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Preface

The Afghan president Ashraf Ghani opened the sixth year of the 16th round of the Afghan parliament which will continue functioning until next parliamentary elections.

According to the Article 83 of the Afghan constitution the working term of this parliament must have ended on 22 June 2015, but due to the disputes over the results of the presidential elections in 2014, the parliamentary election was postponed. After completion of the working term of the Afghan parliament, the Afghan President contrary to the Afghan constitution extended its working term and last week the president opened another illegal year of the parliament. The background of the National Assembly in Afghanistan, its activities in the past year, its relations with the National Unity Government (NUG) and the future challenges are the issues, which are analyze here.

In the second part of our weekly analysis you would read about the situation of waters in Afghanistan and the water related challenges and opportunities. According to the statistics 75% of waters in Afghanistan are either being wasted or is flowing to some neighboring countries. On the other hand, the rainfall in Afghanistan is decreasing annually and thus drought threats the country; but no fundamental work to use water resources in the country has been done. Although Afghanistan has a lot of potential to generate electricity, the country imports most of its needed electricity from neighboring countries.

You would read about these two subjects in this issue of weekly analysis of the Center for Strategic and Regional Studies.

Afghan Parliament: the background and future



The Afghan President Ashraf Ghani opened the meeting of the sixth year of the 16th round of the Afghan Parliament after the winter vacations last week.

The background and the power of the Parliament in Afghanistan, the current conflict and non-coordination between the government and the Afghan Parliament, its activities in the past year and challenges ahead are the issues which we have tried to analyze here.

The background of the Afghan Parliament

The first Parliament in Afghanistan (named the “state council”) was formed under the umbrella of the first Afghan constitution which was written during Amanullah Khan’s reign in 1302 (1923), later at the time of the Nader Khan in 1307 (1930) its name was changed to “Parliament” and was unicameral with 38 members.

In 1309 (1930) the Afghan Parliament became bicameral and the two houses were called (Wolesi Jirga) (Lower House) and (Meshrano Jirga) (the Upper House). This Parliament began its work in 1310 (1931). Until 1965 the members of the

both houses were being appointed by the government but in 1343 (1965) and after the new constitution was approved, the Parliament was considered to have specific powers and also the members of the 12th round of the lower house were elected by the people.

After the “Democracy Decade” (1963-1973); until the collapse of the Taliban regime no such election was held; but in 2001 when the US attacked Afghanistan and the Afghan interim government was formed; the new constitution was approved for the country and based on the new constitution Parliamentary election was held in 2005 and 249 members were elected to Wolesi Jirga.

In 2010, once again the Parliamentary election was held to elect new members to the Parliament and the next election was expected to be held in 2015 but due to the various issues the election is postponed to the upcoming year.

The powers of the Parliament

According to the Afghan constitution the Afghan Parliament have two houses and both have specific powers in specific fields. Ratification, modification and abrogation of the laws, approval of the government’s development programs, the approval of the state budget, and ratification or abrogation of the international treaties are the common authorities of both houses of the Afghan Parliament.

Decision about summoning ministers, the state budget and development programs, and approval or rejection of the appointments are the special authorities of the “Wolesi Jirga”. Parliament and particularly “Wolesi Jirga” have vast legislative authority and in this regard the executive branch can only propose bills.

The Parliament-government relations

Based on the Afghan constitution all three branches of the state must supervise one another. Thus the Parliament oversees the actions of the executive branch. In the past Afghan constitutions particularly in the constitution of 1964, the observation was mentioned as the Parliament’s duty. One of the reasons why the

government in the “Democracy Decade” was successfully functioning was the proper relations between the government and the Parliament; as at the time of the Prime Minister Mosa Shafiq there were proper relation between the government and the Parliament.

In the first term of Karzai’s presidency there were better relations between the government and the Parliament but in the second term of his presidency these relations were deteriorated and the Parliament repeatedly rejected the cabinet members who were introduce to the Parliament to be approved as ministers; but still there were coordination between the government and the Parliament. But currently the coordination between the government and the Parliament is at its low levels and the relation between them is highly deteriorated.

Wolesi Jirga in 1394

Wolesi Jirga did not have any remarkable achievement last year. The achievement of “Wolesi Jirga” which was presented at the final meeting of 1394 were as follows: holding 51 general sessions, 2 impeachment sessions, 15 summon sessions, 3 hearing sessions and 30 ordinary sessions, passing 39 ratifications and 10 bills, approving 9 agreements, abrogating 7 legislative decrees and approving the 1395 annual budget¹.

Setting the salaries of the governmental officials, approval of the members of the judicial branch and passing the telecommunication tax bill were also in the list of the house’s activities.

Wolesi Jirga also approved the bilateral security agreement with United Arab Emirates, the military cooperation agreement between the Afghan Ministry of Defense and China, and the agreement of the Islamic Cooperation Organization’s convention.

