



Legislative Newsletter

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NEWS:

Wolesi Jirga Condemns US Soldiers' Burning of Holy Quran

The Wolesi Jirga (WJ) on 22 February condemned the US military for burning copies of the Holy Quran at Bagram military base. The incident, which occurred on 21 February, drew heavy criticism from the floor, with some members calling for the expulsion of all foreigners from Afghanistan.

Mr. Ghulam Farooq Majroh (Herat) led the chorus of condemnations saying, "American forces committed the biggest crime at Bagram military base yesterday. They came to Afghanistan to support us and not insult our sacred values. They merely extend an apology after raping our children, searching our houses and bombarding our provinces, this time we would not sit back and watch them disrespect our sacred religion."

Mr. Alhaj Allah Gul Mujahed (Kabul) stated that this is not the first time that Jews and Christians have burnt the Holy Quran. "We do not need Jews and Christians in this country. They came to Afghanistan in pursuit of their personal interests, they should leave Afghanistan immediately . . . Jihad is permissible against them," said Mr. Mujahed.

In his contribution, Mr. Qazi Nazir Ahmad Hanafi (Herat) said, "There has been no bigger crime committed in this country as this one. I call on the Wolesi Jirga to pass a declaration on this and close Parliament to lead demonstrations across the country."

"Those that claim to be our friends torched our sacred values and at the end of the day just extended their apology, claiming it was unintentional. A number of Afghans were injured and arrested when they raised their voices demanding an explanation on why copies of the Holy Quran were burnt in Bagram military base," said Mr. Sayed Hussain Alamee Balkhi (Kabul).

As emotions ran high, Mr. Maulawee Tarakhail Kuchi (Kuchi) said, "Jews and Christians kill our children during airstrikes in the 34 provinces of the country . . . today they disrespected our sacred values. We made a serious mistake declaring Americans are our friends when in-fact they are our enemies. Those Americans that committed this crime should be prosecuted; otherwise all foreigners should be expelled from this country."

Speaker Mr. Abdul Rauf Ibrahimi (Kunduz) requested the government of Afghanistan, United Nations (UN), and the international community to prosecute those responsible. He also tasked Mr. Mohammad Younus Qanooni (Kabul), Mr. Abdul Qayoum Sajadee (Ghazni), Mr. Qazi Nazir Ahmad Hanafi (Herat), Mr. Nematullah Ghafaree (Helmand), Ms. Shukria Barakzai (Kabul) and Ms. Fawzia Koofi (Badakhshan) with drafting a statement on the incident.

Later, Mr. Abdul Satar Khawasee (Parwan), Mr. Iqbal Safi (Kapisa), Mr. Nazir Ahmad Hanafi (Herat), Mr. Engineer Qarar (Langman), Mr. Maulawee Tarakhail Kuchi (Kuchi) brought remnants of copies of the burnt Quran to the plenary gallery. This prompted all MPs including members of the Admin Board to rise from their seats and chant; “Allah Akbar” (God is great) and “Death to Americans”.

Mr. Abdul Satar Khawasee (Parwan) said, “I suggest that the presidential palace; Supreme Court and Parliament hold a joint session and expel all Americans from our country. Americans have occupied this country; killing American citizens is permissible . . . they (Americans) should go to hell.”

Condemning the incident at Bagram military base, Mr. Mohammad Iqbal Safi (Kapisa) said, “I propose that the individuals who committed this criminal act be tried in Islamic Courts . . . I suspect neighboring countries’ intelligence services are using this to stir emotions of the Afghan nation, they will never succeed.”

Ms. Naheed Fareed (Herat) lamented lack of a TV station that reports favorably on Parliament, saying; “Parliament only spent 12% of its development budget in 1389 and yet, we do not have a TV station to televise members’ thoughts and sentiments. The public and private television stations are biased in their reporting of Parliament.”

Mr. Sher Wali Wardak (Kabul) suggested that members summon the United States Ambassador and United Nation officials to warn them against incidents such as this. He added, “Americans want to insult Muslims for two reasons, to overshadow the religious superiority of Muslims and second to encourage non Muslims to rise against Muslims . . . we will fight and defeat them (US) like we did the Russians.”

Some members particularly Mr. Nasrullah Sadeqi Zada Neli (Daikundi) questioned the logic behind signing the US-Afghan Strategic Partnership Agreement. “Do we sign a Strategic Partnership Agreement with those who burn the Holy Quran and disrespect our sacred values? I propose we nullify the agreement signed with ISAF in 2001. We should also suspend the strategic partnership agreement talks with the US.”

