



# Legislative Newsletter

09 March 2012, Vol. 7, No. 07

## NEWS:

### **Wolesi Jirga Endorses Appointment of 9 Cabinet Nominees**

The Wolesi Jirga this week passed a vote of confidence on the nine cabinet nominees. Five of the cabinet nominees had been acting ministers, prompting some MPs to suggest that questioning the nominees would be a waste of time since they already knew them. Subsequently, the majority of the 240 MPs present approved the proposal. To be confirmed, the cabinet nominees required at least 121 votes (50 percent plus one).

Mr. Ameerzai Sangeen, current Acting Minister of Telecommunications, mustered 190 votes, while 27 members voted against his nomination. There were 12 blank ballots and 4 abstentions. Acting Public Health Minister Ms. Suraya Dalil had 199 positive votes, 28 negative, 10 blank ballots and 3 abstentions. Ms. Husan Banu Ghazanfar (current Acting Minister of Women Affairs) rallied 191 confidence votes and 34 no confidence votes. Thirty-four members submitted blank ballots while 2 abstained. For the Urban Development portfolio, Mr. Hassan Abdullahee managed 207 yes votes against 22 no votes in a poll where there were 7 blank ballots and 7 abstentions.

Mr. Daud Ali Najafi, current Acting Minister of Transport and Aviation) polled 179 yes votes against 41 no confidence votes, 15 blank ballots and 5 abstentions. Higher Education Minister Mr. Ubaidullah Ubaid had the support of 199 legislators while 23 members opposed his nomination with 13 returning blank ballots and 4 MPs abstaining. Energy and Water Acting Minister Mr. Mohammad Ismael Khan received 175 positive votes, 35 negative, 19 blank ballots and 11 abstentions while Mr. Najeebullah Auzhan (Minister of Public Works) garnered 207 yes votes, 17 no votes, 12 blank ballots and 4 abstentions.

The most popular nominee was Mr. Wais Barmak, (Minister of Rural Rehabilitation Development), who had 212 MPs supporting him and only 9 opposing his nomination. There were 9 blank ballots and 5 abstentions.

Before members cast their vote, the cabinet nominees presented their work plans in a bid to win votes. Nominees to the Ministries of Public Works and Urban Development were the first to make their presentations on 3 March.

Mr. Hassan Abdullahee, the nominated Urban Development Minister listed the terms of reference for the ministry as: urban planning, providing housing, infrastructure and urban services. He said that the Ministry of Water and Power's budget is 20 times more than that of the Ministry of Urban Development. "The Public Works' and Rural Rehabilitation Development budgets are 35 and 27 times higher than the Urban Development budget and yet the latter is not only a key ministry but also its scope is wider than the other ministries," he said. Mr. Abdullahee further outlined his priorities saying, "I will draft a law for urban development, provide an urban master plan across the country, rehabilitate historical cities and develop a policy for private townships."

Mr. Erfanullah Irfan (Kabul), Mr. Haji Daud Kalakanee (Kabul) and Mr. Zaheer Sadat (Panjshir) asked Mr. Abdullahee to explain how he would deal with issues relating to the low quality infrastructure and poor monitoring of projects. In his response, Mr. Abdullahee agreed that the ministry was currently not effectively monitoring implementation of the projects under its purview, adding that companies contracted do not have the capacity to implement quality projects.

On 4 March, Water and Power, Public Health, Transport and Aviation, and Telecommunication ministries' nominees presented their work plans. In his presentation, General Mohammad Ismael Khan, the Minister of Water and Power nominee, said; "I will strive to take electricity to the darkest corners of Afghanistan in the next five years . . . Our work plan in the next five years will include: building the capacity of staff, improving water installations, strengthening the river banks, developing water sources, producing energy, transmission and distribution of energy."

Mr. Mohammad Daud Ali Najafi (Minister of Transport and Aviation nominee) said Afghanistan is surrounded by dry land requiring proper transport and aviation facilities. He informed legislators that he would prioritize building and renovation of aviation facilities, drafting laws that meet international standards, computerizing airports, and drafting a Transportation Bill.

