

In the Name of God, the Most Merciful, the Most Kind



December 28, 2015

The Challenging Electoral Reforms Process

MPs at the Lower House of Afghan parliament (Wolesi Jirga) rejected President Ashraf Ghani's decree on amendment of the country's electoral law. The MPs argued that based on the constitution, they had no right to amend the country's electoral law as the MPs' term has ended. The constitution specifically bars MPs from amending electoral laws while it is the last working year of the incumbent representatives. The President issued the legislative decree for amendment of the electoral law after the electoral reforms commission concluded its work some days ago and delivered its recommendations to the government. This comes after the Wolesi Jirga rejected Ghani's decree on the amendment of the law on structure, functions and responsibilities of electoral commissions last week. The rejection of the presidential decree once again is going to delay the finalization of the reform process to the electoral law and the election bodies overseeing the elections. This in turn may further cause delays and disruptions to the upcoming parliamentary elections which is expected to be held early next year.

According to Afghanistan's constitution, the parliamentary elections should have been held in the months of May or June of this year, and the new parliament should have been inaugurated in July. However, due to technical and financial challenges, the President extended the working term of the current parliament for another year. Bringing reforms to the electoral institutions of Afghanistan was one of the main points of political agreement which led to the formation of the national unity government in Afghanistan. Based on the agreement, a special reform commission was set up about six months ago to recommend reforms to the electoral system as well as the structures of the bodies responsible for the elections. The electoral reforms commission concluded its work this month and finalized its recommended amendments to the election law as well as the structure, functions and responsibilities of electoral commissions.

Due to the failure to complete the reform process as predicted, a new date for the parliamentary elections is yet to be determined. And it remains unclear if the government and the parliament will be able to set a new date soon and prevent another delay in holding the country's key parliamentary elections. Both the House of Representatives and the government need to work harder to deliver the task of reforms to the election law and the electoral commissions as soon as possible. The lengthy process for the reforms should be carried out with more urgency so the ground would be ready for the electoral commissions to get preparations for holding the upcoming elections. The Afghan government and the parliament need to explore ways to end the stalemate on the electoral reforms and complete the reforms considering every possible ways of preserving the constitution and based on the long-term interests of the country.

A solution based on consensus among the Afghan political spectrum and the state institutions along with considering legal aspects of the matter is needed to end the legal and political deadlock. All parties, including the government, the political parties and the parliament need to remain committed to ending the constitutional stalemate over the electoral reforms process and the upcoming parliamentary elections. The state of constitutional limbo over the country's electoral system and the current term of the parliament would serve no one's interest, while a failure in producing sound electoral reforms would further undermine the country's democratic experiment in the long run. Breaking law has become a trend as there have been many sways from the country's constitution by both the government and the parliament in the last over a decade of democratic era. All of the Afghan political spectrum and state institutions need to recommit to preserving law and end the culture of systematic violation of the constitution.

The new electoral law should ensure transparency and fairness of the upcoming parliamentary elections – and the future elections of the country. The urgent need for a sound political development of the country is a concrete result from the ongoing electoral reforms process. This may require consensus-making efforts and compromises by the involved authorities. When produced, the reforms to the country's electoral system, law and commissions should ensure fairness and soundness of the upcoming elections and help safeguarding the country's bruised democracy. The legitimacy of the country's political system must be restored. The ongoing reform process has provided a crucial opportunity for correcting some of the many flaws existing in the current electoral law and system. This would be critically important not only for the upcoming elections but also for the credibility sustainability of the whole democratic experiments of Afghanistan.

Both the Wolesi Jirga and the government should work together to reach a compromise over how best to carry out the reforms to the electoral law and the responsible commissions. The remaining task for implementation of the electoral reforms should be carried out on time so to prevent further delays in announcing a date for the upcoming parliamentary elections and possible setbacks in the reforms process. The Afghan state institutions and the political spectrum must have learnt much from the scandals of the last year presidential elections. There is no time for repeating them.

Mining and Minerals in Afghanistan!

