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Photo by AH



Clashes over Durand line

As clashes erupted between Afghan border forces and the Pakistani military last week, the Afghan government insisted that any move by Pakistan towards building a security fence or any barrier on the disputed border would be prevented. How far can the longstanding dispute over the Durand line go? P. 5

MP explains Spanta ousting

In an exclusive commentary, MP Registani comments and justifies the ousting of Foreign Minister Spanta in a vote of no-confidence by the lower house of Parliament last week. P. 2

Editorial

It remains necessary to increase the standards of journalism. But the approach chosen by government and parliament is detrimental. Kabul Weekly advocates a different path. P. 2

The week

The key events of the week in a page, from the German FM visit to the Gardez attack. P. 3



Light at the end of the grid

If governmental promises of electricity are delivered, hundreds of thousands of residents in small and big cities alike may at long last see the light, and actually afford it. P. 4

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MPs evict Joya

The Farah MP could face jail term for comparing lower house to a stable

By FAHEEM DASHTY

Malalay Joya, a Farah MP, was temporarily evicted from parliament after a serious row in the lower house on Sunday.

The legislators considered Malalay Joya had insulted Parliament. In an interview broadcast last week on Tolo TV, as she had compared the Afghan parliament to "a stable or a zoo".

According to Younus Qanoni, the chairman of the lower house, parliament decided in an overwhelming show of hands to evict Malalay Joya until the end of the current legislative, i.e. mid next month. The lower house has also asked that Malalay Joya be prohibited from leaving the country and be prosecuted for insults to the people's representatives.

Before MPs voted for her suspension, the tape showing Malalay Joya' controversial

comments was played in the house.

"A stable or zoo is better than our parliament, because in stable we keep cows that give milk or donkeys that carry loads", she was seen commenting. It is not the first time that Joya has criticized Mujahiddin leaders and commanders with heavy-loaded language. The very first time she made similar statements dates back to the Constitutional Loya Jirga. Ever since, Joya has kept criticizing mujahiddin leaders, MPs, government officials, even the President and some donor countries.

But why did parliament react so strongly this time?

Some parliamentarians believe that Joya's comments went far too far.

"Although Miss Joya had similar comments, with a strong language, in the past, her

statement this time had broader political dimensions and this provoked this reaction," said Ahmad Behzad, a legislator from Herat. "This time Joya was using street language and insulting words and she has offended all parliamentarians, which is not tolerable."

Prior to the decision of the parliament to evict Malalay Joya, MPs protested vehemently against her comments.

Some MPs believe that Joya has lost the little support she still enjoyed among some parliamentarians.

For Qudrya Ibrahim Yazdanparast, head of the Human Rights and Women Affairs Commission, "some of the MPs were supporting the viewpoints of Malalay Joya, but as she offended all with abusive language, they

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Unity and responsibility key to protecting freedom of speech

By FAHEEM DASHTY

Parliament has almost completed the ratification of a new media law. Reports from the lower house have it that only six to seven articles out of 52 are still under discussion. As Afghanistan is about to get its 4th media law in five years, the space for the activity of free media is shrinking daily.

The behavior of the government towards some independent media and attempts at curtailing the freedom of all media, blatant in the reform of the media law, raise fears that Afghan media face ever-increasing challenges.

The reaction of the Attorney General to Tolo TV reports last month, and the subsequent illegal detention of Tolo staff by police is a clear evidence of the illegal pressures brought to bear on the media.

The very latest incident has been an injunction from the Ministry of Information and Culture to the Internews Network, which supports open media in Afghanistan.

Internews Network officials say

that the Information and Culture Minister urged the network, in a letter, to sack Zahed Shah Angar, the director of De Sole Paigham (Message of Peace) Radio, a local station in Khost. Internews rejected the move as illegal.

A point of specific concern in the draft version of the new media law is that it increases the number of interdictions to the media. In the previous law, only four types of content were prohibited: contents against Islamic law, insults, defamations and the promotion of violence. The new draft adds to these the broadcasting and publishing of contents against national stability and national interests, and more...

These mentions are vague enough to be interpreted in different ways

for different issues. Without any clear explanation in the law, this could turn give a free hand to government officials to clamp down on any media, whose content displease them.

Another evidence of these attempts at stifling the media is a circular sent to government officials by the President's Office forbidding them to talk to the media. The lack of access to information that should

them from working according to journalism standards, which require inter alia accuracy and balance and forbid to interfere in people's personal lives.

It thus remains necessary to increase the standards of journalism in Afghanistan. But the approach chosen by government officials and parliament are detrimental.