For more information see the link bellow:¹
<http://wolesi.website/pvd/showdoc.aspx?Id=5413>

The problems faced by Wolesi Jirga in 1394

Wolesi Jirga faced various problems last year, the most significant of which are as follows:

Legislation: legislation is one of the three significant duties of the Parliament. According to the Article 90 of the Afghan constitution, the Parliament has the authority to ratify, modify or abrogate the government's bills and legislative decrees. In 2015, Wolesi Jirga has not taken any innovative step in the legislation area and has only reacted against the government's bills. Thus from all its authorities in the legislation area Wolesi Jirga has only implemented its authority to ratify or abrogate the bills.

Monitoring the government: in the area of overseeing the government, the Parliament has acted very poorly. There were accusations that instead of tackling corruption; some Parliament members have used their authority of observing the government for individual and tribal interests.

Summoning ministers: in the past year, differences between the National Unity Government Officials also divided Wolesi Jirga into two parts and the summon meetings were also disorganized.

Absentees: there are now 240 members in the Parliament and yet only 68 to 76 of them were present in daily meetings of the Parliament. The number of present members in the Parliament is increased only in significant meetings, such as introducing the ministers or impeachment meetings; meeting of approving the budget.

The problems of the people: based on law, the Parliament members have two time vacations; one in summer and the other in winter. By taking leverage of this, they should listen to the problems of their clients but people complain that the Parliamentarians do not hear their problems.

The challenges ahead

The Parliament has begun its sixth year, and it will function for several months until the Parliamentary election, which is expected to be held on 15 October 2016. The main problems that the Parliament has to deal with are as follows:

Legitimacy: after the Afghan president extended the Afghan Parliament's term beyond 22 June 2015, legal experts called this act as in violation of the Afghan constitution and illegitimate. Thus the Afghan Parliament was dealing with the challenge of legality and this is a challenge that the Parliament will be facing next year and therefor the Afghan Parliament have to struggle with the issue of legality and should make efforts to gain the trust of the Afghan elites.

Electoral law: the electoral law is expected to be reformed before the Parliamentary elections and the reforms would not be brought without the consensus of the Parliament; thus to bring reforms in the electoral law will be the main challenge for both the Afghan government and the Afghan Parliament because on one hand the government cannot reform electoral law without the agreement of the Parliament and on the other hand it does not want the Parliamentary elections to be held without electoral reforms.

Disputes between government and the Parliament: beside other challenges, the Parliament will face the issue of deteriorated relation with the government.

The Situation of Water: The Challenges and Opportunities



The Afghan Media have recently released news which shows that Afghanistan uses 25% of its water resources and rest of the remaining waters either goes to the neighboring countries or is being wasted inside the country.

In recent years, the rainfall is decreasing and drought also threatens the country, thus the agricultural products have suffered vastly. But, yet, there is enough water in the country which is currently flowing to the neighboring countries.

Although the country has the capacity to build power dams and can produce more power than it needs, but, in this regard, no fundamental work has been done yet. Thus after each year, the country loses the opportunities to use its water resources; still no measures are taken to control water resources in the country. Water resources in Afghanistan, the challenges and the opportunities are the issues which we have tried to analyze in this part of the weekly analysis.

Water resources in Afghanistan

In international politics, water can be the reason behind friendship and cooperation among nations; but, in the meanwhile, it can also be a reason behind enmity and confrontation. According to the statistics of the United Nations, from 1.4 billion cubic kilo meters (Km³) of water in the world only two hundred thousand Km³ is available to be used by human beings; thus besides the energy and food , water security is a very significant issue in the foreign policy of the countries.

Waters in Afghanistan flow in the following basins:

- The Amu Darya river basin
- The Helmand river basin
- The Kabul (Indus) river basin
- The Harirod-Morghab river basin
- The Northern river basin

Afghanistan is a mountainous and landlocked country and has common water with five of its six neighbors. In the Amu river basin, Afghanistan has common waters with Tajikistan which then flows into Uzbekistan and Turkmenistan; in the Harirod-Morghab basin, Turkmenistan and Iran; in the Helmand river basin Iran; and in the Kabul river basin Pakistan have common waters with Afghanistan.²

Today water scarcity has grown into a major issue in the world. There are two types of water scarcity; first; physical water scarcity which in this case there is not enough water in a place; second; economical water scarcity which is the lack of the access to water due to the economic problems. According to the international statistics, Afghanistan is suffering from both physical and economic water scarcity. According to a survey in urban areas, 78% of the Afghans have access to potable water and this percentage is 39% in the rural areas but overall 48% of the Afghans have access to the safe drinking water which compared to other countries in the world shows a very low percentage³.