By Muhammad Rasool Shah

It was in 2010 that US government released a report about mineral resources of Afghanistan. The findings were a combined research by US geological society and USAID. According to report, Afghanistan has mineral resources worth 1 trillion dollars while the Afghan government at that time claimed it to be of no less than 3 trillion dollars. It was such a good news that it was hoped that soon country will become a 'mining hub' of the region, creating hundreds and thousands of jobs and giving birth to a chain of industries that would not only prosper Afghanistan but all the countries in the region. It was also good news keeping in view the fact that Afghanistan was dependent on international donors to meet its expenses. It was hoped that, soon Afghanistan will become a country not only self-sufficient and economically independent but it might emerge as one of the economic giants of the region. While these speculations and sweet dreams were in progress, no actual governing body was formed to work and turn these dreams into reality.

There is a long list of natural resources discovered so far in Afghanistan. It is said to have one of the biggest reserves of copper in the world. It also has reserves of Lithium equal to that of Bolivia, which has the biggest reserves of this important metal used in large numbers of industries like batteries, laptops, mobile phones, cars and others. Afghanistan is said to have vast reserves of oil and gas and some small refineries are already functioning near Mazar-e-Sharif and other northern cities. But most importantly, it is said to have large reserves of silver, gold and platinum which are rare and precious metals and can earn billions of dollars for the economy. Along with these, other worth-mentioning minerals of Afghanistan are zinc, cobalt, iron, mercury and tons of rare earth elements such as neodymium, lanthanum, cerium and others.

In the presence of such vast and precious reserves of important minerals in the country, there was hope that soon country will be flourishing and people thriving but unfortunately, it did not happen as it was expected. Today, two major problems of the country are soaring unemployment and shrinking economic activities and meager financial condition of common Afghans. There are many reasons behind this failure. The first is of lack of vision by Afghan government and its international donors. As the mineral resources were vast and they needed a proper governing body that could have made sure to take all the steps to turn above dreams into reality but none of the parties showed long-sighted vision. A number of short-term and quick money projects were made and implemented the benefits of which failed to reach to all the Afghans. A very few people were benefitted from the situation. On the government level, Ministry of Mines and Petroleum was responsible for this but unfortunately, it never had any minister with talents and knowledge to handle the situation and political interference and compulsions never let this ministry work properly. Massive corruption, incompetence of government organs, political interference, effects of warlords and tribal chiefs and other issues exacerbated the situation.

According to findings of USIP (United States Institute for Peace), there has been massive corruption, political influence and conflicts regard-

ing the mines in Afghanistan. The report issued by this think-tank has reviewed in great length the condition of five mines given to different companies by Afghan government. According to the report, only these five mines are inflicting loss of more than 50 million dollars annually in form of tax evasions, lack of accountability, political influence and others. In all these five mines, the companies that got the contract were not mature or skilled enough to operate such a facility. The state law mentions that no government office-holder should be a part of any such company but such an important person owned one company while there was the support of such people behind other companies. These companies were not supposed to start extraction before completing all the necessary requirements but the companies had already started the extraction. There was very weak or almost no accountability of the functioning of these companies. The companies had not submitted any documents regarding their safety and environmental protection measures and such measures did not exist in practice as well. The labor was given low wages and they worked in horrible working conditions. And most importantly, there was no mechanism to collect taxes from these companies and they were able to evade millions of dollars from the government.

Such horrendous and rampant mismanagement and corruption gave birth to numerous problems and conflicts on high level. At one point, a party in conflict called Taliban to interfere and settle their dispute while dozens were killed or injured in conflicts about these mines. There is also fear of 'mineral curse' in Afghanistan if the problems persisted. It is a phenomenon used for countries rich in minerals but lawlessness, lack of governance, corruption and conflicts gives birth to many groups that start bloodshed for taking more and more share in these resources.

When we come to solutions' side, there are so many things to be done. First, the government should formulate a strategic vision for proper development of mining sector. At present, the government seems to be interested in short-term, quick revenue generating projects.

The governing laws regarding mining needs to be updated so that it should cover all the areas, which are left untouched, by the present laws. All the companies bidding for mining companies must be diligently checked and controlled, staying above from any political influence. The functioning of these companies must also be controlled and monitored. Concerned ministries must devise a mechanism for collecting revenues from mining companies. And most importantly, government should work to improve the conditions of law and order so that foreign investors, engineers and skilled labor should confidently come and work at different mining sites in the country.

However, a nation cannot fully depend on minerals for its growth and development. We can use our minerals to provide base and investment to improve other sectors of life. We have examples of numerous countries that became rich from minerals but later on worked to improve other industries and sectors of life and today, they have modern and well-established industries and infrastructure. Our government is lucky that mining can provide it with all the financial support that it needs to keep the country on the track of progress and development.

