

Islamic Republic of Afghanistan
Afghanistan National Development Strategy
1387 - 1391 (2008/09 - 2012/13)



A Strategy for Security, Governance,
Rule of Law, Human Rights, Social & Economic
Growth and Poverty Reduction

VOLUME TWO

Security and Good Governance Pillars
Security; Justice and the Rule of Law; Governance, Public
Administrative Reform and Human Rights; and Religious
Affairs Sector Strategies



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Security; Governance, Public Administration
& Human Rights; and Religious Affairs
Sector Strategies

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
In the Name of Allah, the Most Compassionate, the Most Merciful

إِنَّ اللَّهَ لَا يُغَيِّرُ مَا بِقَوْمٍ حَتَّى يُغَيِّرُوا مَا بِأَنْفُسِهِمْ
*Verily, never will Allah change the condition of people unless they
change it themselves (Holy Quran, 013,011)*

VISION FOR AFGHANISTAN

By the solar year 1400 (2020), Afghanistan will be:

- *A stable Islamic constitutional democracy at peace with itself and its neighbors, standing with full dignity in the international family.*
- *A tolerant, united, and pluralistic nation that honors its Islamic heritage and the deep seated aspirations toward participation, justice, and equal rights for all.*
- *A society of hope and prosperity based on a strong, private-sector led market economy, social equity, and environmental sustainability.*

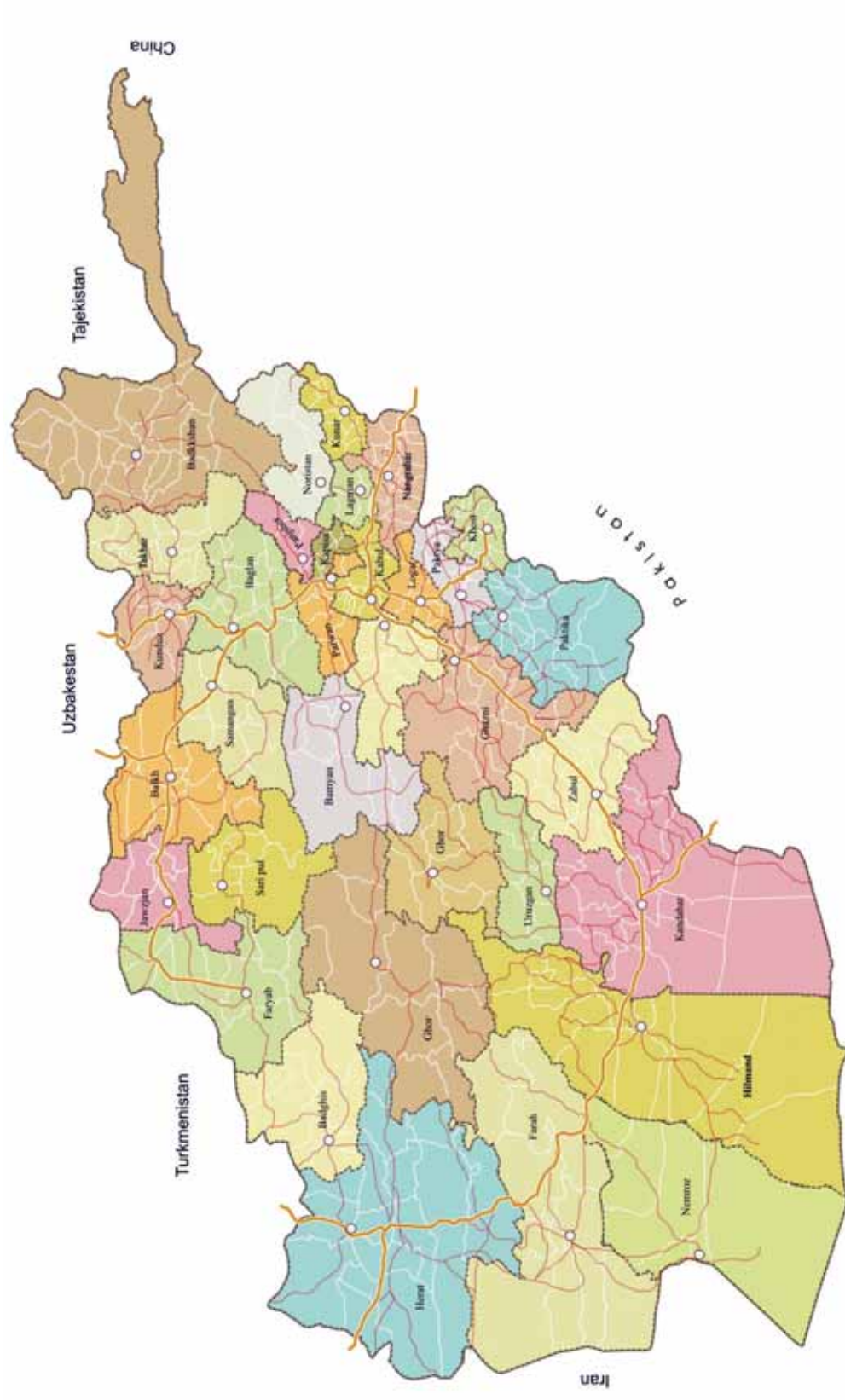
ANDS Goals for 1387-1391 (2008/09-2012/13)

The Afghanistan National Development Strategy (ANDS) serves as Afghanistan's Poverty Reduction Strategy Paper (PRSP) and uses the pillars, principles and benchmarks of the Afghanistan Compact as a foundation. The pillars and goals of the ANDS are:

1. *Security: Achieve nationwide stabilization, strengthen law enforcement, and improve personal security for every Afghan.*
2. *Governance, Rule of Law and Human Rights: Strengthen democratic processes and institutions, human rights, the rule of law, delivery of public services and government accountability.*
3. *Economic and Social Development: Reduce poverty, ensure sustainable development through a private-sector-led market economy, improve human development indicators, and make significant progress towards the Millennium Development Goals (MDGs).*

A further vital and cross-cutting area of work is eliminating the narcotics industry, which re-mains a formidable threat to the people and state of Afghanistan, the region and beyond.

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Afghanistan National Development Strategy (ANDS) Structure

(3 Pillars, 8 Sub-Pillars, 17 Sectors and 6 cross-cutting issues)

SECURITY		GOVERNANCE		SOCIAL AND ECONOMIC DEVELOPMENT											
Sub Pillar 1		Sub Pillar 2		Sub Pillar 3		Sub Pillar 4		Sub Pillar 5		Sub Pillar 6		Sub Pillar 7		Sub Pillar 8	
1 – Security		2 – Good Governance		3 – Infrastructure & Natural Resources		4 – Education & Culture		5 – Health & Nutrition		6 – Agriculture & Rural Development		7 – Social Protection		8 – Economic Governance & Private Sector Development	
Sectors															
Security	Justice		Energy		Education		Health and Nutrition		Agriculture and Rural Development		Social Protection		Private Sector Development and Trade		
	Governance, Public Administrative Reform & Human Rights		Transportation		Culture, Media and Youth		Refugees, Returnees and Internal Displaced Persons								
	Religious Affairs		Water Resource Management												
			Information and Communications Technology												
			Urban Development												
		Mining													

Cross-Cutting Issues
Capacity Building
Gender Equity
Counter Narcotics
Regional Cooperation
Anti-Corruption
Environment

Foreword

For the preparation of Afghanistan National Development Strategy



In the name of Allah, the most Merciful, the most Compassionate

Six and half years ago, the people of Afghanistan and the international community joined hands to liberate Afghanistan from the grip of international terrorism and to begin the journey of rebuilding a nation from a past of violence, destruction and terror. We have come a long way in this shared journey.

In a few short years, as a result of the partnership between Afghanistan and the international community, we were able to create a new, democratic Constitution, embracing the freedom of speech and equal rights for women. Afghans voted in their first-ever presidential elections and elected a new parliament. Today close to five million Afghan refugees have returned home, one of the largest movements of people to their homeland in history.

Thousands of schools have been built, welcoming over six million boys and girls, the highest level ever for Afghanistan. Hundreds of health clinics have been established boosting our basic health coverage from a depressing 9 percent six years ago to over 85 percent today. Access to diagnostic and curative services has increased from almost none in 2002 to more than forty percent. We have rehabilitated 12,200 km of roads, over the past six years. Our rapid economic growth, with double digit growth almost every year, has led to higher income and better living conditions for our people. With a developing road network and a state-of-the-art communications infrastructure, Afghanistan is better placed to serve as an economic land-bridge in our region.

These achievements would not have been possible without the unwavering support of the international community and the strong determination of the Afghan people. I hasten to point out that our achievements must not distract us from the enormity of the tasks that are still ahead. The threat of terrorism and the menace of narcotics are still affecting Afghanistan and the broader region and hampering our development. Our progress is still undermined by the betrayal of public trust by some functionaries of the state and uncoordinated and inefficient aid delivery mechanisms. Strengthening national and sub-national governance and rebuilding our judiciary are also among our most difficult tasks.

To meet these challenges, I am pleased to present Afghanistan's National Development Strategy (ANDS). This strategy has been completed after two years of hard work and extensive consultations around the country. As an Afghan-owned blueprint for the development of Afghanistan in all spheres of human endeavor, the ANDS will serve as our nation's Poverty Reduction Strategy Paper. I am confident that the ANDS will help us in achieving the Afghanistan Compact benchmarks and Millennium Development Goals. I also consider this document as our roadmap for the long-desired objective of Afghanization, as we transition towards less reliance on aid and an increase in self-sustaining economic growth.

I thank the international community for their invaluable support. With this Afghan-owned strategy, I ask all of our partners to fully support our national development efforts. I am strongly encouraged to see the participation of the Afghan people and appreciate the efforts of all those in the international community and Afghan society who have contributed to the development of this strategy. Finally, I thank the members of the Oversight Committee and the ANDS Secretariat for the preparation of this document.

Hamid Karzai
President of the Islamic Republic of Afghanistan

Message from the Oversight Committee

For the preparation of the Afghanistan National Development Strategy



In the name of Allah, the most Merciful, the most Compassionate

We are pleased to present the Afghanistan National Development Strategy, which reflects the commitment of the Islamic Republic of Afghanistan to poverty reduction and private sector-led economic growth for a prosperous and stable Afghanistan. The ANDS Oversight Committee (OSC) was mandated by the Government to produce a Millennium Development Goals-based national strategy that is Afghan-owned and meets the requirements for a Poverty Reduction Strategy Paper. The OSC met on a regular basis to design, discuss and oversee the development of the strategy, including the identification of the needs and grievances of the people, and the prioritization of resource allocations and actions. To embrace ‘Afghanization’ and ownership, the OSC facilitated inclusive and extensive consultations both at national and sub-national levels.