² the CSRS's 107th issue of weekly analysis (Water management; the challenges and power potentials)

³ Read more at:

Water related problems in Afghanistan

Although the water related problems in Afghanistan is a vast issue; we will briefly study them in three parts:

- **Lack of legal water sharing agreements with neighboring countries**

Afghanistan has signed water sharing agreement with only one of its neighbors which was then inked between the Afghan Prime Minister Mosa Shafiq and the Pahlavi king of Iran on sharing the Helmand river waters.

The lack of water sharing agreements with neighboring countries will face the country with major problems ahead, because, whenever the Afghan government wants to build dams on its rivers, neighbors will be there to respond⁴. But after signing water sharing agreements with the neighboring countries, these waters will improve relations with the neighboring countries rather than deteriorating these relations.

- **Lack of Water Management**

The lack of water management is a basic problem that can cause crisis in the future. Some statistics show that Northern basin lacks water (it only provides 676m³ waters for every individual annually) while there is enough water in the Amu and Kabul basins. Thus there is no balance between the population and water resources in the country. On the other hand there are different amounts of rainfall in each season and it is needed to reserve water in the seasons with large amount of rainfall in order to be used in low-water seasons. This problem can be resolved with building dams which will also prevent floods and damages caused by it.

- **Water pollution**

However water pollution is not raised as a fundamental problem in Afghanistan but from a health point of view it is starting to change into a serious problem; as

http://worldwater.org/wp-content/uploads/sites/22/2013/07/data_table_3_access_to_safe_drinking_water_by_country.pdf

⁴ We have witnessed the various reactions of Iran about Salma Dam and the reaction of Pakistan about Kunar Dam.

from June 2009 to July 2010, about 20 people died as a result of drinking polluted water in five villages of Samangan province (Hassan Khiel, Kachanhali Bala, Kachanhali Payeen, Dalkhani and Larghan)⁵.

The factors behind improper utilization of waters

The main reasons why Afghanistan has not used its water resources or lack water management are as follows:

First: Since water is freely available in all parts of the country and there is a very low level of public awareness about the role and significance of water among the people; they do not know the significance of the water in the economic development.

Second: due to the prolonged war no infrastructural project was implemented to use water supplies in the country.

Third: In this regard there is no central decision making administration and the decisions are made by various administrations such as the Ministries of Rural Rehabilitation and Development, Agriculture, Urban Development, Water and Energy and Municipality therefore every administrations implement their own separate policies.

Fourth: lack of a common view in the decision making administrations, mismanagement and lack of a master plan to use water resources nationwide.

Fifth: sabotage in the fields of financial support, design and construction of the water related projects by the neighboring countries.

Sixth: passivity and disorganization of the High Council of Energy and Water which is the coordinating and decision making administration in water related issues⁶.

⁵ See the research of IWPR:

<https://iwpr.net/global-voices/water-pollution-silent-killer-north-afghan>

⁶ Read the 62th issue of the Centre for Strategic and Regional Studies (the decision of building the Dasu Dam in Pakistan and the need to complaining reaction of Afghanistan)

The Energy Situation

Afghanistan spends tens of millions of dollars annually to import electricity from the neighboring countries which has unpleasant impacts on the total trade of the country.

According to the Afghan Ministry of Energy and Water, Afghanistan needs 3000 megawatt electricity annually 6% of which is generated inside the country and rest of the remaining is being imported from Tajikistan, Turkmenistan, Uzbekistan and Iran. Uzbekistan is the largest exporter of electricity to Afghanistan which provides 55% of Afghanistan's needed electricity meanwhile Afghanistan imports 22% of its needed electricity from Iran, 16% from Turkmenistan and 7% from Tajikistan⁷.

Kabul has a population of more than six million people which forms 20% of all the population in the country. On the other hand there are more factory and industries in this city than other cities in the country. Therefore; from all 3000 megawatts of electricity which is needed in all over the country, Kabul needs 530 megawatts of it. More than 260 of the needed electricity to the Kabul city is being imported from neighboring countries and passes through Salang where it can easily be disconnected due to the natural accidents or any other problems.

Overall, only 19% of the needed electricity in Afghanistan is generated inside the country which is mostly hydropower and a very small amount of it is solar and thermal energy; the remaining 81% is imported electricity from neighboring countries. On the other hand 70% of the Afghans have not access to electricity while the remaining 30% have relatively access to electricity meaning that they do not have 24 hours of electricity⁸. The current status of the electricity is worthy of

⁷ See the link below:

<http://www.afghaneic.com/Data/Afghan%20Electricity%20Imports%20by%20Source/Afghanistan%20Electricity%20import%20by%20Source--2011.pdf>

⁸ the seminar on the energy sectors of Afghanistan, potentials, current status and the future by the CSRS online: <http://csrskabul.com/pa/?p=1194>

considering because the country have the potential to generate 22 Giga watts of electricity which is much more that the amount of electricity that country needs.

The End

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Note: Please let us know your feedback and suggestions for the improvement of Weekly analysis.