



## Legislative Newsletter

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### **NEWS:**

#### **MPs Discuss Afghanistan-Pakistan Partnership Agreement**

The Wolesi Jirga (WJ) plenary of September 29<sup>th</sup> was dominated with discussion over the proposed strategic partnership agreement between Afghanistan and Pakistan. The debate was held against the backdrop of regular attacks on the border provinces such as Kunar by suspected Pakistani security forces. According to some MPs, for over a year, the border provinces have come under attack as Pakistan attempts to worsen the security situation in Afghanistan. It was therefore a consensus view during the plenary debate that any agreement should prior to finalization receive sufficient scrutiny within the National Assembly. A call was made to the president to ensure that such consultation is appropriately made.

It emerged during the plenary debate that the Afghan president Hamid Karzai, met his Pakistani counterpart President Asif Ali Zardari on Thursday 28 September on the sidelines of the United Nations General Assembly in New York. Both of the presidents discussed bilateral ties and agreed on concluding the proposed accord by the end of 2013.

Contributing during the debate, Mr. Lali Hameedzai (Kandahar) brought the attention of the House to Pakistani rocket attacks on Kunar and Nangarhar provinces, he said, "It has been more than a year Pakistan continues rocket attacks on Kunar, Nuristan and now two districts of Nangarhar (Gushta and Lalpoora) were attacked recently. I don't know whether the government and the international community are involved in these attacks?" He further questioned why the Ministry of Foreign Affairs (MoFA) and international community are silent in the face of these attacks. "Afghanistan signed several strategic partnership agreements with USA, UK, China... what have we got from these agreements? I think all of them are useless, and then what is the need to sign such agreement with Pakistan." MP Hameedzai continued to question the value of strategic partnership agreements and added that "Pakistani religious scholar gathered signatures of 1500 scholars issued a fatwa that those who work in Afghanistan should be killed because they are funded by America."

Ms. Fouzia Kofi (Badakhshan) in her contribution stated that the "Pakistani media is broadcasting negative propaganda against Afghanistan but our leaders are going to sign strategic agreements with it." She added that , "Pakistan is always trying to worsen Afghanistan's turmoil and I think the signing of such an agreement will be useless. I hope the president will consider the interests of the nation while signing the strategic agreement."

Supporting Ms. Kofi's statement, Mr. Saheb Khan (Lugar) informed the MPs, "it has been more than a year since Pakistan has been attacking Kunar and Nuristan, now the attacks were expanded to Nangarhar as well."

Some MPs however were not entirely dismissive of the value of a strategic partnership agreement with Pakistan, Mr. Mirbat Khan Mangal( Khost) said that “I think it is very good to sign an agreement with Pakistan but our national interests should be served while signing such agreement. The legislative pillar should not be ignored by the government in signing the agreement with Pakistan.” Similarly, Mr. Mohammad Noor Akbari (Daikundi) conditionally supported signing of the accord, he said, “I support the idea of a strategic agreement with Pakistan but Pakistan should stop rocket attacks and stop supporting terrorism.” He also had a message to Iranian government, “I would like to say to Iranian officials, the presence of foreign troops doesn’t mean this (Afghanistan) is their soil. The statement of Iranian officials of an intention to attack Afghanistan if Israel attacks Iran is unfriendly, inimical and irresponsible.”

Mr. Hajji Zahir Qadeer (Nangarhar) criticized president Hamid Karzai for creating new problems and ignoring the rocket attacks of Pakistan on Kunar and Nuristan provinces, according to him at a time when the security situation is worsening in provinces, the current renaming of academic institutions ( see story below) in the name of any individual was ill timed. He also criticized the house’s committees (commissions) for raising tensions rather than solving problems of the people, “In every single country, committees are assigned to solve the issues but in our country the committees are increasing the problems.” He further suggested that the House should invite ministers of the security sector to update the House about worsening security concerns, “if their answers don’t satisfy us we will call for interpellation again.”

During the same plenary, some MPs had also sought to raise the issues of Kabul Bank and those of 88 MPs who have extra guards and paying their salaries from the national budget. Mrs. Nelofar (Badakhshan) and Ms. Naheed Fareed (Herat) asked the house to take serious steps regarding the Kabul Bank scandal to recover the USD 800 million of people’s funds. Ms. Fareed said, “The house should also take serious steps with regard to the Kabul Bank scandal because the international community is also concerned about Kabul Bank.”

Concluding the session, Speaker Ibrahim( Kunduz) said that the MPs discussed very important issues including the rocket attacks, Kabul Bank scandal, and the issue of 88 MPs who are using extra guards. Presenting a way forward, he said “I would like to assign the commission on internal affairs to prepare a report regarding rocket attacks, 88 MPs with extra guards and present it in the meeting of the committee of chairs. I know the Kabul Bank issue is also important; the commission on financial and budget affairs should invite governor of Da Afghanistan Bank along with Kabul Bank officials to update the House about progress on recovery of funds. “The international community will not continue their aid after 2014, if the Kabul Bank scandal is not cleared.” He added.