Sustained fiscal support and continuous evaluation and monitoring are essential now to meet the challenges ahead related to ANDS implementation. The democratic aspirations of the Afghan people are high, yet financial resources remain limited. While much has been accomplished since 2001, more remains to be done as we move from “Compact to Impact”. The Afghan Government with support from the international community must act decisively, strategically, and with an absolute commitment to the ANDS goals and vision.

We look forward to working with our government colleagues, civil society representatives, tribal elders and religious scholars, the private sector, the international community and, most importantly, fellow Afghans to implement the ANDS, to help realize the Afghanistan Compact benchmarks and Millennium Development Goals.

Prof. Ishaq Nadiri
Senior Economic Advisor to the President
Chair, ANDS and JCMB

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Haneef Atmar
Minister of Education

Acknowledgments

For the preparation of the Afghanistan National Development Strategy



In the name of Allah, the most Merciful, the most Compassionate

The Afghanistan National Development Strategy (ANDS) could not have been developed without the generous contribution of many individuals and organizations. The ANDS was finalized under the guidance of the Oversight Committee, appointed by HE President Hamid Karzai and chaired by H.E. Professor Ishaq Nadiri, Senior Economic Advisor to the President and Chair of the ANDS Oversight Committee. The committee included: H.E. Rangeen Dadfar Spanta, Minister of Foreign Affairs; H.E. Anwar-ul-Haq Ahady, Minister of Finance; H.E. Jalil Shams, Minister of Economy; H.E. Sarwar Danish, Minister of Justice; H.E. Haneef Atmar, Minister of Education; H.E. Amin Farhang, Minister of Commerce; and H.E. Zalmay Rassoul, National Security Advisor.

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Finally, I would like to thank all who contributed towards this endeavor in preparation of the first Afghanistan National Development Strategy, a milestone in our country's history and a national commitment towards economic growth and poverty reduction in Afghanistan.

Adib Farhadi,
Director, Afghanistan National Development Strategy, and
Joint Coordination and Monitoring Board Secretariat

See complete list of contributors in next page

The Security Sector Strategy was developed as a result of the commitment and efforts of members of key Afghan ministries, donors, civil society and the private sector.

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Finally, we would like to thank everyone who assisted the ANDS Secretariat in working to develop the Security Sector Strategy. We look forward to the firm commitment of all our stakeholders throughout the implementation of this strategy.

Certainly, contributions to the Security Sector will remain key to the success of this strategy in particular, and of the ANDS in general.

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Acronyms and Abbreviations

AC	Afghanistan Compact
ACIJ	Afghan Centre for International Journalism
ACSF	Afghan Civil Society Forum
ADB	Asian Development Bank
AGCHO	Afghanistan Geodesy & Cartography Head Office
AGO	Attorney General's Office
AIHRC	Afghanistan Independent Human Rights Commission
AITM	Afghan Institute of Management and Training
ANA	Afghan National Army
ANDS	Afghanistan National Development Strategy
ANP	Afghan National Police
ANSF	Afghanistan National Security Forces
ARCSC	Administrative Reform and Civil Service Commission
AREU	Afghanistan Research & Evaluation Unit
ARTF	Afghanistan Reconstruction Trust Fund
ASGP	Afghanistan Sub-national Governance Program
BP	Border Police
BRIDGE	Building Resources in Democracy, Governance & Elections
CJTF	Criminal Justice Task Force
CNPA	Counter-Narcotics Police of Afghanistan
CPD	Central Prisons Department
CSO	Central Statistics Office
CSTC-A	Combine Security Transitional Commander for Afghanistan
CSTI	Civil Services Training Institute
CVR	Civil Voter Registry
DDR	Disarmament Demobilization and Reintegration
DIAG	Disbandment of Illegal Armed Group
ECC	Electoral Complaint Commission
ERC	Election Resource Centre
ERW	Explosive Remnants of War
FEFA	Free and Fair Elections Foundation of Afghanistan
GDAC	General Directorate of Audit & Control
GIACC	General Independent Anti-Corruption Commission
GoA	Government of Afghanistan
HR	Human Resources
IARCSC	Independent Administrative Reform & Civil Service Commission

IBA	Independent Bar Association
IBES	Integrated Business Establishment Survey
ICO	Islamic Conference Organization
IDLG	Independent Directorate of Local Governance
IEC	Independent Electoral Commission
INLTC	Independent National Legal Training Center
ISAF	International Security Assistance Force
IT	Information Technology
JCMB	Joint Coordination and Monitoring Board
JEMB	Joint Electoral Management Body
MCN	Ministry of Counter-narcotics
MDG	Millennium Development Goal
MIS	Management Information Systems
MoD	Ministry of Defense
MoE	Ministry of Economy
MoE	Ministry of Education
MoF	Ministry of Finance
MoFA	Ministry of Foreign Affairs
MoH&E	Ministry of Hajj and Endowment
MoHE	Ministry of Higher Education
MoI	Ministry of Interior
MoIC	Ministry of Information and Culture
MoJ	Ministry of Justice
MoT	Ministry of Transport
MoUD	Ministry of Urban Development
MoWA	Ministry of Women's Affairs
MPA	Ministry for Parliamentary Affairs
MRRD	Ministry of Rural Rehabilitation and Development
NAPWA	National Action Plan for the Women of Afghanistan
NATO	North Atlantic Treaty Organization
NCDF	National Capacity Development Framework
NCVR	National Civil Voter Registration (Program)
NDCS	National Drug Control Strategy
NDI	National Democratic Institute
NDS	National Directorate of Security
NEPA	National Environment Protection Agency

NGO	Non governmental organization
NGP	National Governance Program
NIC	National Identification Card
NJP	National Justice Program
NJSS	National Justice Sector Strategy
NSC	National Statistical Council
OAA	Office of Administrative Affairs
OEF	Operation Enduring Freedom
PAG	Policy Action Group
PAR	Public Administration Reform
PCC	Provincial Complaints Commissions
PIU	Program Implementation Unit
PJCM	Provincial Justice Coordination Mechanism
POC	Program Oversight Committee
PRT	Provincial Reconstruction Team
RIMU	Reform Implementation Management Unit
SA	Science Academy
SC	Supreme Court
SSR	Security Sector Reform
TDR	Traditional (or informal) Dispute Resolution
UNAMA	United Nations' Assistance Mission to Afghanistan
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Program
UNESCAP	United Nations Economic & Social Commission for Asia & the Pacific
VCA	Vulnerability to Corruption Assessments

Security Sector Strategy

1387 - 1391 (2007/08 - 2012/13)



Pillar I - Security

Security Sector Strategy

Approved by:

Sector Responsible Authorities

<i>Ministry/Agency</i>	<i>Name of Minister/Director</i>
National Security Council	H.E Dr. Zalmi Rasul
Ministry of Defense	H.E Abdul Rahim Wardak
Ministry of Interior	H.E Zarar Ahmad Muqbil
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National Directorate of Security	H.E Amrullah Saleh
Ministry of Foreign Affairs/Mine Action Programme for Afghanistan	H.E Khaled Zekriya
Ministry of Counter Narcotics	H.E General Khodaidad

Date of Submission

April 16, 2008

EXECUTIVE SUMMARY

SECURITY

Security: Achieve nationwide stabilization, strengthen law enforcement, and improve personal security for every Afghan.

Security in all parts of the country is essential for effective governance, private sector development, economic growth, poverty reduction and the safeguarding of individual liberty. The strategic objective under this pillar is to ensure the security of state, persons and property through the implementation of an integrated and sustainable defense, security and law and order policy. The Government has developed a National Security Policy to be implemented through the Security Sector Reform (SSR) program. This will strengthen and improve coordination among the Afghan National Security Forces (ANSF), ISAF/NATO and CSTC-A.

CHALLENGES

Afghanistan still faces a number of serious challenges before it can assume full responsibility for its own security. Terrorism, foreign interference, instability and weak capacity in governance are preventing the Government from establishing effective control in some areas, particularly in the south and southeast. The large scale production of narcotics continues to provide funding for terrorist groups. Land mines and unexploded ordnance remains a significant threat, with some five thousand citizens either killed or wounded in mine explosions since 1380 (2001). Currently only two of the country's 34 provinces are completely clear of mines. The only practical solution for Afghanistan's long-term security needs is to enable Afghans to provide for their own security. The sustainability of the Afghan

National Security Forces is, in the longer-term, the responsibility of Afghanistan.

The Government will assume an increasing share of this burden commensurate with economic growth—the 'Afghanistan' of the country's security activities. But until Afghanistan build the economic capacity to completely meet this obligation; the international community must help bridge the gap.

TARGETS

1. **The Afghan National Army (ANA):** The long-term objective for Afghanistan is to build an Afghan National Army capable of maintaining the stability of the country, defending its sovereignty, and contributing to regional security. The final figure for ANA troop strength to meet these requirements is 134,000 which was approved at the September 2008 Ninth Joint Coordination and Monitoring Board (JCMB) meeting, is an important milestone and provides a target for the near future. By end 1389 (March-2011), the ANA will achieve and surpass this milestone, and it will ensure that 75 percent of the field battalions (kandaks) and brigades are capable of conducting independent operations (with the addition of some external enablers and air support). The ANA will maintain its regional and ethnic balance, and continue to develop its reputation as a respected, accountable and professional force, prepared to meet the security needs of the nation.
2. **The Afghan National Police (ANP):** The long-term objective for the ANP is to build a professional police force that operates within internationally accepted legal standards, with respect for human rights, and is managed by a professional, adequately trained and paid staff able to effectively plan, manage, employ and sustain a national, merit-based police force. It should protect the local population

from a terrorist and illegally armed anti-government threat and enforce the rule of law on a country-wide basis. It should be able to transition to traditional policing as conditions on the ground change. By end 1392 (March-2011) the Ministry of Interior will achieve a target strength of 82,000 professional policemen (including Afghan Border Police). This force will be capable of maintaining domestic order and enforcing the law, and serve under the direction and control of the Ministry of Interior, while remaining responsive to the needs of local communities.

3. Disarmament of Illegal Armed Group (DIAG): All illegal armed groups will be disbanded by 20 March 2011 in all provinces.
4. Removing Unexploded Ordnance: By end 1389 (March-2011), in line with Afghanistan's MDGs, the land area contaminated by mines and unexploded ordnance will be reduced by 70 percent. Ninety percent of all known mine/ Explosive Remnants of War (ERW) contaminated areas will be cleared by 1391 (2012). All emplaced anti-personnel mines will be cleared by 1391 (2013) in accord with the provisions of the Ottawa Convention.
5. Counter-Narcotics: By March 2011, the area under poppy cultivation will be reduced by half compared to 2007 levels.