Since the change in the leadership of the Ministry of Information and Culture last year, it appears that some within government and parliament are trying to curtail the freedom of the media. These fateful efforts have enlarged the gap of distrust between the institutions and the media.

If the sincere aim is to improve the standards of Afghan media rather than to create challenges for it, many journalists and media personalities are ready to work towards that aim with the government.

The establishment of a thriving independent media and of the prin-

ciples of freedom of the press is one of the major achievements of the government in the past five years. The government and its foreign allies may actually have no greater achievement than this to show for. As efforts to curtail these progresses gather pace, it is not only the job of the journalists and those who work in the media to fight for these rights. The government and the international community, which committed to bring democracy to Afghanistan, should be the first to stand to protect them.

There are individuals inside government and parliament who support freedom of speech. There are also many national and international institutions working in this field. Several embassies have also expressed their support to the freedom of press, particularly representatives of western countries.

It is clear that the best approach to protect freedom of speech in Afghanistan is to unite the efforts of all of these institutions and personalities.

Editorial

It remains necessary to increase the standards of journalism. But the approach chosen by government and parliament is detrimental.

Why Parliament voted out Foreign Minister Spanta: an MP explains

By SALEH MOHAMMAD REGISTANI

According to article 39 of the Constitution, the government has a duty to protect the rights of its citizens outside Afghanistan. This is in effect part of the responsibilities legal obligations of the Ministry of Foreign Affairs.

According to article 48 and 50 of the Foreign Ministry's internal regulations, the Minister is responsible for the activities of the ministry.

The lower house of Parliament summoned the relevant minister, Dr Spanta, to answer questions on the forced repatriation of Afghan refugees from the Islamic Republic of Iran.

A majority of parliamentarians cast a vote of no-confidence on the following legal grounds: the minister displayed his incapacity to fulfill his duties, he concealed information and was imprecise in his answers; lastly, he insulted the legislators.

Incapacity

According to articles 5, 16, 19, 20, 24 and 33 of the Foreign Ministry's regulations, it is the responsibility of the Ministry of Foreign Affairs to protect the rights of Afghan citizens abroad. The minister, in person, is responsible for ensuring this, as article 50 clearly indicates: "The

Minister of Foreign Affairs is responsible for the fulfillment of the ministry's tasks and responsibilities."

During the repatriation process, some of the refugees were beaten, humiliated or separated from their families. In some cases, their passports, which is the symbol of their nationality, were torn down, but the Ministry of Foreign Affairs has clearly disregarded article 39 of the constitution and article 55 of its own regulations, according to which

Afghan refugees, Dr. Spanta responded: "there is no such agreement signed."

To MPs, it is totally unacceptable that a Foreign Minister expresses ignorance about an agreement that decided the repatriation of one million Afghan refugees from Iran within a specific timeline. Either Dr. Spanta does not know anything about the agreement or he has intentionally dismisses it. In either case, this makes him liable to a vote of no-confidence according to the constitution.

Dr. Spanta then revealed that he had come under "foreign pressure" on the issue of the rights of Afghanistan in the Harirod river and Salma dam cases (the power dam is not functioning pending an agreement with Iranian authorities, which worry about a decrease of the river flow on their side of the border; this would allude to a link between the two issues, note of the editor). He added he was not to reveal it to MPs, but now felt compelled to do so.

Why would he conceal such an important national issue from the parliament?

To legislators, there cannot be any convincing reason for hiding an issue that relates to the fate of the country.

Refusal to provide answers

OpEd



Saleh Mohammad Registani

"The Ministry of Foreign Affairs is responsible to provide foreigners in Afghanistan and Afghan citizens outside Afghanistan with the facilities in regards to their marriages, deaths and other consulate issues, within applicable law."

Withholding of information

When asked about the tripartite agreement on the repatriation of the

beginning of the repatriation process, such as asking the parliament for an emergency session, holding a press conference, sending a delegation to Iran, advocating the issue to the UNHCR and to human rights organizations... He failed to do so.

Insult to the legislators

Dr. Spanta explained that the forced repatriation of Afghan refugees and his subsequent summons to the lower house were part of an Iranian conspiracy, thus insulting Parliament.

The vote of no-confidence took place after Dr. Spanta failed to answer the questions of the legislators.

Parliament represents the people and any kind of insult to the parliament is simply an insult to the people.

Thus, in accordance with their rights, as stated in articles 91 and 92 of the constitution, the members of the lower house dismissed Dr. Rangin Dadfar Spanta by a majority of 141 votes of no-confidence on May 12, 2007.

The writer is a representative of Panjshir province in the lower house. Formerly a close adviser to Ahmad Shah Massoud, he then served as military attache in Afghan embassies.