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Taking Action on the Drugs Crisis

By Abdul Ahad Bahrami

In a bold move to deal with the crisis of drugs addiction among Afghan youths, authorities moved hundreds of the addicts from a western neighborhood of Kabul into a center which once was the main base of NATO troops in eastern Kabul. The Ministry of Counter Narcotics, in coordination with the Ministries of Public Health and Economy has set up parts of the former NATO camp Phoenix in east of Kabul as a center for threatening and educating the addicts. The plan was recommended by the Ministry of Counter Narcotics which was approved by the president recently. The Ministry of Counter Narcotics has announced that it had transferred close to 400 addicts to the Camp Phoenix, and is planning to transfer thousands of drugs addicts to the center. The ministry plan to help the addicts be treated and receive job trainings. The program has been overwhelmingly applauded by Kabulis who worry of the impacts of the growing number of youths getting addicted to drugs.

The move is viewed as the first concrete measure by government authorities to deal with the problem and help the many young addicts wandering in Kabul city to recover from the debilitating addiction. The government's measure for tackling the challenge in Kabul city is coming while the rate of drug users in Afghanistan is higher than ever. A study financed by the United States showed this year that there are currently more than three million drug users in Afghanistan, sharply higher from 1.6 million in 2012. According to a joint report by Afghan government agencies and the United States bureau of narcotics and law enforcement, addiction to drugs among Afghans is as high as 11 percent, meaning that one of every nine Afghans is in some way drug addicted. The sharp rise is attributed to the persistent lack of law and order in the country, failure of the anti-narcotics programs and the thriving poppy cultivation in the country in recent years.

Afghanistan is top producer of opium in the world, and more than 90 percent of the world's heroin, which is the most addictive drug, comes from the country. According to media reports, now the Afghan young addicts are not confined to Kabul, but the number of addicts is growing in many of the northern and southern cities and towns. According to a report by the New York Times, a large number of the farmers who are involved in cultivating poppy as well as their family members are turning to consuming drugs to cope with the hardships of the job they do. The growing number of addicts in big cities and towns across the country forebodes a major social crisis in the country. Afghanistan will be compelled to cope with the impacts of the creeping drug addiction among Afghan youths. It will be costly for the country in terms of social challenges, economic burdens and devastating a noticeable portion of the youths as the country's labor force.

However, most of the efforts so far for eliminating the cultivation of poppy and production of opium have been unproductive. The United States and the Afghan government have systematically failed to capture and imprison high profile drug lords involved in the lucrative business in Afghanistan. In the past fourteen years of the anti-narcotics campaign, many high-profile drug traffickers with international reputation have been put in jails, but managed to escape prison. Even it is believed that Afghan authorities had been involved in securing release of such criminals. Over the past decade of the war in Afghanistan, the anti-narcotics campaign mission of the United States and the Afghan government has swayed as the war has always been a priority. In recent years, while the United States planned for pulling out from Afghanistan, the fight against narcotics went marginal while the Afghan government did not have the capability to effectively fight the growing threat.

The long-term insurgency in the country is seen as the most important factor for the failure of the past fourteen years of international efforts to combat narcotics in Afghanistan. After years of the collective efforts for eliminating production of opium in Afghanistan, the mission has failed. Afghanistan continues to be the top opium producer in the world, and the drugs addiction is now turning into a potential crisis at home. In the meantime, the poppy cultivation and production of opium continue to fuel the insurgency in the country as the lucrative business constitute a major revenue source of the Taliban and other militant groups. Poor governance and widespread corruption in the country has been playing a major role in failing the anti-narcotics mission of the past over a decade in the country. The ongoing insurgency and the poor governance have rendered the government unable of carrying out a decisive fight against opium production as well as combating the drug traffickers.

The government of Afghanistan needs to lead a dual fight against the phenomenon. On one hand, it needs to effectively work to curb the social impacts of the drugs problem in Afghanistan. It should to take comprehensive measures for preventing the population from turning into addictive substances. The only long-term solution is rule of law and order along with generation of employment for the people. On the other hand, the government should lead a more effective campaign for eliminating poppy corps and prevent the farmers from cultivating the plant. Unless it changes the course of its fight against poppy cultivation and drug trafficking, the government will continue to lead a failed mission and the crisis will grow larger. The national unity government needs to realize the nature of the threat to the future of the country's economy and social order, and takes on a more serious fight against the phenomenon.

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