PRIORITIES

Afghanistan's security sector includes a number of institutions responsible for defending the country, maintaining security and enforcing laws. The first priority for this security pillar is to in-

crease the capability of the security institutions. The second priority is to ensure that our efforts in the security sector are comprehensive, complementary and integrated.

The Government is fully committed to successfully implementing an integrated and comprehensive national policy and strategy; a robust security sector reform program; strengthening synergies between civil and military operations; increasing the role of security forces in counter-narcotics activities;

and strengthening and reforming the civilian components of security entities.

The third priority for this sector is the progressive transfer of responsibility for security from their international partners to Afghan forces and institutions. As NATO/ISAF forces step back from direct engagement in security operations, the ANA and ANP will take the lead on operations, and eventually provide the security needs of Afghanistan with partners assuming only support and oversight roles. Meanwhile, the ANA will depend upon ISAF for enablers and force multipliers.

An increasingly capable ANA will enable the gradual reduction in international forces with a substantial reduction in the international community's sacrifices.

The pace for standing up the Afghan Security Forces is linked directly to the level and speed by which the international community chooses to aid Afghanistan in overcoming current gaps in capability—but Afghanistan is ready to take the first steps.

CHAPTER 1

SECURITY SECTOR STRATEGY

SECURITY

Security in all parts of the country is essential for economic growth and poverty reduction. The ANDS long term strategic vision for the Security sector is to ensure security of state, persons and assets through the provision of a costed, integrated and sustainable national security infrastructure and law and order policy. The Government has developed the National Security Policy to be implemented through the Security Sector Reform (SSR) program. This will strengthen and improve coordination among the Afghan National Security Forces (ANSF), ISAF/NATO, CSTC-A. While continued international support is vital, the Government aims to assume an increasing share of the security burden – the Afghanization of the country's security activities. However, Afghanistan still faces a number of serious challenges before it can assume full responsibility for its own security. Terrorism, instability and weak capacity of governance are preventing the Government from establishing effective control in some areas, particularly in the south and south-east. The large-scale production of narcotics continues to provide funds to these groups. Unexploded ordinance remain a significant threat, with some five thousand citizens either killed or wounded in mine explosions since 1380 (2001). Currently only two of the country's 34 provinces are completely clear of land mines.

The “Afghanization” of the country's security will require: (i) comprehensive security sector reform; (ii) a new division of labor between the interna-

tional security forces and the Afghan National Army (ANA); (iii) a reassessment of the design, composition and size of the army; (iv) accelerated training for the officers; and (v) an intensified national recruitment drive.

Current situation

Afghanistan currently faces a whole range of security threats. To counter these threats and ensure national interests the Government plans to strengthen the military, economic and political ties with its regional and international partners. The security objectives are aimed at protecting the country's independence, establishing a democratic and economically stable society, free of corruption. Implementing development policies outlined in ANDS can only be possible if there is peace and security in the country because security and sustainable development inevitably go hand in hand.

NATO is currently the major force through which the International Community is providing security assistance to Afghanistan with the International Security Assistance Force (ISAF) in cooperation with the Afghan Government. The Government aims to secure stronger commitments from NATO whilst building the capacity of Afghanistan's national armed and other security forces. The Government is intent on building administrative capacity, investing in human resources development and justice sector, and spurring private sector development to help improve Afghanistan's internal situation. An educated and prosperous

society is less likely to be influenced by concepts spread by extremist elements. A strong National Security Structure will facilitate development of Afghanistan's economy, social fabric and thus will enhance national unity and peaceful coexistence.

A. Terrorism and illegally armed groups

The major challenges to stability are terrorism-related, due to the revival of the Taliban in the

south and southeast. The Government's security forces and their international partners will focus on fighting terrorism, illegally armed groups and neutralizing armed elements operating along the borders. Given that many of these groups receive support from foreign sources, both regional co-operation and diplomatic initiatives are vital. To defeat terrorism, new strategies attuned with political objectives of the Government are being adopted, such as strengthening the effectiveness of ISAF and Coalition Forces assistance. This includes special attention to building the professional capabilities of Afghan security forces designed to defeat terrorism and to render assistance to victims of war and avoid civilian casualties. The government aims at strengthening its ownership over law enforcement to effectively overcome internal security problems. Furthermore, combating criminal activity and increased narcotics production are integrated components of the security strategy.

Countering a terror-dominated Taliban and illegally armed groups is an extremely complex form of warfare. In many ways it is a competition for the support of the population. The active support of the Afghan people is vital to success. This demands a firm political will and substantial persistence by the Government and the Afghan people, and unwavering long term commitment and patience from the international community. Government legitimacy is a pre-requisite if we are to isolate the Taliban. The Government's support and legitimacy will increase only if we can assure the security of the people and provide them with the basic necessities of life: food, water, shelter,

healthcare and the means to make a living. The use of excessive force in operations should be avoided, targets should be accurately identified, and collateral damage and especially casualties among civilians be avoided as much as possible.

B. Narcotics

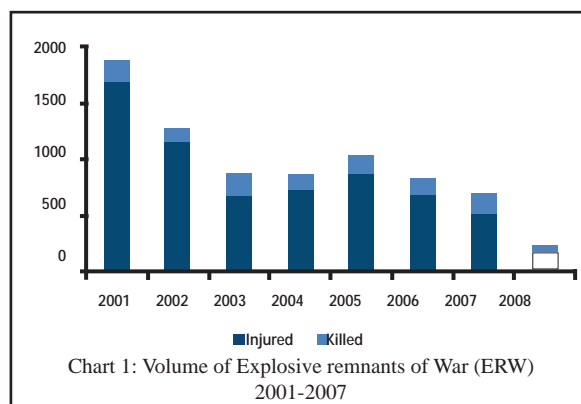
Poppy cultivation and production of narcotics poses a serious challenge to Afghanistan's security. The high level corruption that enables the narcotics industry to thrive endangers foreign assistance to development. Huge revenues from opium and production of narcotics have drawn in terrorist elements, organized-crime groups and extremists. Revenues from opium and drug trafficking is also a considerable source of funding to remnants of illegal armed groups. The Government's strategy coordinates international efforts with Government plans and addresses issues such as the development of economic infrastructure, demand reduction, poppy eradication, and countering drug trafficking and establishing alternative livelihood programs. As the police are reformed and the judicial system strengthened, a major effort will be made to reduce corruption, better policing officials involved in cultivation and interfering with eradication efforts.

C. Illegal Armed Groups

Wars and violence have turned Afghanistan into a fully armed society where people use guns to earn a living or to control resources. Illegally armed groups pose a direct threat to national security. The long-term presence of illegal armed groups in different parts of the country is obstructing Government control, hindering development of local democratic institutions and posing a serious threat to national unity. They are obstacles to the rule of law and stand in the way of social and economic development. Many commanders of illegal armed groups have close links with police or even belong to local governments. This situation enhances corruption and is considered a key obstacle in cracking down on the



narcotics industry. Unless the Government is able to provide adequate security with police



The existence of arms and ammunition caches and mines in different parts of Afghanistan also pose a threat, because opponents of the govern-



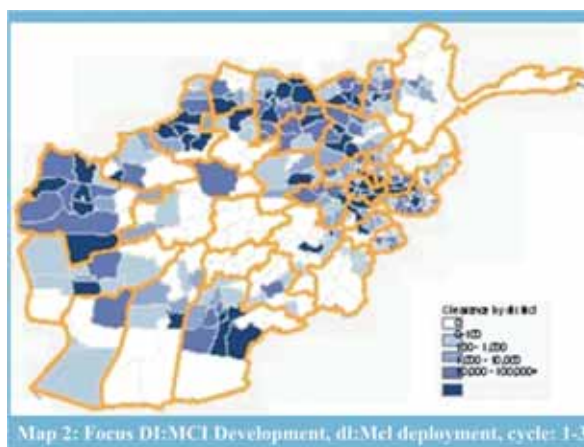
Figure 1: Weapons hand over ceremony; Over 285 main illegal armed groups that include between 750 and 900 sub-groups have been fully or partially disbanded.

presence in every village and district, people will feel the need to keep guns for self-protection. People are now required to have a license to carry arms and this law needs to be enforced effectively. The Disbandment of Illegal Armed Groups (DIAG) and the continuation of the Disarmament, Demo-

ment can use them for terrorist operations. The government –in cooperation with international organizations – is trying to garner support from local communities to get rid of these arms caches.



Figure 3: More than 100 square kilometers of mine-fields have been cleared since 2001



bilization and Reintegration program (DDR), is the first step in disarming illegal armed groups.

D. Mines and Explosive Remnants of War (ERW)

Mines and other ERWs are major obstacles to infrastructure and economic reconstruction. The benchmark for locating and destroying all stockpiles of anti-personnel mines was reached in 1386 (October 2007).

However the existence of mines and explosives still pose a threat to the lives of four million Afghans. Only two provinces have been completely cleared of mines. Statistics have shown that about 5,000 Afghans have been either killed or wounded in mine explosions since 1380 (2001). Unknown arms and ammunition caches and mines in different parts of Afghanistan pose an additional threat because opponents of the Government can use these for terrorist operations.

Policy framework

The National Security Policy is drafted for a period of five years and reviewed annually. The policy contains two interrelated strategies: National Security Strategy and Security Sector Reforms Strategy.

The Security Sector Reforms Strategy establishes a mechanism to regulate relations between ministries and departments to ensure effective coordination. The policy encompasses the functions of other government departments including the legislative, judiciary and law enforcement. The reforms establish responsibilities and coordination in the security sector for implementation of programs and give guidelines for planning, prioritization, assessment of resources, and operations. Sustained financial support is needed to avoid compromising either development or security objectives. The OECD DAC Implementation-Framework for Security Sector Reform provides a useful framework for increasing national ownership and laying out the core elements of a 'right-financing' framework.¹

The Government is committed to addressing the following strategic benchmarks to achieve the security sector strategic vision:

¹ See <http://www.oecd.org/dataoecd/43/25/38406485.pdf>

The Afghan National Army: (i) Through end 1389 (March-2011), with the support of and in close coordination with the government, the NATO-led ISAF, Operation Enduring Freedom (OEF) and their respective Provincial Reconstruction Teams (PRTs) will promote security and stability in all regions of Afghanistan, including by strengthening Afghan capabilities. (ii) By end 1389, (March-2011): the Government will establish a nationally respected, professional, ethnically balanced ANA that is accountable, organized, trained and well equipped to meet the security needs of the country. It will be increasingly funded from Government revenue, commensurate with the nation's economic capacity. Support will continue to be provided to expand the ANA towards a ceiling of 134,000. The pace of this expansion will be adjusted on the basis of periodic joint quality assessments by the Government and the international community against agreed criteria which take into account prevailing conditions.