The event



Wednesday



Thursday



Saturday



Monday



The light at the end of the Uzbekistan-Afghanistan power grid

By MUHSEN NAZARI

The yellow dots of their hats made for an intriguing sight on the newly set-up electricity poles alongside the Kabul-Parwan highway, in the Mirbacha Kot district of Kabul.

A closer look revealed the workers of an Indian electricity company contracted to install the 300MW (megawatts) power supply line connecting Uzbekistan to Kabul.

The set-up of the poles has been completed from the Chemtala area in Khairkhana to Mirbacha Kott district almost a month ago. As soon as the rest of the installation work, which will extend to Southern Salang, is over, electricity is set to hit Kabul city. The power transferred from Uzbekistan will subsequently be distributed to other areas from the "main server", Kabul.

Kabul and its neighboring provinces have suffered from a severe lack of electricity supply in the past few years, after war destroyed power production facilities.

Even though the government had worked on the rehabilitation of the Surubi, Naghlo and Mahipar power production networks, it had not proved enough to meet the electricity requirement of Kabul citizens.

To reduce this energy shortage, the government signed an agreement with Uzbekistan in the spring of 2006, which allowed the transfer of 300MW/hour from Uzbekistan to Kabul. According to this agreement, the Afghan Ministry of Energy and Water is to implement the project by the end of 2008.

Based on the statistics given by the Ministry of Energy and Water and international agencies, only 6 to 10 percent of the Afghan population has access to electricity for now, and only intermittently.

According to officials at the Ministry of Energy and Water, upon completion of the project most of the people, who live in the provinces that the power line will cross, will have access to electricity.

"The project will be implemented in two phases, which will cost USD 140 million in total," added Mohammad Amin Munsef, advisor to the Minister of Energy and Water.



A group of the Indian electricity company electricians working on a electricity post along the Kabul-Parwan Highway.

The first phase of the project, from Hairatan to Pul-e-Khumri, will cost USD 40 million, funded through loans from the Asian Development Bank and the second phase, from Pul-e-Khumri to Chemtala valley in Kabul, USD 100 million, will be funded by grants from India.

The contract for the Hairatan - Pul-e-Khumri section of the project has been granted to KFC, an Indian private company. Work on the second section is being implemented by an Indian governmental company, the Power Grid.

As per contract the deadline for completion is end 2008. Yet, as 90 percent of the first phase of the project has been completed, the Ministry of Energy and Water hopes to see the project completed before that.

For now, the provinces of Kunduz, Balkh, Herat and Sheberghan are using the electricity which is purchased from Uzbekistan, Tajikistan and

Turkmenistan. But this amounts to no more than 20 to 35 MW in total.

"We are planning to increase the power supply and provide electricity to the neighboring provinces too," explained the advisor to the Ministry of Energy and Water, Mohammad Amin Munsef.

Ministry officials expect that, with the completion of their projects, most Northern provinces of Afghanistan and hundreds of villages and districts will gain access to electricity.

According to Mr. Munsef, the ministry plans to provide the provinces of Balkh, Baghlan, Samangan, Aybak and the cities of Rubatak, Dushi and Khenjan with electricity from Tajikistan, and the provinces of Badakhshan and Takhar and Taluqan city with the excess power already available in Kunduz.

"We will distribute electricity to Khost, Paktia and Paktika provinces from the Uzbekistan-Kabul electricity project," added Munsef. "The

Naghlo power dam electricity, which is currently directed to Kabul, will in the future also provide electricity to Laghman, Jalalabad city and the Surubi district."

Broader access to electricity could be a respite to Kabul residents in particular, that is if they can afford it, as many families in Kabul cannot use the power they already have access to, due to high prices.

Electricity is now billed at 1.5Afs/KW for 1 to 300KW, 4Afs/KW for 300 to 700KW and it is higher than 700KW the price reaches to 6Afs/KW.

For most residents in the capital, the cost is too high to bear. As a consequence, most families, including those of government employees, are unable to use electricity.

Until 2005, the price of the electricity was 1af per KW.

Mohammad Shohaib, an employee of the Communication Ministry and resident of Khairkhana, who was faced with a last two-month bill of 3,000afs complained: "I can't

even turn on my refrigerator. My monthly salary is 5,000Afs. If I pay 3,000afs for electricity every other month, how am I supposed to pay for the expenses of my family?"

Will the completion of the Uzbekistan-Kabul electricity power line usher new prices?