Mr. Abdul Qayoum Sajadee (Ghazni) read out the declaration developed by the committee that the Speaker had constituted earlier in the session. Mr. Qurban Ali Irfan (Kabul), Mr. Latif Pedram (Badakhshan), Mr. Nasrullah Sadiqizada Neli (Daikundi) proposed that the declaration should include “suspending talks on the Strategic Partnership Agreement with the US”. However some members notably, Mr. Hafiz Mansoor (Kabul) objected and moved for the declaration to be adopted as drafted by the committee.

Concluding the session, Speaker Ibrahimy assigned Mr. Abdul Latif Pedram (Badakhshan), Mr. Maulawee Nazir Ahmad Hanafi (Herat), Mr. Abdul Qayoum Sajadee (Ghazni), and Ms. Barakzai to finalize the Lower House declaration, distribute it and report back to the plenary.

Speaker Under Fire as Fists Fly in Wolesi Jirga Session

Members of Parliament this week questioned the Speaker and Admin Board’s capacity to manage the affairs of the Lower House. In a heated plenary session on 19 February, MPs castigated the Admin Board for failing to accord them equal opportunities to speak during plenary sessions. They also accused the Speaker and Admin Board of tribalism and failure to adhere to the House’s internal rules of procedure before some MPs attempted to assault Mr. Abdul Rahim Ayoubi (Kandahar), bringing the session to a premature end.

Mr. Ayoubi prompted the outburst when he entered the gallery with his mouth sealed with tape and his hands cuffed protesting the Admin Board’s failure to accord him an opportunity to speak in Saturday’s

plenary session. MPs sympathetic to Mr. Ayoubi's cause alleged his red card was up from the beginning to the end of the plenary session but the Admin Board did not give him time to express his views.

Supporting Mr. Ayoubi, Ms. Sahera Shareef (Khost) said all MPs should be given equal opportunity to express their views in plenary sessions. "The admin board should not prevent any MP from expressing their views in the plenary. All MPs should have equal opportunity to share their thoughts whether they are convinced by the responses given by ministers or not," said Ms. Shareef.

Mr. Saheb Khan (Lugar) concurred adding, "MPs were not given time to ask questions. Yesterday's interpellation session was an insult to the parliament." Mr. Khan further called on members of the Admin Board to resign if they are not capable of properly managing plenary sessions. Mr. Mohammad Aref Rahmani (Ghazni) agreed, adding, "Mr. Ayoubi's protest is a result of mismanagement of Saturday's plenary.

Mr. Ghulam Hussain Naseri (Wardak) said; "The conclusion of yesterday's plenary session contravened paragraph four of article 99 of the internal rules of procedure. Mr. Speaker you failed to maintain the prestige of this House yesterday. If you continue managing the plenary in the manner you did yesterday, there is no need to summon government officials for interpellation or questioning."

Mr. Naseri's sentiments resonated with a number of MPs with some calling for the Speaker's resignation. "It's either Mr. Speaker has never read the internal rules or he simply does not understand them. He also cannot manage plenary sessions. I suggest you resign from your post Mr. Speaker," said Ms. Bebe Hameeda Yousi (Kandahar).

"The MPs who assented to the proposal to interpellate ministers were contacted by the ministers on Friday and the same MPs back-tracked from their initial position to support the ministers in Saturday's plenary session," said Mr. Kamal Naser Usoli (Khost). Mr. Jafar Mehdawee (Kabul) concurred and further noted that the speech by the Minister of Finance in Saturday's session was not different from a speech he gave 10 days ago. "I don't know how the speech which caused members to call for his interpellation 10 days ago convinced MPs yesterday."

Responding to the MPs criticism, Speaker Abdul Rauf Ibrahim (Kunduz) said, "I understand that Mr. Ayoubi's red card was raised throughout yesterday's plenary session. I would like to form a committee composed of Mr. Nader Khan Katawazee (Paktika), Mr. Sayed Alamee Balkhi (Kabul), Mr. Ghulam Farooq Majroh (Herat), Mr. Sayed Mohammad Daud Kalakanee (Kabul) and Mr. Sayed Hussain Anwaree (Kabul) to talk to Mr. Ayoubi with the view of convincing him to end his protest."