The Afghan National Police: By end 1389 (March-2011) a fully constituted, professional, functional and ethnically balanced Afghan National Police and Afghan Border Police with a combined force of up to 82,000 will be able to effectively meet the security needs of the country and will be increasingly fiscally sustainable.

DIAG: All illegal armed groups will disbanded by 20 March 2011 in all provinces. Approximately 2,000 illegal armed groups have been identified. Nearly 300 are now fully or partially disbanded and 1200 more are engaged to cooperate with DIAG.

Removing Unexploded Ordnance: By end 1389 (March-2011), in line with Afghanistan MDGs, the land area contaminated by mines and unexploded ordnance will be reduced by 70%; and by March-2011 all unsafe, unserviceable, and surplus ammunition will be destroyed. The goal is to clear 90% of all known mine/ERW contaminated areas by 1391 (2012).

The goal furthermore is to clear all emplaced anti-personnel mines by 1391 (1 March 2013) according to the Ottawa Convention. A capacity to remove mines and ERWs beyond the 2013 MAPA transition deadline probably will be needed.

Counter-Narcotics: By March 2011, the area under poppy cultivation will be reduced by half compared to 2007 levels.

The security sector expected outcomes are:

- Effectively coordinated security sector, where decisions and plans are timely made and implemented and external and internal threats are deterred, contained or eliminated;
- ANA and ANP operationally capable of performing those missions and tasks assigned;
- ANP and ABP expenditures are fiscally sustainable;
- Citizens have an enhanced level of justice with the help of Police and the Army;
- Narcotics industry is reduced in line with counter-narcotics national strategy;
- Reduction of corruption in the ANA, ANP and amongst other government officials;
- Reduced level of deaths and casualties caused by UXOs, reduce the number of affected communities and increased safety precautions;
- Enhanced public trust on government ability to deliver justice and security as illegally armed groups are disbanded and reintegrated; and
- Eventual eradication of Poppy Production and crack down on drug trafficking.

SECURITY INSTITUTIONS

Afghanistan's security sector includes a number of institutions responsible for maintaining secu-

rity and enforcing laws. Increased capacity and improved coordination is necessary to achieve the strategic objectives for this sector.

The security sector includes ministries, departments and institutions that are responsible for enforcing security and laws to protect the Government and the Afghan people. These include among other: National Security Council (NSC), Office of the National Security Council (ONSC), the Policy Action Group (PAG), Ministries, National Directorate of Security (NDS), National Army and Air Forces, Afghan National Police (ANP), Presidential Guard, Parliamentary Commissions on Security and Monitoring, Public Audit and Evaluation Offices, justice and judicial institutions, Ministry of Justice, Prosecution Departments and the Human Rights Commission.

To improve professional capabilities of the security institutions their duties and responsibilities need to be coordinated. This will guarantee appropriate regulations, set priorities in policy making, help forecasting financial expenses and ensure correct allocation of funds.

A. National Security Council

The National Security Council is the highest institution for identifying and addressing national security issues. The Council, led by the President, is responsible for developing strategies and policies, determining priorities, and is responsible for the oversight and coordination of the security sector and institutions. The National Security Advisor identifies the needs and requirements of the sector and leads the Policy Action Group (PAG) which has been established as an emergency response mechanism to address the deteriorating security conditions in the six southern provinces. The PAG directs and coordinates security, development work, reconstruction and strategic relations across all functional areas of the Government and the International Community (both civilian and military).

B. Ministry of Defense (MoD), and the Afghan National Army (ANA)

MoD is responsible for establishing and maintaining peace and security. The Minister of Defense is a civilian with the ministry being non-political and non-partisan. MoD stands ready to provide support to the MoI, which is responsible for border control in emergency situations.

Reforms and capacity building initiatives are in process to make the MoD more transparent and accountable with a strong administration and internal discipline. The MoD is developing an ethnically balanced, non-political army with a single military doctrine and operational capabilities.

Education, training and equipping the national army to create a professional army with strong operational capability to fight terrorism and armed groups are top priorities. The MoD must ensure that all military units under its command observe and respect Islamic religion and Afghan values. MoD's primary responsibilities include:

- National defense against foreign military aggression;
- Fighting illegally armed groups and terrorism, and help establish the rule of law;
- Deter wars and ensure stability to secure national interests;
- Play an active part to solve crisis and control emergency situations;
- Render assistance to civilian officials to control any emerging security crisis, natural disasters and emergency situations;
- Protect and expand Afghanistan's national interests; and
- Support the National and Border Police to curb organized crime.
- To achieve these goals, the MoD has established the ANA.

C. The Afghan National Army (ANA)

The Afghan National Army is responsible for protecting Afghanistan's territorial integrity, upholding and protecting the Constitution, defending national interests and the Islamic religion, and establishing a favorable environment for public welfare and progress. The Afghan National Army, led by civilian leadership and supported by the Afghan National Police, has a mandate to improve internal security.

It also plays a role to boost regional security through military cooperation with ISAF and regional and international allies. A reassessment of the design, composition and size of the ANA has led to intensified national recruitment drive and training. Following a presidential decree to establish an Afghan National Army in 2003 the Ministry of Defense and the Afghan National Army have achieved considerable progress. The ministry is responsible for maintaining professional cadres to design appropriate policies, manage the ANA and defense institutions, and establish necessary coordination among security institutions and international partners. The quality and quantity of the ANA is rapidly growing, and will continue to grow until the army is capable of maintaining the stability of the country, defending its sovereignty, and contributing to regional security.

The National Army has a mandate to assist the civilian administration and police whenever needed. If instructed by the National Security Council, the ANA will cooperate with the National Police, Anti-Disasters Department, Afghan Red Crescent Society and other civilian charity organizations to tackle emergency situations requiring disaster response and humanitarian assistance.

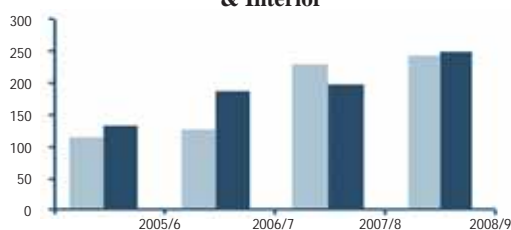
D. Ministry of Internal Affairs (MoI), and the Afghan National Police (ANP)

The Ministry of Internal Affairs is responsible for ensuring internal security, establishing the rule of law, justice and protecting the country's international borders. MoI's responsibilities with regard

to security are to ensure internal security and fight criminal activity. High priority activities include:

- Crack down on organized and international crimes including drugs and human trafficking; fight terrorism and other national security threats in cooperation with MoD, ANA, ISAF and Coalition forces;
- Establish a border police force to control cross-border movements and assist with collection of customs revenues in cooperation with MoD, ANA and Ministry of Finance (MoF);
- Enforce justice by detecting crimes, carry

Chart 2: Operating Budget of Ministry of Defense & Interior



out investigations, and promptly handover suspects to the judicial authorities without delay in accordance with the law;

- Provide witness protection and support to victims of crime and establish detention centers;

- Implement the DIAG program: Collect un-registered arms in cooperation with other security departments and implement and enforce new regulations regarding private security companies.

E. The National Police (ANP)

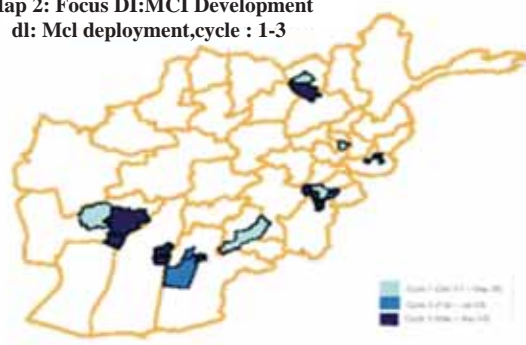
The Police are undergoing reforms aimed enhancing efficiency by improving police training and education, upgrading staff and equipping the department adequately. The current MoI Tash-keel allows for 82,180 uniformed personnel in the ANP. Police capacities have been increasing with extensive help from donors that has led to the expansion of government control to provinces.

However, there is a need to accelerate recruitment, education and training programs to ensure not only professional performance but also to improve the reputation of the ANP.

Ensuring quality police performance and accountability of police and the MoI is the key to stabilization of the society and gaining popular support for the Government.

The Border Police (BP) are responsible for border control, in cooperation with customs officials. The BP establish check points to monitor crossings, particularly in areas with suspected terrorist activity, and are responsible for preventing human trafficking, and drug smuggling. The Counter-Narcotics Police of Afghanistan (CNPA) has been especially established to work on drug related crimes.

Map 2: Focus DI:MCI Development
dl: Mcl deployment,cycle : 1-3



Significant steps have been taken since 2001 to re-vamp and train the Afghan National Army and the Afghan National Police. Police capacities have been increasing with extensive help from the international community. Large militias have been integrated into the Ministry of Defense, with the majority demobilized. A multi-sector donor support scheme has been established where individual donors are allocated responsibility for overseeing support for each of the key elements of the reform, including: disarmament, demobilization, and reintegration of ex-combatants; military reform; police reform; judicial reform; and counter-narcotics.

F. National Directorate of Security (NDS)

The National Directorate of Security is responsible for lending support to the military and police in fighting terrorism, anti-government elements and narcotics. NDS fulfill its duties by collecting and analyzing information and offering specific recommendations on security. The Directorate is designed to help improve effectiveness of operations carried out by national security

agencies. NDS also shares information and cooperates with international security organizations stationed in Afghanistan. NDS is non-political institutions with merit based promotion system.

G. Ministry of Foreign Affairs (MoFA)

The Ministry of Foreign Affairs is responsible for organizing and following Afghanistan's relations with other countries and international organizations. It is mandated to:

- Establish cordial international relations based on sovereignty and mutual trust;
- Set foreign policy objectives in line with national military strategies and activities of the National Army and border police;
- Support and promote international peace and welfare by upholding and implementing international laws, conventions and na-

tional development strategies ;

- Support development and encourage investment in Afghanistan and promote trade;
- Promote regional peace and prosperity, adopt active diplomacy to achieve regional stability and support economic programs that help in securing national interests;
- Support and promote bilateral and multilateral economic initiatives with neighbors to secure national interests.