Mohammad Amin Munsef, the advisor to the Ministry of Energy and Water, said, "Currently the electricity - produced in thermal power plants, through fuel combustion - actually costs us 17afs per kilowatt. The government is actually subsidizing most of the cost. But according to the terms of the Uzbekistan-Afghanistan electricity project, the Uzbek government will charge us 2 US cents, i.e. 1af per kilowatt. Therefore the project will definitely reduce the price of electricity for our fellow citizens."

If governmental promises of electricity are delivered, hundreds of thousands of residents in small and big cities alike may at long last see the light, and actually afford it.

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support her no more."

Other MPs were more radical in their analysis. For Sayed Hussain Halemi Balkhi and Engineer Mohammad Hasem, "Joya's comments expresses the involvement of foreign hands." Yet they refused to specify to which specific foreign country or source they were alluding to.

Malalai Joya still maintains that her voice is the people's voice. Speaking in a press conference after her suspension, she said: "from the

time I started my fight for human and women rights in Afghanistan, these criminals and drug traffickers stood against me. From the very first day when I spoke in the Loya Jirga."

For Joya the decision of the parliament is the consequence of a political conspiracy and she remains adamant she will continue her fight.

In addition to her suspension, the legislators have decided to sue Joya. Mr. Bezad, MP from Herat, warned ominously: "It has already been decided to bring the case to justice, so the lower house will definitely file a

lawsuit against Joya."

As to the potential consequences of a prosecution for Malalai Joya, Nasrullah Estanezkai, a Political Science Faculty Professor, was clear. "The case has two possible judicial angles. She could stand prosecution first for insult to individuals, and second for undermining a government institution. In either case, she would risk a sentence for prison term (of 3 months to 5 years)."

Political tension escalates to fighting over the Durand line

By SEDIQ ZALIQ

As clashes erupted between Afghan border forces and the Pakistani military last week, the Afghan government insisted that any move by Pakistan towards building a security fence or any barrier on the disputed border would be prevented.

"Pakistanis have, several times, tried to set up barbed wire or security fences alongside the border, but their attempts were opposed by the government and their wires were torn down by people," said Zemarai Bashari, spokesman for the Interior Ministry.

For some Afghan analysts, the controversial issue of the Durand Line, which left parts of then Afghanistan under the administrative authority of the British East India Company, in 1893, remains the main factor behind the unending dispute between Afghanistan and Pakistan.

Pakistan appears to be striving to legitimize this line as the border between the two countries and to implement this plan it has always kept Afghanistan under the pressure.

Pakistan claims that the establishment of a security fence and barbed wire on the border between the two countries will, to some extent, prevent cross-border activities by terrorists.

Afghan government officials accuse Pakistan of separating tribes living on both sides of the border by building this security fence.

Senior Pakistani officials, all the way to the Prime Minister, have repeatedly announced that the decision to build a security fence was final and would definitely be implemented.

Mohamad Taher Hashimi, a political science faculty professor, believes that Pakistan wants to legalize the Durand Line by implementing its fencing project.

"The Durand Line deal is invalid legally," added Hashimi. "There is a simple legal principal in this regard, according to which, when negotiating a contract or agreement, both sides should be given equal rights. But the Durand agreement was signed at a time when Afghanistan was supported by Britain and was bound to yield to this imperial power."

During the years of Mujahidin's rule, factions close to the Pakistani ISI (Inter Services Intelligence) reportedly tried to steal the copy of the Durand Agreement from the Ministry of Foreign Affairs. It remains unclear where the copy is stored now.

"If the copy of the agreement exists, it should be put at the disposal of the media so Afghan people can understand the context of the agreement," included Hashimi.

According to Sultan Ahmad Bahin, spokesman for the Ministry of Foreign Affairs, the text of the contract lies in the archives of the Ministry of Foreign Affairs. But "the archives of the ministry are full of papers and documents and retrieval



of the Durand agreement will require a prolonged search".

During the past three years, every time Kabul Weekly attempted to write about the issue, the Ministry of Foreign Affairs gave a similar excuse, as to the unavailability of the document.

Unconfirmed reports have it that, when the Taliban conquered Kabul, in September 1996, they went to the United Nations office, where Dr. Najibullah, the former President of Afghanistan and his brother, Shahpoor Ahmadzai, had taken refuge, and tried to force him to sign a forged antedated extension of the

Durand agreement. The ensuing row over the issue resulted in the assassination of Dr. Najibullah and his brother. This has never been confirmed by independent sources though.

To political affairs experts, the latest military clashes between Pakistan and Afghanistan are directly linked to the Durand Line dispute.

For New York University Professor and expert on Afghan affairs, Barnett Rubin, any solution to the problem will require some bold move from the Afghan side: "Afghanistan should also make

some moves toward eventually recognizing the border of Pakistan and recognizing the incorporation of questioned Baluch territories into Pakistan, something Afghanistan has never recognized the legitimacy of."