Public Health Ministry nominee Ms. Suraya Dalil said, "Since I was appointed acting minister, the Ministry of Public Health has established 75 health clinics in 34 provinces of Afghanistan, a center for treating drug addicts in Jangalack of Kabul and increased health centers for Kuchis from 16 to 32."

Mr. Ameerzai Sangeen (Minister of Telecommunications nominee) said, "Each year, the telecommunications sector contributes US\$65 million to government revenue and a majority of employees in the telecommunications sector are Afghans". He added; "Electronic IDs (Tazkera) is one of the most important projects of this ministry that is ongoing and will be completed in the next 6 months . . . We plan to implement 3G, the latest technology that in addition to voice and short message services can also provide fast internet services. The net usage will be increased from 8% to 50%."

Mr. Ghulam Farooq Majroh (Herat) sought an explanation on expensive costs of mobile phones. Mr. Saleh Mohammad Saljooqi (Herat) asked the minister of health nominee about the rise in HIV cases in the country saying, "11-17% of prisoners in Herat province's prisons are HIV positive." Mr. Mohammad Noor Akbari (Daikundi) asked, "To the minister of Health nominee, why hasn't the ministry provided medical packages to remote provinces . . . the Ministry of Water and Power has never implemented any projects for the people of Daikundi."

Ms. Nazifa Zakee (Kabul) asked the Minister of Telecommunication nominee to explain his ministry's policy regarding unregistered SIM cards. She also asked Ms. Dalil about her strategy to rid the local market of low quality medication while Ms. Fatima Nazari (Kabul) asked the Public Health Minister in waiting to explain how her ministry plans to deal with problems faced by drug addicts in Dasht-Barchee, and pol-e-Sukhta.

In response to these questions, Mr. Ismael Khan, the Minister of Water and Power nominee said the US government committed US\$400 million to the Kajakee dam electricity project and a further US\$150 million towards the Dehla dam in Kandahar. "The World Bank has released US\$1.7 million for the electrification of Daikundi province. Work in Daikundi will start soon," said Mr. Khan.

Regarding the prevalence of HIV in Herat prisons, Ms. Dalil said the Ministry of Public Health is closely monitoring the situation. “71 prisoners have been tested, we will share the results with you as soon as we have them . . . around 460 tons of low quality medication has been confiscated and destroyed,” he said.

Mr. Sangeen said the market controls prices of mobile communications and “between 90 and 95% SIM cards have been registered”.

Speaking in the 6 March plenary session, Mr. Ubaidullah Ubaid, Minister for Higher Education (MoHE) nominee said the MoHE requires a strategy developed in line with the provisions of the Afghan National Development Strategy (ANDS). “The MoHE scored numerous achievements in the last few years. There, however, still remains such challenges as insufficient buildings for dormitories and university classes, the Higher Education Law is still pending in the NA, inadequate oversight of private universities, lack of transparency in the educational system, insufficient budget and staff who hold masters degrees and PhDs.” Mr. Ubaid further said he would encourage donors such as the World Bank, USAID, UNICEF and ADB to invest in the education sector and would also seek to increase the number of lecturers with PhDs by 25%. “To achieve this, I would ensure at least 1 000 students are enrolled in foreign universities for masters and doctorate studies,” he said.

Ms. Husan Banu Ghazanfar, Minister of Women Affairs (MoWA) nominee, said the budget allocated to her ministry has been steadily increasing in the last few years. “Last year, MoWA’s development budget was 150 million Afghanis. So far we have spent 67% of this budget . . . MoWA also drafted the Family Law Bill and the Law on Orphans and their Custodians,” she said. Ms. Ghazanfar added that the women literacy rate has increased by 16% and the number of female students enrolled in educational institutions went up by 38%.

Mr. Wais Barmak, Minister of Rural Rehabilitation Development (MRRD) nominee identified the National Solidarity Program as one of the most important projects implemented by the MRRD to date. “The project is now 75% complete although 10 000 districts are yet to be covered,” he said. Mr. Barmak said he would work with the Ministry of Public Works to maintain the 6 000km asphalted roads and ensure a further 1 000-2 000km is tarred. He further identified his priorities as completion of district energy projects where production of energy can be through solar, water and wind sources; implement irrigation projects in districts, encourage employment of locals for district level projects and provide portable water to 425 districts across the country.