H. Ministry of Counter Narcotics (MCN)

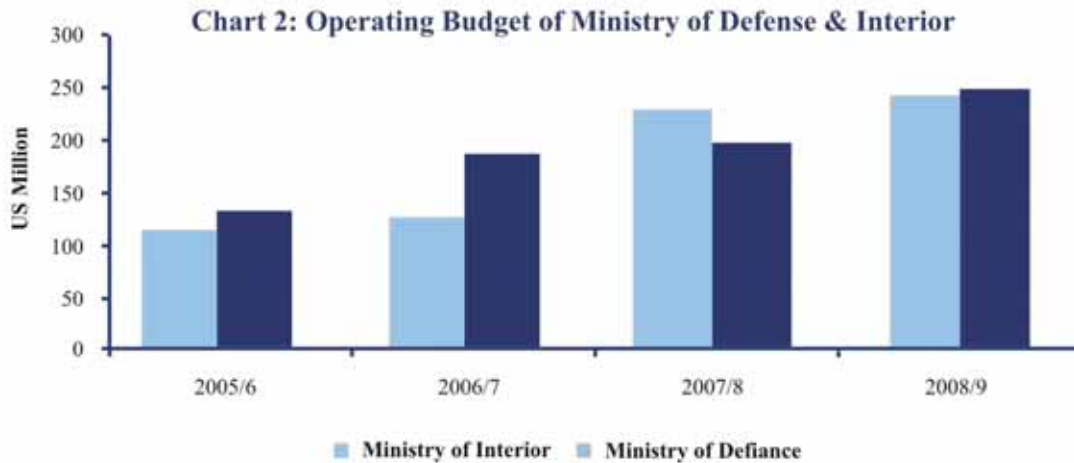
The Ministry of Counter Narcotics is responsible for the implementation of the National Drug Control Strategy (NDCS). The MCN's policies are designed to address:

(i) development of projects to provide alternative livelihood opportunities in districts where poppy is grown; (ii) programs to reduce demand for drugs including addiction treatment facilities in affected provinces; (iii) development of effective mechanisms to deal with drug-related crimes; and (iv) media and public awareness campaigns to discourage people from growing poppy and producing narcotics; and (v) poppy eradication programs..

I. 'Right-financing' security sector reform

Fiscal sustainability is essential for a sound and stable security forces. Given the limitations of the National Budget at present, additional time is needed before security sector expenditures can be included in the ordinary budget. The security sector must therefore rely on continued assistance from Afghanistan's international allies.

Limited internal revenue will inevitably force the Government to make some very tough decisions when it comes to security sector spending. The Government supports the development of a 'Right-financing' approach to the security sector, within which to strike an appropriate bal-



ance between current security needs and the goal of building a fiscally sustainable security sector based on realistic resource projections.

Afghanistan has no wish to be a burden on the international community for longer than is necessary. In line with a three phased effort to

develop the Afghan military, coalition allies will move progressively from carrying the major burden of combat operations to a supporting and enabling role. The First Phase, an accelerated development both in numbers and capabilities of Afghanistan's security forces that are adequately manned, equipped and trained to defeat all internal and external threats, is well advanced.

The Second Phase is to transition from coalition-led, to an Afghan-led and NATO-supported security operation. Although much of the security burden remains with our coalition allies, there has been progress in combined Afghan/Coalition operations, and in independent ANA security operations.

Phase Three will encompass efforts to further improve professionalism, discipline and operational cohesiveness and the ANA will conduct independent operations and lead the fight. ISAF will move to a supporting role. At the end of this final phase, a capacity to defend the country will have been established, and the partnership with allies will become one of normalized defense relations.

J. Sound administration, justice and judicial system

Establishing a transparent and accountable judicial administration is a key in achieving durable stability in the country. The Government is committed to strengthening the justice system, including the Supreme Court, Attorney General's Office, Chief Prosecution Department, Ministry of Justice, and military courts in the capital and provinces. Priority programs of the Government include appointing professional cadres, coordinating law enforcement and justice sector development programs to establish a prosperous, stable, and a just society based on democratic values and international standards. An effective legal administration that ensures the rule of law is important for people to have faith in their government. The Government is implementing programs to strengthen and support reform in the Ministry of Justice, the Supreme Court, and the Attorney General's Office.

K. Relations with neighbors and international allies

Afghanistan's security is closely linked with international developments. The country borders with six countries and inevitably has economic and political interests with these countries that are related. The Government seeks to cooperate with its neighbors by strengthening regional security linkages with intelligence sharing to tackle cross-border infiltration, terrorism and narcotics trafficking.

The Government will make every effort to ensure regional stability, security and prosperity for itself and for neighboring countries. The Kabul Declaration on Peaceful Coexistence and Good Neighborliness was signed in 1381 (2002). It obliges Afghanistan and its neighbors to respect each others' territorial integrity, establish friendly relations and cooperation, and ensure non-interference in each other's internal affairs. All of the Government's efforts to maintain security and accelerate social and economic development will not work without some degree of cooperation and support from Afghanistan's neighbors. A secure Afghanistan in a stable region is in the best interest of entire world. The Government will work with the international community and neighboring countries for an effective diplomatic solution to security challenges.

This will require: (i) concerted diplomatic pressure against the safe havens enjoyed by terrorist groups outside of Afghanistan's borders; (ii) co-

ordinated and effective measures for strengthening border and cross-border security; (iii) support for the programs agreed in recent regional economic cooperation conferences; and (iv) a further strengthening of the Tri-partise Commission to dialogue with Pakistan on substantial issues.

L. Conclusion

The Government is fully committed to successfully: (i) implementing an integrated and comprehensive national security policy and strategy; (ii) building a robust security sector reform program; (iii) strengthening synergies between civil and military operations; (iv) increasing the role of security forces in counter-narcotics activities; and (v) strengthening the civilian components of security entities. While international assistance is vitally necessary at the present time, the Government is planning and looking forward to taking on an increasing share of the responsibility for security in Afghanistan.

Table 1. Integration of the Cross Cutting Issues into the Security Sector

Anti-Corruption	Gender Equality	Counter-Narcotics	Environment	Regional Co-operation	Capacity Building
<p>Programs within the Sector Strategy emphasize accountability and transparency.</p> <p>By Jaddi 1392 (end-2013), corruption in the government at all levels especially in security and, customs will be significantly reduced.</p> <p>A monitoring mechanism to track corruption at high places, including the security sector, will be put in place by Jaddi 1387 (end-2008).</p> <p>By Jaddi 1387 (end-2008), the Government will establish and implement a public complaints mechanism. This will include complaints against the security forces or the security sector.</p> <p>Targeting corruption is vital for security reasons: Narcotics traffickers thrive in insecurity and absence of governance; corruption at the highest levels facilitate for narcotics trade that spur anti-government elements.</p>	<p>Increase the number of qualified female staff throughout the security sector.</p> <p>Promote gender mainstreaming and gender-balance throughout the security sector.</p> <p>Increase awareness of gender and rights, raising women's decision-making role and ensuring that women have equal employment opportunities within the Sector.</p> <p>Recognize in all policies and programs that men and women have equal rights and responsibilities through the security sector.</p> <p>Ensure that monitoring mechanisms are in place to realize goals for gender equality. This calls for setting indicators to monitor improvements.</p> <p>Ensure reduction of violence and harassment against women in the workplace, by implementing specific training, units/programs (e.g. referral centers) and effective complaint and redress mechanisms.</p>	<p>The international forces in Afghanistan must cooperate with the Afghan National Army (ANA) to facilitate for Afghan counter-narcotics operations.</p> <p>Afghan security forces provide force protection and law enforcement for eradication and interdiction operations</p> <p>Eradication of poppy crops needs to be enforced, in particular where those who benefit are using the profits for anti government activities.</p> <p>There is a need to enhance border control to crack down on drug trafficking.</p> <p>By Jaddi 1389 (end-2010), the Government will increase the number of arrests and prosecutions of traffickers and corrupt officials with the help of the security sector.</p> <p>Increased security is needed to guarantee alternative livelihoods. Capacity for eradication must similarly increase.</p>	<p>Improved security will ensure sustainable development with minimum negative impact to environment.</p> <p>Implement DIAG and mine/UXO clearance programs to enhance security that would allow for extensive land to be taken back into use for farming and development.</p> <p>Stability throughout the country is needed to prevent natural resources from being degraded.</p>	<p>Establish and develop good international relationships based on mutual respect, non-interference. Enhance Afghanistan's active position as a positive and effective member of the UN.</p> <p>Enhance cooperative border management with Afghanistan's neighbors to crack down on illegal border crossing and trafficking.</p> <p>Regional cooperation to improve security will lead to overall stability in the region.</p> <p>Multilateral and bilateral agreements reached with the countries of the region and further efforts to promote regional cooperation would contribute to the stability in the region and enhance the pace of economic development in Afghanistan.</p>	<p>Reforming defense and the security sector is a priority of the Afghan Government to strengthen Afghan capabilities and transform the Afghan security forces into effective and modern force, conforming to international standards.</p> <p>MoD reform and reconstruction aim to rehabilitate a strong defense sector to protect national security and to be able to begin assuming primary responsibility for Afghanistan's security with a gradual withdrawal of international security forces.</p> <p>Intensive field and operational training is and will continue to further enhance the capabilities of the ANA and ANP.</p> <p>Capacity and budget needs of the ANA and the ANP will be under constant review. There is a need for overcoming financial challenges and insufficient funds to realize capacity building of the security strategy.</p> <p>Specific capacity development programs will be required for preparing the security forces for counter narcotics operations.</p> <p>Special programs will be developed for developing gender sensitive security system internally as well for external interactions.</p>

TABLE 2: NATIONAL ACTION PLAN (2009 – 2013)