### **Re-naming of Kabul Education University comes under debate.**

The recent renaming of the Kabul Educational University, after Burhanuddin Rabbani, through a presidential decree came under intense debate during the plenary of September 29<sup>th</sup> MPs expressed disappointment with the decision which they largely criticized for having been made without any consideration or consultation of the National Assembly.

Mr. Hameedzai (Kandahar) started the debate when he raised the issue of students protesting over the re-naming of one of the Afghan universities after a Jihadi leader

Burhanuddin Rabbani. He urged the president to take back his decree. The students of Education and Training University began their sixth day of protest over the renaming of this university after Burhanuddin Rabbani. More than 300 students had blocked the entrance to Parliament on Saturday 29 September to force MPs to reconsider changing the name of the Education and Training University. Mrs. Nazifa Zaki (Kabul) and Ms. Lailuma Hakimi (Nangarhar) who met the students were of the view that the university's name was not changed with the consultation of the MPs, "This was the president's decision and now the issue should be solved as soon as possible," Ms. Zaki said, "The president named the education university after the late Burhanuddin Rabbani, and the house didn't make any decision in this regard". She also blamed some of the MPs in interfering in recruitment process of the ministries, she added, "the MPs should oversight rather than to interfere."

Contributing to the debate, Mr. Akbari (Bamyan) suggested the House should meet students of the education university and prepare the ground for these students to meet with the president to discuss the issue of the renaming of Kabul Education University. Responding to the MPs the Speaker of the House Mr. Abdul Rauf Ibrahim said, "I met the students of Education University two times and I know their demand, they want the MPs to go and bring down the new board of the university. "The House cannot do anything in this regard because the president made the decision. We cannot remove the board of the university." Mr. Ibrahim added.

A number of the MPs were of the view that by playing politics the government was raising the problems among the people. Mr. Stanakzai (Lugar) commented, "The president is increasing the problem rather than to solve it. I think Mr. Rabbani was insulted by naming Education University after him." Mrs. Shukria Barakzai (Kabul) added by calling on politicians not to play "with the education institutions."

Reflecting on the alleged political interference, Mr. Mirbat Khan Mangal (Khost) blamed MPs for encouraging students to protests. "Some MPs are involved in discrimination and they are provoking students." Adding to the call for non-political interference, Mr. Hajji Zahir Qadeer (Nangarhar) criticized President Hamid Karzai for creating new problems by renaming the university at a time when more critical issues such as the shelling of the border provinces were occurring. In his view the current renaming of academic institutions in the name of any individual was ill timed. Calling on the need to separate politics from issues of education, he criticized the house's committees (commissions) for raising tensions rather than solving problems of the people, "In every single country, committees are assigned to solve the issues but in our country the committees are increasing the problems."

Demonstrations following the re-naming of the education university have continued for over a week, with no clear solution in sight. Reports of political interference and agitation of students to protest have been rife.

### **Meshrano Jirga debates Iranian comments on Afghanistan and student protests.**

The alleged recent comments attributed to Iranian officials threatening a strike on Afghanistan in the event of an Israeli strike on Iran came under discussion during the September 30<sup>th</sup> plenary of the Meshrano Jirga (MJ). Senators expressed their disappointment over the remarks and termed the statements a willful and deliberate threat to Afghanistan security. Equally the plenary called for an end to recent student protests following the name change of the Kabul Education University through a presidential decree.

Senators took turns to criticize Iran's president Mahmud Ahmadinejad's statements during the Assembly of the United Nations that Afghanistan is a country occupied by the United States. Prior to these comments, other senior Iranian officials are alleged to have threatened a strike on Afghanistan in the event Israel attacked Iran. Senators questioned why if Iran considered Afghanistan an occupied country, there continued to sign bilateral cooperation agreements with Afghanistan. Some suggested that it was because of the frequent interference of its neighbors that Afghanistan was compelled to ask for international support in the security and development sectors.

Mr. Hassan Hotak (Appointee) said, "Iranian president at the UN 67<sup>th</sup> summit once again said Afghanistan has been occupied by American forces. The House should strongly reject the statement of the Iranian president because this is not his first time to say so." Responding to Mr. Hotak, the Speaker of the House Mr. Muslimyar commented, "Our president was there he should respond to the Iranian president." Mr. Muslimyar further considered the recent statement of the Iranian president and Pakistan's Rocket attacks and said "this is not the first time that Iran and Pakistan are interfering in Afghanistan, so the government should announce a clear policy against Iran and Pakistan. Iran is trying to insult Afghanistan and Pakistan is attacking Afghan soil." Mr. Muslimyar said.