But Afghanistan has repeatedly opposed the fencing and has brought up the issue to the United Nations Security Council to try and bring international pressure on Pakistan.

As security officials strive to strengthen the Afghan military presence in the region, the latest clashes between Afghan and

A slain hero is enlisted in battle against Taliban

By Tony Perry
Los Angeles Times

On a hill overlooking this verdant valley, U.S. and Afghan officials came together Thursday to praise the legacy of a legendary guerrilla fighter in hopes that his memory will serve as a rallying cry against a Taliban resurgence.

Ahmed Shah Massoud, 48, was killed in a suicide blast two days before the 9/11 attacks on the World Trade Center and the Pentagon. The assassination was ordered by Osama bin Laden, apparently as a way to eliminate a natural ally of the United States if it invaded Afghanistan looking for the Al Qaeda leader.

Now, with those who succeeded the Taliban and their Western allies seeking to provide a continuing sense of unity, Massoud, known as the Lion of Panjshir, is considered an ideal symbol for that cause.

Massoud's tomb, housed inside a 75-foot-high concrete, domed mausoleum, has been declared a national shrine by President Hamid Karzai's government, which replaced the Taliban.

In the capital, Kabul, where a main street is named National Hero Massoud, the commander's picture adorns lampposts and car windshields. There also are banners with his visage and the slogan "Unity is Massoud."

At the ceremony Thursday, a U.S. Marine Corps general compared Massoud to a rather notable American as he presented a plaque at the tomb.

Lt. Gen. James N. Mattis, speaking before a gathering of Afghan officials, soldiers and villagers, said that visiting the tomb of Massoud gave him "some of the same emotions I felt when I visited the grave of George Washington, the father of our country."

Massoud was a hero in the struggle against Soviet domination of Afghanistan and later the Taliban regime, but he was kept mostly at arm's length by the United States. The CIA, although eager to help topple the Soviets, had an on-again, off-again relationship with Massoud, preferring sometimes to back rivals favored by ally Pakistan.

But on this day, Massoud was hailed as a visionary by both Afghan and U.S. officials. The latter included two Marine generals, an Army general and a State Department representative.

At the ceremony, Ahmed Wali Massoud, wearing a pin with the U.S. and Afghan flags, said of his brother: "Although he is not with us, his vision and ideals live within us. Afghan people live through his vision: an Afghanistan without terrorists, Al Qaeda or Taliban. This is our dream."

Later, during a tea-and-cookies reception, a former Massoud confidant was more blunt. Unless the Americans help defeat the Taliban and their allies, the insurgency will spread to other nations in the region, said Abdullah, a former foreign minister in the Karzai government who uses one name.

"This is the next strategic step for Al Qaeda," said Abdullah, a physician who gave up his Kabul practice to come to this valley and fight alongside Massoud.

Many analysts have predicted a springtime offensive by the Taliban, and attacks are occurring frequently.

In the restive southern city of Kandahar, 10 people died Thursday in three bombings, one of them an apparent assassination attempt against the governor of Kandahar province. The governor escaped injury, but three bystanders were killed in the suicide car bombing.

Earlier, four security guards were killed in a roadside explosion, Afghan officials said. As rescue workers responded, a second blast went off, killing three police officers.

Authorities said the tactic of staggered bombings, with the second of two explosions aimed at those arriving at the scene to provide help, was a rarity in Afghanistan.

But Taliban fighters have been borrowing methods from insur-

gents in Iraq, where such dual attacks are common.

Many officials expect an even larger Taliban offensive in late summer after the opium poppy crop is harvested.

The poppies, which are used to make heroin, provide money for the

1st Marine Expeditionary Force and the Marine Forces Central Command.

The U.S. has more than 20,000 troops in Afghanistan, among them about 250 Marines who specialize in training the Afghan army, police and border patrol. A NATO force,



Photo by Reza Deghati

insurgency, officials said.

Most of the preparation by U.S., North Atlantic Treaty Organization and Afghan forces has involved additional training, better weaponry and changes in key leadership spots. But the information war, including memorializing Massoud, is also considered important.

Massoud "was a leader who could fight like a lion but kept compassion for the innocent," said Mattis, who is the commanding general of the

led by a U.S. Army general, has about 30,000 troops. So far this year, 33 U.S. military personnel have been killed in combat with insurgents, according to icasualties.org, which tracks injuries and deaths in the war.

"We stand here as partners in Massoud's vision," Mattis told the group.

Special correspondent M. Karim Faiez in Kabul contributed to this report.