PILLAR : SECURITY SECTOR : SECURITY				
Expected Outcomes	Policy Actions and Activities	Category	Timeframe	Responsible Agency
Effectively coordinated security sector	Monitor and coordinate security issues between ministries and departments and establish 13 coordination centers	Institution Development	2008 - 2013	NSC, MoD, MoI, NDS, MCN, MoFA
ANA operationally capable of performing those missions and tasks assigned	Recruit additional personnel to reach the newly agreed 134,000 army ceiling	Institution Building	ongoing - end 2009	MoD
	Revise Operations and tactical structures and new weaponry to be provided then accordingly	Institution Building	2007 - 2013	MoD
	Equip the ANA with technical and administrative support	Institution Building	2008 - 2013	MoD
	Equip the ANA by Land and Air force	Development	2008 - 2013	MoD
	Establish new ANA training centers	Development	2008 - 2013	MoD
	Equip existing ANA training centers/Academies	Development	2008 - 2013	MoD
	Reform and capacity building of the ANA to a sustainable level	Development	2008 - 2013	MoD
	Strengthen logistical support to the Army in regional and provincial battalions	Institution Building	2008 - 2013	MoD
	Establish computerized system in MoD to strengthen human resource, financial and program management	Institution Building	2008 - 2013	MoD
	Extensive training schemes to equip national units to fight terrorism and anti government elements	Development	2008 - 2013	MoD
	Focus on conflict prevention programs in areas where anti government activities are ripe	Development	2008 - 2013	MoD
	Information campaigns about the benefits of peaceful processes	Development	2008 - 2013	MoD
ANA expenditures are fiscally sustainable	Develop a 'Right-financing' approach to the security sector	Institution Building	2008 - 2013	MoD
ANP operationally capable of performing those missions and tasks assigned and crime rates reduced	Recruit Personnel to reach the Benchmark of 82,000	Institution Building	ongoing - End 2010	MoI

PILLAR : SECURITY SECTOR : SECURITY					
Expected Outcomes	Policy Actions and Activities	Category	Timeframe	Responsible Agency	
	Equip the Police with technical and administrative support	Institution Building	2008 - 2013	MoI	
	Reform and capacity building of the ANP and ABP to a sustainable level	Development	2008 - 2013	MoI	
	Strengthen logistical support to ANP and ABP in regional and provincial centers	Institution Building	2008 - 2013	MoI	
	Construct new Stations and Substations for Police in Provinces	Institution Building	2008 - 2013	MoI	
	Establish/Equip Fire Brigade Departments	Institution Building	2008 - 2013	MoI	
	Restore Traffic signals structure in Urban areas and highways	Development	2008 - 2013	MoI	
	Establish/Equip Health care centers/facilities for Police in center and provinces	Development	2008 - 2013	MoI	
	Extensive training schemes to equip national units to fight terrorism and anti government elements	Institution Building	2008 - 2013	MoI	
	Focus on conflict prevention programs in areas where anti government activities are ripe	Development	2008 - 2013	MoI	
	Information campaigns about the benefits of peaceful processes	Development	2008 - 2013	MoI	
	Conduct training to increase the capacity of Afghan National Police forces to enforce the law against poppy cultivation and drug trafficking	Institution Building	2008 - 2013	MoI	
	MoI reform to support the transformation of police	Institution Building	2008 - 2013	MoI	
	Establish computerized system in MoI to strengthen human resource, financial and program management	Institution Building	2008 - 2013	MoI	
Operational border posts able to protect national sovereignty, levy and collect custom duties and process those collections to the central government.	Reform, train and equip the Border Police	Institution Building	2008 - 2013	MoI	
	Establish/Rehabilitate and equip Border Posts	Institution Building	2008 - 2013	MoI	

PILLAR : SECURITY SECTOR : SECURITY				
Expected Outcomes	Policy Actions and Activities	Category	Timeframe	Responsible Agency
ANP and ABP expenditures are fiscally sustainable	Develop a 'Right-financing' approach to the security sector	Institution Building	2008 - 2013	Mol
	Improve revenues and finance security sector spending; this includes licenses to private security companies	Institution Building	2008 - 2013	Mol
Reduced level of deaths and casualties caused by UXOs, reduce the number of affected communities and increased safety precautions	Clear 90% of all known mine/ERW contaminated areas by 1391 (2012). The goal furthermore is to clear all emplaced antipersonnel mines by 1391 (1 March 2013)	Development	2008-2013	MoFA
	All unsafe unserviceable and surplus ammunition will be destroyed	Development	2008-2013	MoFA, Mol
Enhanced public trust on government ability to deliver justice and security as IAGs are disbanded and reintegrated	DIAG plans need to be instated and properly implemented	Development	ongoing - (by end of 2011)	DDR/DIAG, MoD
Eventual eradication of Poppy Production and crack down on drug trafficking	Coordinate and target poppy eradication, in particular where the beneficiaries are supporting anti government activities	Institution Building	2008 - 2013	MCN, MoD, Mol
	Conduct training to increase the capacity of Afghan Security forces to enforce the law against poppy cultivation and drug trafficking	Institution Building	2008 - 2013	MCN, Mol
	Cooperate and coordinate with neighboring countries with intelligence sharing, particular with regard to drug smuggling across borders.	Institution Building	2008 - 2013	MCN, Mol
	Conduct effective information campaigns against poppy production and drug trading.	Development	2008 - 2013	MCN, Mol

TABLE 3. MONITORING MATRIX

PILLAR: SECURITY			
SECTOR: SECURITY			
Expected Outcomes	Indicators	Baselines	Targets
Effectively coordinated security sector	Index on progress of establishing joint coordination centers for the ANA and ANP	Under Assessment, 13 Coordination centers proposed	Enhanced coordination amongst security sector ministry/departments (2013)
ANA operationally capable of performing those missions and tasks assigned	# of recruited ANA personnel	64, 996 (Apr 2008)	80,000 (end 2009)
	% completion of PAR process in MoD	80% (Apr 2008)	100% (end 2009)
	Index on progress of equipping the ANA with technical and administrative support	Under Assessment	TBD
	Index on progress of equipping the ANA by Land and Air Force	Under Assessment	TBD
	Index on equipping the ANA training centers	Under Assessment	TBD
	% of ANA personnel trained	77% (2008)	100% (2013)
ANA expenditures are fiscally sustainable	% of ANA expenditure funded from Government Revenue	21% (2008) (core budget)	TBD
ANP operationally capable of performing those missions and tasks assigned and crime rates reduced	# of recruited ANP personnel	80,426 (Apr 2008)	82,000 (end 2008)
	% completion of PAR process in MoI	60% (Apr 2008)	100% (end 2009)
	% of ANP received logistical support	85% (Apr 2008)	100% (2010)
	% of ANP personnel trained	55% (Apr 2008)	100% (2010)
Operational border posts able to protect national sovereignty	Index on equipping the border posts	Under Assessment	100% (2013)
ANP and ABP expenditures are fiscally sustainable	% of ANP and ABP expenditure funded from Government Revenue	8.9% (2008) (core budget)	TBD
Reduced level of deaths and casualties caused by UXOs, reduce the number of affected communities and increased safety precautions	# square meters cleared of UXOs	128,478,929 square meters of land	Clearance of 540 million square meters before end 2010
Enhanced public trust on government ability to deliver justice and security as IAGs are disbanded and reintegrated	# of districts cleared from IAGs	21 Districts complied so far	51 Districts targeted
Eventual eradication of Poppy Production and crack down on drug trafficking	# ha of poppy cultivated land area	193,000 ha	By 2013, the area under poppy cultivation will be reduced by half compared to 2007 levels

TABLE 4. LIST OF PROJECTS

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Mil-lion)	Total Funding (US\$ Million)	Gap (US\$ Mil-lion)	Major Donors	Core / External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
1	AFG/0732401	Reconstruction of National Security Office in Kabul	1386	1387	2.00						2.00	0.00	2.00	AFG	Core	General Directorate of National Security
2	AFG/0525201	Purchase and Renovation of Embassies and Consulates	1386	1387	7.00	3.00					10.00	0.00	10.00	AFG	Core	Ministry of Foreign Affairs
3	AFG/0629501	Construction of Administrative Building for Ministry of Foreign Affairs	1386	1387	1.00						1.00	1.00	0.00	AFG	Core	Ministry of Foreign Affairs
4	AFG/0813901	Procurement of Vehicles for MoFA	1387	-	0.44						0.44	0.00	0.44		Core	Ministry of Foreign Affairs
5	AFG/0814001	Establishment of Communication System of MoFA	1387	-	0.50						0.50	0.00	0.50		Core	Ministry of Foreign Affairs
6	AFG/0447801	Construction of border Check Posts	1386	1387	0.40						0.40	0.40	0.00	AFG	Core	Ministry of Interior
7	AFG/0514601	Construction of Fire Brigade Stations	1386	1387	0.30						0.30	0.30	0.00	AFG	Core	Ministry of Interior
8	AFG/0668401	Construction of Five-Story Building for the Ministry of Interior in Karte 3	1386	1387	0.20						0.20	0.20	0.00	AFG	Core	Ministry of Interior
9	AFG/0668701	Construction of Kitchen and Dining Hall for Kabul Police HQ	1386	1387	0.10						0.10	0.10	0.00	AFG	Core	Ministry of Interior
10	AFG/0814101	Construction of Mosques in police Centers in Kabul & Provinces	1387	-	0.88						0.88	0.00	0.88	-	Core	Ministry of Interior
11	AFG/0814201	Construction of Detention Center in Kabul Police HQ	1387	-	0.50						0.50	0.00	0.50	-	Core	Ministry of Interior

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core / External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
12	AFG/0814301	Construction Building of Guest House in Qargha	1387	-	0.50	0.50					1.00	0.00	1.00	-	Core	Ministry of Interior
13	AFG/0814401	Equipments for Traffic	1387	-	0.80						0.80	0.00	0.80	-	Core	Ministry of Interior
14	AFG/0814501	Construction of Traffic Offices in major cities	1387	-	1.10	1.10					2.20	0.00	2.20	-	Core	Ministry of Interior
15	AFG/0814601	Support to Counter Narcotics	1387	-	0.60						0.60	0.60	0.00	UK-MoFA	Core	Ministry of Interior
16	AFG/0815601	Construction of Gymnasium in Kabul karta 3	1387	-	0.90						0.90	0.90	0.00	LOTFA	Core	Ministry of Interior
17	AFG/0616802	Completion of Remaining Work of Building Dorm for Khushhal Khan High School	1387	-	1.50						1.50	0.00	1.50		Core	Ministry of Border and Tribal Affairs
18	AFG/0812301	Construction of Provincial Departments of Ministry of Border and Triable Affairs in Paktika and Helmand Provinces	1387	-	0.40						0.40	0.00	0.40		Core	Ministry of Border and Tribal Affairs
19	AFG/0812401	Completion of the remaining work of Heating System, Lift, Sanitation System Including Kitchen	1387	-	0.50						0.50	0.00	0.50		Core	Ministry of Border and Tribal Affairs
20	AFG/0812601	Construction of Guest House Fence Wall Next to Airport	1387	-	0.10						0.10	0.00	0.10		Core	Ministry of Border and Tribal Affairs