After a Religious and Higher Education Committee report on the background checks of all the cabinet nominees showed that the Attorney General’s Office does not have any criminal record against the nine and the MoHE authenticated the academic qualifications of all the nominees, MPs endorsed the nomination of the 9 candidates.

### **Meshrano Jirga Ratifies Two Agreements**

The Meshrano Jirga on 6 March ratified 2 international agreements – the International Development Law Organization (IDLO) Establishment Agreement and the Friendship and Cooperation Agreement between the Islamic Republic of Afghanistan and Republic of Turkmenistan. The Wolesi Jirga (WJ) passed the two agreements on 13 February. The Senators passed the two international pacts without questions.

Speaking on behalf of the Committee on International Affairs and arguing for the ratification of the Afghanistan and Turkmenistan Cooperation and Friendship Agreement, Mrs. Najiba Husaini (Appointee)

and Mrs. Humaira Nemati (Appointee) said: “The Afghanistan and Turkmenistan Cooperation and Friendship Agreement has been ratified by the Wolesi Jirga and has been formally sent to us. We studied the agreement and it serves the interests of our country. We propose that the Upper House ratifies this agreement.”

Mr. Hafez Abdul Qayuom (Nuristan) presented the International Development Law Organization Establishment Agreement to the House and requested the House to ratify it because “it serves the interests of our country”. “I suggest we approve the International Development Law Organization Establishment agreement,” he said.

### **National Disaster Management Authority Apprises Meshrano Jirga**

The Meshrano Jirga (MJ) on 4 March invited the Afghan National Disaster Management Authority (ANDMA) officials to its plenary session to update Senators on the authority’s efforts to provide aid to citizens affected by recent heavy snowfall across the country.

Before ANDMA officials presented their report, Welfare Commission Chairman Mr. Basheer Samim (Badakhshan) presented a brief report on the effects of the inclement weather conditions across the country. “The recent heavy snowfall caused the death of a lot of people and left several others injured. People in remote areas were severely affected. Roads in some districts in Nuristan, Kunar, Sar-e-pul, Paktia Badakhshan, Bamyan and Laghman provinces remain blocked by the snow and no aid has been provided yet,” the report said. It also criticized the system adopted by the Ministry of Public Works in awarding contracts to clear the roads blocked by snow.

Mr. Samim praised the Ministry of Public Health for its efforts in providing timely medical services. “The ministry should extend its services to remote areas of the affected provinces,” he said. He also called on the ministry to construct provincial hospitals across the country. “As we all know, floods will follow shortly, it is our hope that ANDMA should be prepared for the challenge ahead . . . Food, non-food items, medicines and other services should be prepared well in advance,” he added.

ANDMA Deputy Head Mr. Aslam Sayas updated the House on the committee plans and programs saying; “The committee drew plans in preparation for the drought and recent snowfall across the country. Various ministries coordinated storage of aid in provinces across the country. About 215 000 families were affected by the current season snowfall and ANDMA provided medical kits, food and non-food items to 200 000 families from its strategic reserves. ANDMA also distributed cash to these families . . . 2 500 families in Kabul province also got support from ANDMA.”

Responding to Mr. Sayas’ briefing, Mrs. Gulalai Akbari (Badakhshan) said, “People in 10 districts of Badakhshan are still trapped in their homes, 72 residents were killed, 50 were injured and 172 homes were destroyed by recent snowfall and avalanches. There is critical food shortages and an urgent need for health services in Badakhshan province.”

Mr. Hassan Hotak (Appointee) complained that roads in 8 districts in Zabul province are still blocked by the snow while Mr. Allahdad Andar (Appointee) said that the majority of roads in Ghazni province remain impassable and residents do not have adequate food supplies.

Senators Hedayatullah Rehayee (Bamyan) and Ali Akbar Jamshedi (Daikundi) asked ANDMA officials to explain why no aid was provided to families affected by heavy snowfall in Bamyan and Daikundi provinces. “15 people died in Bamyan and ANDMA did not assist residents of that province,” said Mr.