Later, Mr. Balkhi presented a report from the committee tasked with convincing Mr. Ayoubi to end his protest. "The committee met with Mr. Ayoubi and decided that the Speaker of the House should apologize to Mr. Ayoubi for not giving him time to speak in yesterday's plenary session, a member of the Admin Board should "uncuff" him before he is given the platform to address the plenary."

Subsequently, Speaker Ibrahim apologized to Mr. Ayoubi and to all other MPs who did not get the chance to speak in Saturday's plenary session before Second Deputy Speaker Nematullah Ghafaree (Helmand) removed the cuffs from Mr. Ayoubi's wrists. Mr. Ayoubi then took to the podium to speak.

Addressing the plenary, Mr. Ayoubi said Hezb-e-Islami and Jamihat Islami (Jihadi Parties) control the National Assembly. "Parliament should not be a center of conflict between Hezb-e-Islami and Jamiat-e-Islami. These two Jihadi parties control parliamentary groups . . . The reason I protested today is to ensure the prestige of the House is maintained. I have evidence that the Customs directors called MPs and pleaded with them to support the Minister of Finance. Several governors and police chiefs from different provinces also asked MPs to support the Minister of Interior," said Mr. Ayoubi.

A number of Jihadi MPs rose from their seats and attempted to beat Mr. Ayoubi, who was shielded from punches by MPs who supported his views. A row erupted between the two groups, which led to the premature end of the plenary session.

Lower House Grills 9 Ministers over Budget Expenditure

The Wolesi Jirga (WJ) this week cancelled committee meetings and held plenary sessions through the week to question ministers on their 1389 budget expenditure. In an unprecedented move, the WJ decided to summon 15 ministers who spent less than 40% of their development budget to the plenary to explain to the House reasons for their low expenditure.

First to appear before the Lower House were ministers of finance and interior on 18 February. Mr. Ameer Khan Yar (Nangarhar) asked the Minister of Finance to explain his ministry's failure to follow the budget process in the preparation of the budget and Qatia reports? "Secondly, why was the operating budget increased from 116 billion Afghani to 119 billion Afghani without National Assembly approval? Why did your ministry finance projects in Nangahar and Kandahar provinces that were not in the budget approved by the WJ?" asked Mr. Yar.

In response, Finance Minister Mr. Hazrat Omar Zakhelwal said the 1389 operating budget approved by the NA was 116 billion Afghani, the same amount reflected in the 1389 Qatia. "The government spent 110.5 billion Afghani of the operating budget and saved just over 5 billion Afghani." Minister Zakhelwal added that his ministry could increase the operating or development budget using its nondiscretionary budget. "The 1389 development budget approved by the NA was 99 billion Afghani. This figure was subsequently increased to 111 billion Afghani using 2 billion Afghani from the nondiscretionary budget and 10 billion Afghani carried over from the 1388 budget. As you can see, we did not break any laws." He also highlighted to members that in last three years the national revenue increased from 40 billion Afghani to 100 billion Afghani. "There was also a 3,28% increase in Customs Revenue. All these achievements are a result of a creation of transparent systems, reforms and positive changes."

Addressing the Minister of Interior, Mr. Meer Dad Khan Nejrabi (Kapisa) said that French troops apologized for causing the death of civilians in Kapisa province a fortnight ago. "Was there any coordination between your ministry and the coalition forces before or during the strike?"

In response, Interior Minister Mr. Bismillah Khan Mohammadi said, "The civilian casualties in Kapisa were unfortunate. The government is doing all it can to reduce civilian casualties across the country. We are also trying to improve coordination of military operations," said Minister Mohammadi. He added that the Independent Directorate of Local Governance, governor's office and chief of police are tasked with identifying high threat zones and deploying local police officers in the identified areas. "The ministry of interior has no role to play in such instances," said Minister Mohammadi. He also informed the House that his ministry would soon take charge of Bagram prison and several other detention centers across the country.

The ministers of Refugees and Repatriation, Justice, Hajj and Endowment and Transport and Aviation attended the 20 February plenary session. All the four cabinet ministers pointed out to the discrepancies in their units' Qatia reports, prompting members to recall the Minister of Finance to the Tuesday plenary for clarification.

Mr. Rahimullah Ghaleb, the Minister of Justice said, "I would like to draw members' attention to the fact that the World Bank committed to fund a three-year project in 1389. The figure reflected in the Qatia

report covers the three-year period instead of just one year. This inevitably distorts our budget performance figures. The MoJ spent more than 40% of its development budget.”