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core / External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
21	AFG/0622501	Critical Interventions (Counter Narcotics)	1386	-							0.00	0.00	0.00	CNTF	Core	Counter Narcotics Trust Fund (CNTF)
22	AFG/0832101	Support to Afghan National Army and Detainee Operations			1,720.00						1,720.00	1,720.00	0.00	USA	External	Ministry of Defense
23	AFG/0724701	Demining and Ammunition Control	1386	1387	0.26	0.00	0.00				0.26	0.26	0.00	EC	External	Ministry of Foreign Affairs
24	AFG/0761901	support to the Mine Action Sector in Afghanistan 2006-2008	1386	1387	4.07	0.00	0.00				4.07	4.07	0.00	EC	External	Ministry of Foreign Affairs
25	AFG/0772901	Building Political Leadership	1386	-	1.06	1.06	0.00				2.13	1.06	1.06	UK-FCO	External	Ministry of Foreign Affairs
26	AFG/0783501	Anti-personnel Mine and Ammunition Stockpile Destruction	1386	1387	3.00	0.00	0.00				3.00	3.00	0.00	CAN	External	Ministry of Foreign Affairs
27	AFG/0795701	Demining - Halo Trust	1386	-	1.96	2.38	5.46				9.80	4.34	5.46	NLD	External	Ministry of Foreign Affairs
28	AFG/0797201	Demining - DDG			0.42	0.42	0.84				1.68	0.84	0.84	NLD	External	Ministry of Foreign Affairs
29	AFG/0817501	Restoration of Store Palace at Kabul			2.00	0.00	0.00				2.00	2.00	0.00	IND	External	Ministry of Foreign Affairs
30	AFG/0820901	mine action national development budget	1386	1387	8.80	0.00	0.00				8.80	8.80	0.00	CAN	External	Ministry of Foreign Affairs
31	AFG/0363201	Mine And UXO Clearance.	1386	1387	0.00	0.00	0.00				0.00	2.34	-2.34	SIDA	External	Ministry of Foreign Affairs
32	AFG/0722801	Support to PRT Projects			0.63	0.00	0.00				0.63	0.63	0.00	FIN	External	Ministry of Interior
33	AFG/0739501	PRT Civilian Component			0.75	0.00	0.00				0.75	0.75	0.00	FIN	External	Ministry of Interior

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Mil-lion)	Total Funding (US\$ Million)	Gap (US\$ Mil-lion)	Major Donors	Core / External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
34	AFG/ 0739601				0.75	0.00	0.00				0.75	0.75	0.00	FIN	External	Ministry of Interior
35	AFG/ 0818601	Afghanistan Sub-National Governance Program			1.70	1.60	1.70				5.00	5.00	0.00	NOR	External	Ministry of Interior
36	AFG/ 0821401	Gender Advisor to the Afghan Ministry of Interior			0.23	0.00	0.00				0.23	0.23	0.00	CAN	External	Ministry of Interior
37	AFG/ 0832201	Support to Afghan National Police (ANP)			780.00	0.00	0.00				780.00	780.00	0.00	USA	External	Ministry of Interior
38	AFG/ 0632201	Strengthening CN Institutions	1386	1387	7.24	0.00					7.24	7.24	0.00	UK-DFID	External	Ministry of Counter Narcotics
39	AFG/ 0693601	UNODC/ monitoring of opium production and strengthening the provincial capacity on counter narcotics	1386	1387	1.26	0.00					1.26	1.26	0.00	FIN	External	Ministry of Counter Narcotics
40	AFG/ 0773201	Counter Narcotics Police of Afghanistan (CNPA) - police mentors	1386	-	1.87	1.87					3.73	3.73	0.00	UK-FCO	External	Ministry of Counter Narcotics
41	AFG/ 0773801	AFGHAN COUNTER NARCOTICS INFORMATION CAMPAIGN	1386	-	2.70	2.70					5.40	5.40	0.00	UK-FCO	External	Ministry of Counter Narcotics
42	AFG/ 0773901	CN institutions	1386	1387	0.20	0.00					0.20	0.20	0.00	UK-FCO	External	Ministry of Counter Narcotics
43	AFG/ 0774301	Mainstreaming CN into RoL	1386	-	1.06	1.06					2.13	2.13	0.00	UK-FCO	External	Ministry of Counter Narcotics
Total											2,583.37	2,557.53	25.84			

TABLE 5. LIST OF PROVINCIAL DEVELOPMENT PROJECTS

No.	Project Name	Project Location	Responsible agency
1	Construction of police HQ (Qumandani Amnia) building in the centre of the province.	Balkh	MoI
2	Construction of fire department building with provision of all related equipment, in the provincial centre.	Balkh	MoI
3	Construction of border police building, in the provincial centre.	Balkh	MoI
4	Construction of Security police districts, in districts: 4, 5, 6 and 10.	Balkh	MoI
5	Construction of building for traffic police in the centre of the province.	Balkh	MoI
6	Creation of highway check-points from Feroz Nakhjer (Dorahi Hairatan) and from Hairatan to Timorak.	Balkh	MoI
7	Construction of a poly-clinic building and related equipment for police and their families.	Balkh	MoI
8	Construction of separate “inspection rooms” for men and women, in the provincial centre.	Balkh	MoI
9	Provision and repair of traffic signals and indicators on all main city roads.	Balkh	MoI
10	Construction of a standard building for border police of Hairatan.	Balkh	MoI
11	Construction of complex in Deh Salah district, for district authorities and employees.	Baghlan	MoI
12	Construction of complex in Pul-i-Hesar District, for district authorities and employees.	Baghlan	MoI
13	Construction of complex in Fering district, for district authorities and employees.	Baghlan	MoI
14	Construction of complex in Guzargah Noor district, for district authorities and employees.	Baghlan	MoI
15	Construction of complex in Burka district, for district authorities and employees.	Baghlan	MoI
16	Construction of complex in Tala-o-Barfak district, for district authorities and employees.	Baghlan	MoI
17	Construction of complex in Khost district, for district authorities and employees.	Baghlan	MoI
18	Construction of complex in Jelga district, for district authorities and employees.	Baghlan	MoI
19	Disarmament and compensation for illegal armed groups. In all districts of the province.	Baghlan	MoI
20	Construction of National Security Directorate Building, in central Bamyan.	Bamyan	MoI
21	Construction of Security Department in Du Aab and Yakh-i-Zarin in Kahmard district.	Bamyan	MoI
22	Construction of Traffic Department building in the centre of Bamyan.	Bamyan	MoI
23	Construction of Police Academy, in central Bamyan province.	Bamyan	MoI
24	Construction of Counter Narcotics Directorate, in central Bamyan province.	Bamyan	MoI
25	Construction of building of anti-terrorism directorate, in the centre of Bamyan province.	Bamyan	MoI

No.	Project Name	Project Location	Responsible agency
26	Construction of Intelligence Department, in the centre of Bamyan province.	Bamyan	MoI
27	Construction of qualitative joint garrison of National Army and National Police, centre of Bamyan province.	Bamyan	MoI
28	Establishment of Security Directorate hospital, in the centre of Bamyan province (10000 beneficiaries).	Bamyan	MoI
29	Construction of Police Department in Waras district.	Bamyan	MoI
30	Construction of a police directorate in Ashkashm (18 flats for 70 officers & Security police).	Badakhshan	MoI
31	Construction of a police directorate in Nasi Darwaz (18 flats for 70 officers & Security police).	Badakhshan	MoI
32	Construction of a police directorate in Karan & Manjan (18 flats for 70 officers & Security police).	Badakhshan	MoI
33	Construction of a police directorate in Shouhada (18 flats for 60 officers & Security police).	Badakhshan	MoI
34	Construction of a police directorate in Tashikan (18 flats for 70 officers & Security police).	Badakhshan	MoI
35	Construction of a police directorate in Yaftal Payan (18 flats for 70 officers & Security police).	Badakhshan	MoI
36	Construction of a police directorate in Raghistan (18 flats for 70 officers & Security police).	Badakhshan	MoI
37	Construction of a police directorate in Baharak (18 flats for 70 officers & Security police).	Badakhshan	MoI
38	Construction of a police directorate at Kasham (18 flats for 70 officers & Security police).	Badakhshan	MoI
39	Construction of directorate in Darwaz Ulia (18 flats for 70 officers & Security police).	Badakhshan	MoI
40	Construction of police station in Sangtakht and Bandar districts (14 rooms).	Daikundi	MoI
41	Construction of police station in centre of Ashtarlai district. (14 rooms)	Daikundi	MoI
42	Construction of police station in Kiti district. (14 rooms).	Daikundi	MoI
43	Construction of police sub-station in Kijran district, Mala village. (12 rooms)	Daikundi	MoI
44	Construction of police sub-station in Meramor district (3 rooms)	Daikundi	MoI
45	Recruitment of police and construction of police sub-station building in Shahrstan district in Chojo and Mango village. (3 rooms)	Daikundi	MoI
46	Recruitment and construction of police sub-station in provincial centre, on the Ghroj pass. 3 Rooms	Daikundi	MoI
47	Construction of police sub-station in Shahrak Jadid. (10 rooms)	Daikundi	MoI
48	Establishment of detention centre for women and men in the provincial centre. (10 rooms)	Daikundi	MoI
49	Construction of fire department building in the provincial centre and provision of modern fire equipment.	Daikundi	MoI
50	Establishment of police checkpoints for prohibition of narcotics traffic in Garziwan district.	Faryab	MoI