In discussions similar to the WJ plenary of the 29<sup>th</sup> September, a number of Senators raised the issue of protests of the students of Kabul Education University. Mrs. Balqees Roshan (Farah) and Mr. Rafiullah Haidari (Kunar) requested the speaker to play his role to end the current turmoil in this university, "Education institutions should not be involved in politics." Ms. Roshan said. Supporting her, Mr. Haidari stated, "The president should satisfy the students in order to enable them to start their studies once again. The politicians should not try to create violence in university." The Senator of Kandahar province, Mr. Bismillah Afghanmal suggested that the government should solve the issues of the education university. He added, "The speaker should talk to the president to find solutions for the problems."

For a week, the students of Kabul Education University have demonstrated against the naming of the university after a Jehadi leader Burhanuddin Rabbani. Mr. Khaleqdad Balaghi (Kabul) termed the issue a "national issue" and called on the government to pay serious attention to it. He said, "God forbid, if the students are killed then what will be the result? I urge the president to solve the issue immediately." His other colleague Mr. Arifullah Pashtoon (Khost) was of the view that there is a solution, "if the Head of High Peace Council Mr. Salahuddin Rabbani (the son of late Rabbani) removes the board from Education University it could be a solution." Disagreeing with the protests Mr. Mohammad Alam Izedyar (Panjsher) said that politicians are trying to use students of the University for their own goals.

The Speaker of the House Mr. Muslimyar considered the issue one of national interest and promised to solve it. "I promised the students that I would talk to the president to resolve the issue."

## **Meshrano Jirga overlooks Mining and Urban Development Ministries.**

The Meshrano Jirga (MJ) plenary session chaired by H.E Mr. Fazal Hadi Muslimyar summoned the Minister of Mines Mr. Waheedullah Shahrani, and Mr. Hassan Abdullahi, Minister of Urban Development on 30 September, to respond to Senators questions regarding transparency of the mining contracts and construction works in Kabul. The Ministers were asked to appear before the plenary after what Senators called complaints from the populace over the transparency of mining contracts issued to date, expected revenues from these contracts; absence of master plans for the development of all provinces, the development of illegal townships and usurpation of lands in Kabul province.

Mr. Mohammad Din Hamdard (Kunduz) and Mr. Daoud Naseri (Daikundi) expressed their concerns about mining contracts, "Mines are the national treasury and I wonder if the awarding of contracts is transparent. Can you tell me the expected revenues from these contracts?" Mr. Hamdard asked. Echoing his concerns about who is benefiting from the mining contracts, Mr. Naseri (Daikundi) asserted, "The Foreign companies are gaining more profit than Afghanistan."

Mr. Mohammad Amin Safi (Kunar) and Mr. Bashir Samim (Badakhshan) informed the minister of Mines about the illegal extraction of mines by smugglers. Pointing to the illegal extraction of precious gems from Kunar and Nuristan mines Mr. Safi said, "You promised that the government would provide markets to these gems in Jalalabad, what happened to that market?" he further asked the urban development minister for the master plan for development of all provinces. Mr. Samim added that, "The capacity of the ministry of mines is low to monitor the extracting process of the mines."

Mr. Shahrani, the Minister of Mines in response advised that the contract of Amu Darya oil extraction was signed in 2011. According to him, in the first phase, the Chinese oil company will extract petroleum from three blocks of Amu Darya for 25 years and the expected investment in this project is \$400 to \$600 million. "I hope 87 million barrel will be extracted from these three blocks." Mr. Shahrani said. "The Afghan government will get 15% royalty from this project and will get 70% of the profit after the oil is sold in the market. The Afghan government will take 20% of taxes from the company profit as well." He added.

Mr. Shahrani further countered that corruption, insecurity, lack of infrastructure, and professional labor in the mining sector, were reasons that derailed investor confidence to invest in Afghan mines. He assured Senators of the transparency of contracts and advised that current revenues from the gems were less than what had been expected. "The revenues from gems are only \$300 000 annually. However, Afghan gems are smuggled to Pakistan and the government of Pakistan is earning \$350 million annually... I would however like to say \$14 billion will be invested in Hajigak mines by two international companies and 40 000 to 50 000 people will find jobs in this project."

Mr. Hassan Abdullahi, Minister of Urban Development responded to Senators questions advising that, "New Kabul City is not under the control of the ministry of urban development, it is directly controlled by a development board. I think \$27 million will be spent on new Kabul city and I hope the construction work will began soon. Ministry of Urban Development allotted 87 townships for the teachers and sent the plan to the ministry of education for further action. We also prepared residential plan for Kunar, Farah and other provinces."