Hajj Minister Mr. Mohammad Yousuf Niazee said 88% of his ministry’s 1389 development projects were in-fact implemented in 1390. He accused provincial government officials for stalling progress in his ministry’s work. “The deputy governor of Nangarhar province stopped construction work and demanded a re-bid of the same project. We had followed regulations in the first round of bidding,” he said.

Mr. Jamaher Anwaree, Minister of Refugees and Repatriates said, “The Qatia report does not reflect the correct figures of my ministry’s budget expenditure in 1389. Our records indicate that we spent 41% of our 1389 development budget . . . I have since brought reforms which improved our budget expenditure to over 50% in 1390.”

The acting Minister of Transport and Aviation Mr. Mohammad Ali Najafi, on his turn informed members that said the development budget of this ministry in 1389 was US\$30 million. “The Asia Development Bank contributed US\$20 million towards this budget, USAID donated US\$3 million and the rest came from the Ministry of Finance . . . The Qatia Report shows 36% budget expenditure. The ministry of finance only released US\$17 million of the US\$30 million allocated to the Ministry of Transport. We spent US\$10.9 million of the funds released to us, which indicates a 62% burn rate.”

Responding to the ministers’ briefs, Mr. Sayed Mohammad Ali Kazemi (Kabul) said, “There seems to be discrepancies in figures provided in the national budget, 1389 Qatia report and by ministers here today. I propose we summon representatives of the Ministry of Finance and Central Audit Office to explain these discrepancies to members.”

Mr. Jawed Jalali, the Director of the Budget Unit of the Ministry of Finance said all budgetary units prepare their own reports for the Qatia, which are then consolidated into one final report. “The figures the ministers presented to the plenary today are different from what they submitted in their Qatia reports. The final Qatia report shows that the Ministry of Hajj spent 32%, Ministry of Justice 35%, Ministry of Transport 33% and Ministry of Refugees 38% of their development budgets.”

Mr. Ubaidullah Rameen (Baghlan) said that some projects’ life cycles are more than one year and the Finance Ministry should only include the allocation for one year in the Qatia Report.

Finance Minister Mr. Zakhelwal was back in the plenary on 21 February, this time with Ministers of Information and Culture, Water and Power and Minister of Agriculture. The Finance Minister told MPs that his ministry only consolidates other ministries’ Qatia reports into a final report that is then sent to the Central Audit Office. He further explained that all budgetary units provide their own Qatia reports, which they submit to the Ministry of Finance.

Referring to his ministry’s budget expenditure, Mr. Zakhelwal said Breshna Co. Ltd, MISFA and the Central Bank were not independent budgetary units in 1389 but were covered in the Ministry of Finance allocation. “The ministry of finance however had no role in their budget execution... In 1390 MISFA and Breshna Company became independent budgetary units and the Central bank remained under the Ministry of Finance on budgetary issues. The Ministry of Finance spent 57% of its development budget,” he said.

Mr. Ismael Khan, the acting Minister of Water and Power cited insecurity as one of the biggest challenges impeding progress in implementing projects.

Responding to the ministers’ presentations, Ms. Shukria Barakzai (Kabul) dismissed the ministers’ excuses for the discrepancies in the Qatia Report and National Budget as “not acceptable”.

Ms. Naheed Fareed (Herat) asked the Minister of Information and Culture to explain how his ministry only spent 27% of the funds allocated towards restoring Ghazni province as Center of Islamic Civilization. Mr. Abdul Qayoum Sajadee (Ghazni) agreed and asked; “What guarantee do you have that Ghazni would be ready to successfully host the Center of Islamic Civilization event in 2013?” Mr. Sayed Alamee Balkhi (Kabul) also asked the Minister of Culture about the government printing press, Museums, renewal of studios, archive annex building and Kabul Theater. “These projects were funded under the discretionary budget and yet there is zero progress in implementing them. Why is that?” he asked.

In response, Minister Raheen said, “The Ghazni province development budget reflected in the Qatia report is for three years and I promise that all the development projects will be implemented successfully before 2013 . . . The capacity of my staff was very low when I first came to the ministry, we working to improve that.”

Finance Minister Zakhelwal proposed that the WJ approves removal of the funds committed but not yet released by donors from the Qatia report. He also urged the WJ committees to summon ministers for updates on projects.

Senators Discuss Afghan Peace Process

Mr. Fazel Hadi Muslimyar (Nangarhar), Speaker of the Meshrano Jirga (MJ) chaired the 19 February plenary session, which discussed the Afghan peace process. Senators raised concerns on the progress of the peace process and capacity of the High Council of Peace (HPC) to score notable successes. They called for the peace process to be Afghan-led.

