said the peace process should be Afghan-led. “All decisions would be made by Afghans . . . The government recalled the ambassador from Qatar in protest over the exclusion of Afghanistan from the peace talks. The Ambassador has since returned to Qatar following the ‘Afghanisation’ of the peace process . . . We have also requested the Qatar Foreign Affairs Minister to open an embassy in Afghanistan or we will close our embassy in Qatar. The Qatar Foreign Affairs Minister agreed to visit Afghanistan, open an embassy and also sign a cooperation agreement with the Afghan government to encourage Arabic businessmen to invest in Afghanistan,” Mr. Rasoul said.

He further informed MPs that the Chicago conference scheduled for May would discuss donor commitments to Afghanistan beyond 2014. Donors have undertaken to contribute up to USD4.1 billion to Kabul between 2014 to 2024 for military equipment and support. “The conference will also consider cooperation mechanisms between Afghanistan and North Atlantic Treaty Organization (NATO) and the latter’s commitment to continued support in training the Afghan National Army.”

On the Tokyo conference, Minister Rasoul said the donor countries would use the conference to announce their support towards the country’s infrastructural development, including mining.

“About 950,000 Afghan refugees have Iran resident permits, while 1.4 million are illegal immigrants. Tehran and Kabul reached an agreement that would see the 1.4 million illegal immigrants issued with visas to legalize their stay in Iran . . . Twenty-five Afghans on death row had their sentences reduced under an amnesty declared by the Iranian authorities,” said Minister Rasoul. He added that the number of Afghans trafficked to Greece has steadily increased in the last few years. “Unfortunately, most of them lose their lives in transit when vessels they are transported in capsize before reaching Greece. We are also working to curtail human trafficking from Afghanistan to Australia, Greece and other countries,” he said.

Refugees Minister Anwaree said there is a need to define “repatriates” and identify their needs before his ministry can develop an appropriate strategy to respond to the problems refugees and repatriates face. He told the House that 375 000 and 500 Afghans were enrolled in Iranian schools and universities respectively. “We have also signed an agreement with International Organization for Migration (IOM) to help Afghans living in Iran enter that country’s job market,” Minister Anwaree said.

Ms. Shah Gul Rezayee (Ghazni) asked the Foreign Affairs Minister to explain the significance of the High Council of Peace in the peace process with government opponents. Mr. Sher Wali Wardak (Kabul) asked the government officials to explain who the Taliban is and the role of the government in the peace process.

Responding to the questions, Mr. Rasoul said; “Every Afghan needs peace . . . A peaceful Afghanistan would respect the National Constitution, human rights, women’s rights and a decade of success of the Afghan government. The negotiated agreement achieved by the peace talks and the US-Afghan Strategic Partnership Agreement will be submitted to Parliament for approval. We want peace with Afghan Taliban and we will fight anyone against a peaceful Afghanistan.”

At the end of the session, MPs requested the three government officials to regularly update Parliament on progress in the peace process.