The appearance of the two ministers before the MJ plenary is consistent with the oversight role the House has been playing into key sectors and issues of national interest. In the same plenary, the house turned to its legislative role and passed the Law on Diplomatic and Consulate Officials. Mrs. Najiba Hussaini and Ms. Humira Nemati (Appointee members) presented to the House the law, in 3 chapters and 8 articles. The house rejected the proposed amendment of the International Affairs commission, to give five years to dual nationality holders either to renounce their second citizenship or resign from their positions. The law was subsequently approved by a majority of votes.

### **Wolesi Jirga Approves Cooperation Agreements**

The Wolesi Jirga (WJ) on Monday 1st September approved two agreements on cooperation with Australia and the Federal Republic of Germany to continue supporting Afghanistan after 2014 in terms of political, social development, human rights, reintegration and strengthening peace processes. The agreement on the establishment of the International Anti Corruption Academy (IACA) as an international organization was also approved during the same plenary.

According to the MPs both agreements with Australia and the Federal Republic of Germany will increase mutual cooperation in areas of economic, social development and integrity of the country. Presenting the Agreement on Long Term Cooperation between the Islamic Republic of Afghanistan and Australia, Mr. Mohammad Noor Akbari (Daikundi) said, "The goal of the agreement is that the Australian government will continue support to Afghanistan after 2014 in terms of trade development, political support, human rights, supporting peace processes and reintegration as well as investment in Afghanistan." Providing details of another agreement on Mutual Cooperation between the Islamic Republic of Afghanistan and Germany, he said the agreement was signed on 16 May 2012 in Berlin. "This will also strengthen political cooperation, educational cooperation, cooperation in the security sector as well as civil aviation cooperation."

As members took turns to debate the two agreements, the issue of relations with Pakistan, and the value of strategic agreements came up with MPs of the view that until Pakistan stopped rocket attacks on border provinces, the government of Afghanistan should not sign mutual cooperation agreements with the country. Members also criticized the Afghan government for not presenting Afghanistan's position at the recent UN summit regarding current attacks of Pakistan on Afghanistan's soil and encouraging strategic countries to call for Pakistan to halt the attacks. Mr. Shareefi Balkhabi (Sare-Pul) stated that although the government is signing agreements every week the nation was still suffering from disasters. "I think roots of all troubles in Afghanistan are in Pakistan, Pakistan never cooperated with Afghanistan in the peace process. The government should not ignore national interests while signing the agreements." Mr. Balkhabi said.

Supporting his statement, Mr. Abdul Latif Pedram (Badakhshan) said, "WJ approved a strategic agreement with the USA, if regional war occurred we will be blamed for what we didn't do it." Mr. Ali Akbar Qasemi (Ghazni) believed that the strategic agreement with Pakistan is not necessary for the time being, according to him; "the current situation of Afghanistan is very critical and I think if foreign troops leave the system will collapse within one week." He also added, "Pakistan continues rocket attacks that kill dozens of the people, why should the government sign an agreement with them?"

MPs of Kunar province blamed provincial governmental structures for the worsening security situation; they urged the speaker of the house to arrange a meeting between MPs of Kunar province and the president Hamid Karzai. Mr. Shahzada Shahid (Kunar) said, "...I think the system needs reform because people are not happy with Nangarhar and Kunar officials because of the corrupt system." He added, "Lack of cooperation between the governmental organs is also a problem. If WJ allow Kunar MPs to prepare the people for revolution we are ready to defend from the Kunar." Another MP of Kunar province, Mr. Saleh Mohammad Saleh suggested the speaker should arrange a meeting of Kunar MPs with the president Karzai. "I know this drama (Kunar attacks) is being played by the presidential palace and the president is involved in this drama. The president should finish this drama as soon as possible."

Responding to the MPs comments, the Speaker of the house Mr. Abdul Rauf Ibrahimi said, "We are witness to the current deteriorating situation, and Pakistan is responsible for the current turmoil in Afghanistan. Pakistan is supporting Taliban and terrorism. This is the responsibility of the government to consult with people in regard the strategic agreement with Pakistan."

No conclusion was reached on the request by the Kunar MPs.

Mr. Daud Kalakani, had earlier called for the approval of the joining of Afghanistan as a member state to the International Anti Corruption Academy. In his brief, he explained the necessity of an international anti corruption academy, according to him, "The International Anti Corruption Academy (IACA) was established on 03-08-2011 in Luxemburg, to work as an International Anti Corruption Academy. As an International Organization it works to prevent or eliminate corruption form the society. Currently this organization has 57 members."

The three agreements, with Australia, Germany and the establishment and participation of Afghanistan in the (IACA) were subsequently approved by majority of the votes.