Mr. Ali Akbar Jamshedi (Daikundi) said, “Peace can be achieved through employing specific mechanisms and agenda. There is a lack of coordination between the High Peace Council and the government. HPC efforts will come to naught unless and until it develops a specific strategy to bring peace to this country.” Mr. Jamshedi added that without the cooperation of the neighboring countries current efforts to engage the Taliban would be unsuccessful.

However, Mrs. Saleha Meharzad (Appointee) accused neighboring countries of not being honest, saying; “All Afghan people want peace. Our neighbors have never been honest with us.” Concurring, Mr. Amanullah Azeemi (Uruzgan) said, “The real Taliban never surrendered to the provincial governments, they merely paid imposters to surrender instead. It is business as usual for the Taliban in most provinces.”

For Mr. Hedayatullah Rehayee (Bamyan) the HPC is doomed to fail since “the Taliban would not negotiate with the HPC officials because they are not acceptable to them”. He also stressed the need for the peace process to be Afghan-led. Mr. Abdulwahab Irfan (Takhar) concurred adding; “The Afghan government should lead the peace process.” Mr. Nesar Ahmad Harris (Appointee) threw his weight behind Mr. Irfan’s opinion saying; “The HPC officials have no idea who they should be negotiating with. The U.S government wants to export peace to Afghanistan, this is a treasonous act . . . We should summon HPC officials to brief the House on their activities.”

Ms. Anarkali Hunaryar (Appointee) suggested that the MJ should propose guidelines for the peace process while Mr. Khaleqdad Balaghi (Kabul) said, “There is an urgent need to restructure the High Peace Council so that its members are acceptable to all parties involved. Unless this is done, the HPC will be a complete failure . . . Iran is training and financing the Taliban.”

Balkh province senator Mr. Mahmood Danishjo suggested that the house should discuss the role that the government should play in the peace process. “If the HPC does not effectively play its role, the

negotiations will not yield any positive results. The MJ should summon HPC officials to ask them about their achievements . . . The role of our neighbors is very clear; they are training and financing the Taliban.”

Mr. Hafez Abdul Qayoum (Nuristan) said, “The HPC has failed, all this talk about peace is a pack of lies . . . The main players of this game are USA and Pakistan. Mr. Mullah Faizee (Panjshir) agreed, adding the US and Britain are behind the Afghan war.

COMMITTEE NEWS

Interior Ministry Officials Attend Meshrano Jirga’s Defense Committee Meeting

Interior Ministry Head of Logistics Department Colonel Temorshah Ayobzai and Intelligence Department Head General Mohammad Shafiq Nakhli attended the Meshrano Jirga’s Internal Affairs and Defense Committee meeting on 19 February. The two were invited to the meeting to respond to members’ questions on corruption in providing logistical supplies, low budget expenditure, police’s misuse of public property and nepotism in appointment of the key officials of the force.

In response, Mr. Ayobzai said that they accepted that corruption existed in the Ministry of Interior Affairs. “We have tried to reduce the incidence of the vice but due to circumstances beyond our control we have not been able to eradicate the corruption. The major challenges that were pointed out are: existence of parallel offices within the ministry as well as the parallel supporting offices of the international community causing overlap and interference of responsibilities. Most of the logistical supply of the police force is provided by NATO based on their considerations which we don’t have any control over, such as providing fuel, food and accommodation e.t.c,” said Mr. Ayobzai.

Regarding the logistical supplies and development projects, Mr. Ayobzai said that it is the responsibility of local government including the governors and Chief of Provincial Police, so the committee can conduct field oversight missions to investigate these issues. On the improper appointment of key officials in the police force, he said; “I agree with the committee that such an issue exists within the ministry but unfortunately these officials are have the backing of politicians and top government officials.”

Mr. Nakhli provided the committee with information about intelligence services of the ministry, saying that the key responsibility of the Intelligence Department is to prevent the enemy spreading their influence on the police force. “That I can proudly say we have been successful in this regard for the time being,” said Mr. Nakhli. He also told the committee that although there is another dedicated anti-corruption department within the Ministry of Interior Affairs, the intelligence department is also responsible for investigating the cases of corruption within the ministry. He added that one of the major challenges for them was the existence of corruption in the judiciary system. “We have forwarded many officials involved in corruption to the judiciary but unfortunately they have not been punished and were considered innocent because of the corrupt judiciary system.