Rehayee. “The snow in Daikundi destroyed 34 houses and 46 shops. 25 people died and 30 were injured. All the roads remain closed and there are serious food shortages,” said Mr. Jamshedi. Mr. Hafez Abdul Qayoum (Nuristan) strongly criticized the government for not paying attention to Nuristan province.

Responding to the questions, Deputy Minister of Public Works, Mr. Ahmad Shah, said his ministry has encountered problems in 23 provinces. “The provincial councils and governors’ offices handled the issuance of contracts to companies to clear the roads. My ministry merely transferred funds to these offices . . . We distributed 15 million AFN to Nuristan and 20 million to other provinces. We are trying to clear the roads in all provinces,” he explained.

Mr. Naseer Ahmad Popal, a representative of the Ministry of Rural Rehabilitation Development, informed the House that “1, 802km of roads have been cleared in 20 provinces, the ministry also provided tents, blankets, food and non-food items to the affected provinces”.

Public Health Deputy Minister Mrs. Nadera Hayat said, “We identified areas affected by snow and provided emergency aid to all the affected areas. We distributed 1 053 medical kits with a capacity to serve 15 000 people in affected areas. Badakhshan was severely affected and we provided 120 medical kits. Herat received 110 medical kits.” Mrs. Hayat further stated that her ministry’s plan to construct a hospital in Nuristan province has been hampered by lack of funding.

## **COMMITTEE NEWS**

### **WJ Internal Affairs Committee Grills Security Officials on Budget Expenditure**

The Wolesi Jirga (WJ) Internal Affairs and Defense Committee summoned General Fakhri, (Deputy Director of National Security, General Mohammad Aman Arezo, head of human resources in the National Security General Directorate, Mr. Rahimi, head of Budget and Finance in the National Security General Directorate, and Mr. Khowja, head of Budget in the Independent Directorate of Local Governance, to its 6 March committee meeting. The government officials were invited to brief the Committee of their budget expenditure.

Mr. Rahimi told the Committee that the Directorate of National Security (DNS) had spent 100% of its executive budget a month before the end of the year and faced a budget deficit for the remainder of the year. Regarding the development budget, he said that the DNS has no development budget for the current year. “Despite that we requested the Ministry of Finance to approve our development budget for the construction of 8 provincial offices, a request the Ministry of Finance agreed to before official approval of the National Budget by the WJ, but unfortunately when the National Budget for the current year was officially approved there was no allocation for DNS development projects,” said Mr. Rahimi.

Responding to why the DNS had an executive budget deficit, Mr. Rahimi said that this was a result of the increase in the DNS personnel following a presidential decree in the second quarter, which was not anticipated in the executive budget.

The most controversial part of the discussion occurred when the Committee asked the DNS officials to provide them with budget expenditures of their operational budget (special budget spent for intelligence operations). In this regard the DNS officials only provided the Committee with the total expenditure without giving any details, saying that this is a security issue and “it is the first time that the National Assembly is asking us to provide such information and we are not authorized to divulge such information

except to the president of the Republic”. They suggested that the Committee should call the General Director of NDS to discuss the issue and the committee subsequently agreed.

The Head of Budget and Finance Department of the IDLG, Mr. Khowja, provided the Committee with detailed information about their budget expenditures, saying that the IDLG has spent 92% of its executive budget to date which is expected to reach around 98% by the end of the year. Regarding the development budget he said that the IDLG has spent 75% of the budget and the reason for the remaining 25% is late approval and release of the budget this year and also security concerns in some provinces.

Controversy arose over monitoring of the funds provided monthly by the government to the governors. In this regard the IDLG officials said that this fund is provided to governors through IDLG based on the category of the provinces which is between 400,000-1,200,000 AFN. “The mentioned funds are released on a monthly basis after we received the documentations of the budget expenditures of the previous months of each province, but we are not responsible for oversight of the expenditures of the mentioned funds. It is the responsibility of the General Audit Office,” Mr. Khowja said. He added that the funds released this year totaled about 303 million AFN.

The Committee expressed dissatisfaction with the information provided and it was agreed that the officials be called for a second meeting where they should provide detailed information and documentation accordingly.