No.	Project Name	Project Location	Responsible agency
51	Construction of Border Affairs Department building and offices in provincial centre.	Faryab	MoI
52	Construction of Security female Education centre building in provincial centre.	Faryab	MoI
53	Construction of fire brigade building with equipment in provincial centre and Andkhoy district.	Faryab	MoI
54	Construction of police checkpoints along the Maimana and Shibirghan highway (22 stations).	Faryab	MoI
55	Construction of police traffic buildings in provincial centre, Qrghartan and Khan Charbagh (6 stations).	Faryab	MoI
56	Construction of Security sub station in vulnerable districts. (Qaisar, Garziwan and Kohistan)	Faryab	MoI
57	Construction of clinic for Security HQ officers.	Faryab	MoI
58	Construction of police sub station building in Shorabazar, Astanababa and Khawja Qoroq.	Faryab	MoI
59	Digging of deep wells for police sub-stations in all districts.	Faryab	MoI
60	Establishment of police sub-station from Darzab up to Aqshain. (2 sub-stations).	Jawozjan	MoI
61	Establishment of police sub-station from Darzab up to Chagana (1 sub-station).	Jawozjan	MoI
62	Establishment of police Sub-station from Doshanba districts up to Dasht e Laili. (2 sub-stations).	Jawozjan	MoI
63	Establishment of police sub-station from Shibirghan up to Darzab district (5 sub-stations).	Jawozjan	MoI
64	Establishment of police sub-station from Shibirghan up to Darzab district (2 sub-stations).	Jawozjan	MoI
65	Construction of traffic control room in centre of Shibirghan. (450000 beneficiaries).	Jawozjan	MoI
66	Construction of workshop and HQ police station in centre of Baghlan.	Jawozjan	MoI
67	Construction of highway checkpoint at Faryab and Balkh border.	Jawozjan	MoI
68	Construction of criminal department in the centre of the province	Parwan	MoI
69	Construction of the police prison in the centre of the province.	Parwan	MoI
70	Construction of police HQ building in Sinwari district.	Parwan	MoI
71	Construction of police HQ building in the provincial centre.	Parwan	MoI
72	Construction of apartments for the government employees.	Parwan	MoI
73	Construction of Security district building in the centre of the province.	Parwan	MoI
74	Construction of police HQ building in Shikh Ali district.	Parwan	MoI
75	Construction of police HQ building in Salang.	Parwan	MoI
76	Construction of police HQ building in Surkh-i-Parsa district.	Parwan	MoI
77	Creation of 4 police check-points in Jangle, Ghorband, Salang and Kotal Shibar.	Parwan	MoI
78	Construction of police station in Malaraq Bazarak district. (8 rooms)	Panjshir	MoI

No.	Project Name	Project Location	Responsible agency
79	Construction of police station HQ in Rokha district, Dashtak (12 rooms)	Panjshir	MoI
80	Establishment of two police sub-checkpoints in Dar e Abdulahkhan village (4 rooms).	Panjshir	MoI
81	Construction of police sub- stations, 4 checkpoints in Chilanak, Roidara, Dehkalan, Buzbandar villages. (8 rooms)	Panjshir	MoI
82	Construction of 6 Security police sub-stations in Paryan district. (12 rooms)	Panjshir	MoI
83	Construction of two Security police sub- stations in Doab Omarz Dasht e Rewart.(4 rooms)	Panjshir	MoI
84	Construction of Security sub-stations in high schools (10 rooms)	Panjshir	MoI
85	Contribution of disarmed and reintegrated ex-combatants in all governmental department and development projects.	Panjshir	MoI
86	Capacity building of national police.	Panjshir	MoI
87	Construction of police sub-station in Anaba district, Darband village (2 rooms).	Panjshir	MoI
88	Construction of building for police centre (Ghazni centre, 300 police officers)	Ghazni	MoI
89	Construction of building for police check post in refugee's camp (7000 families).	Ghazni	MoI
90	Construction of building for police HQ in Jaghori District.	Ghazni	MoI
91	Construction of police headquarter in Gailan district.	Ghazni	MoI
92	Construction of police headquarter in Jaghatu district.	Ghazni	MoI
93	Construction of police headquarter in zanakhan	Ghazni	MoI
94	Construction of police headquarter in Nawa district.	Ghazni	MoI
95	Construction of police headquarters of Aband district.	Ghazni	MoI
96	Construction of police headquarters of Malistan district.	Ghazni	MoI
97	Construction of police headquarters of Nawor district.	Ghazni	MoI
98	Construction of police sub -station in Karukh district Band Sabzazak area (200000) beneficiaries.	Hirat	MoI
99	Construction of police sub-station in Farsi district Bandnakhod area (150000) beneficiaries.	Hirat	MoI
100	Construction of building for police sub-station in Adraskan district in Sahra Sorkhak area. (50,000) beneficiaries.	Hirat	MoI
101	Construction of building for police sub-station in Shindand district in Qala e Dokhtar area	Hirat	MoI
102	Construction of building for police sub-station in Pashton Zarqhon district (300,000) beneficiaries.	Hirat	MoI
103	Construction of police sub-station in Islam Qala district (500000 beneficiaries).	Hirat	MoI
104	Equipping of fire brigade according to the Herat city requirement. (500000 beneficiaries).	Hirat	MoI
105	Construction of police sub station in Obaba district, Sherwan area (200000 beneficiaries).	Hirat	MoI

No.	Project Name	Project Location	Responsible agency
106	Construction of police sub-station in Gozara district.	Hirat	MoI
107	Construction of police sub-station in Imam Shah Noor of Injil district.	Hirat	MoI
108	Construction of Security police head-quarters in Hazar Samoj district.	Takhar	MoI
109	Construction of Security police head-quarters in Bangi district.	Takhar	MoI
110	Construction of Security police head-quarters in Namak Aab district.	Takhar	MoI
111	Construction of Security police head-quarters in Eshkamish district.	Takhar	MoI
112	Construction of Security police head-quarters in Chaa Aab district.	Takhar	MoI
113	Construction of Security police head-quarters in Baharak district.	Takhar	MoI
114	Construction of Security police head-quarters in Khwaja Ghar district.	Takhar	MoI
115	Construction of Security police head-quarters in Chaal district.	Takhar	MoI
116	Construction of training centre for police in the centre of Taluqan.	Takhar	MoI
117	Creation of police check-point in Koor Hatam.	Takhar	MoI
118	Creation of Police Sub Station in Jaghatu district.Beneficiaries 7000	Wardak	MoI
119	Creation of Police Sub Station in Chak district.Beneficiaries 123500	Wardak	MoI
120	Creation of Security check point in Sayed Aabad district.80000	Wardak	MoI
121	Establishment of police sub station in Daimirdad district. Beneficiaries 65000	Wardak	MoI
122	Establishment of police sub station in Hesa Awal Behsod district.60000	Wardak	MoI
123	Establishment of police sub station in Nirkh district. 60000	Wardak	MoI
124	Establishment of police sub station in Hesa Dowom Behsod district.130000	Wardak	MoI
125	Establishment of police sub station in Jalriz district. Beneficiaries 70000	Wardak	MoI
126	Establishment of police sub station in centre of province. 60000	Wardak	MoI
127	Establishment of Commission of National Security 24500	Wardak	MoI
128	Establishment & equipment of disaster preparedness office in the centre of the province. Beneficiaries12500000	Nangarhar	MoI
129	Construction of complex hospital for police. In centre Beneficiaries 5000	Nangarhar	MoI
130	Construction of traffic dept building & improvement of the traffic system.Beneficiaries12500000	Nangarhar	MoI
131	Construction of a police headquarters in chaparhar district Beneficiaries 40000.	Nangarhar	MoI
132	Construction of a police headquarters in kozkunar district. Beneficiaries 50000.	Nangarhar	MoI
133	Construction of a police headquarters in Nazyan district Beneficiaries 45000.	Nangarhar	MoI
134	Construction of a police headquarters in Pechragam district. Beneficiaries 50000.	Nangarhar	MoI
135	Construction of a police headquarters in Dara-i-Noor district Beneficiaries 40000.	Nangarhar	MoI

No.	Project Name	Project Location	Responsible agency
136	Construction of a police headquarters in Goshta districtBeneficiaries 65000.	Nangarhar	MoI
137	Construction of a police headquarters in Spin Ghar district Beneficiaries 40000.	Nangarhar	MoI
138	Construction of a building for police in the Tora Bora area of Giani district. for 60 person with modern Equipment	Paktika	MoI
139	Construction of a police check point in Jalazai area of Wazi Kho district.	Paktika	MoI
140	Construction of a police check point in Kotni Zai area of Sar Rawza district.10 Room	Paktika	MoI
141	Construction of a 10 room police check post in Zerok district near Anzaki Nari.	Paktika	MoI
142	Construction of a 10 room police check post in Niamat Abad, Gomal district	Paktika	MoI
143	Construction of a 10 room police check post in Yousaf zai Waza khwa district	Paktika	MoI
144	Construction of a 10 room police check post in Sarwandi,Janikhil district.	Paktika	MoI
145	Construction of a 10 room police check post in Shinki Kotal, Khoshmand district.	Paktika	MoI
146	Construction of a 10 room police check post in Choli, Aerea Dilla district.	Paktika	MoI
147	Construction of a 10 room police check post in Dana, Urgon district.	Paktika	MoI
148	Creation of five Security check points in Bagrami	Kabul	MoI
149	Creation of five Security check points in Surobi district	Kabul	MoI
150	Creation of five Security check points in Kalakan district.	Kabul	MoI
151	Creation of five Security check points in Paghman district.	Kabul	MoI
152	Creation of five Security check points at the district level, Mosahi District.	Kabul	MoI
153	Construction of a Nomad (Kuchi) Security commission.	Kabul	MoI
154	- Creation of five Security check points in Khaki Jabar district	Kabul	MoI
155	Construction of a district police headquarters in the centre of Guldara province.	Kabul	MoI
156	onstruction of a district police headquarters in the centre of Mir Bacha Kot province.	Kabul	MoI
157	Construction of a district police headquarters in the centre of Farza province.	Kabul	MoI
158	Construction of four police HQs and ten police controlling check-points in four district-areas of Kunduz city.	Kundoz	MoI
159	Creation and construction of standard fire departments in Kunduz city.	Kundoz	MoI
160	Creation of construction of 200 bed military hospital in Kunduz city.	Kundoz	MoI
161	Construction of police department and 6 garrison buildings in Kunduz city.	Kundoz	MoI

No.	Project Name	Project Location	Responsible agency
162	Creation and construction of police HQ and police check points in Archi district and surroundings	Kundoz	MoI
163	Creation and construction of 5 Security check points and district area police check points, Ali Aabad district.	Kundoz	MoI
164	Creation and construction of 4 Security check points and district area police check points, Khan Aabad district.	Kundoz	MoI
165	Creation and construction of 5 Security check points and district area police check points, Chaar Dara district.	Kundoz	MoI
166	Creation and construction of 5 Security check points and district area police check points, Aaq Tapa district.	Kundoz	MoI
167	Creation and construction of 5 Security check points and district area police check points, Emam Saheb district.	Kundoz	MoI
168	Construction of police HQ building in the centre of the province.	Samangan	MoI
169	Construction of criminal investigation department building in the provincial centre	Samangan	MoI
170	Construction of prison for men and women in the provincial centre.	Samangan	MoI
171	Creation of training centres for national police of Samangan.	Samangan	MoI
172	Construction of police HQ building in Feroz Nakhjer district.	Samangan	MoI
173	Construction of police HQ building in Dara-i-Suf Bala distict.	Samangan	MoI
174	Construction of police HQ building in Hazrat-i-Sultan district.	Samangan	MoI
175	Construction of police HQ building in Khuram-o-Sarbagh district.	Samangan	MoI
176	Construction of police HQ building in Du-aab district.	Samangan	MoI
177	Creation of a city (Shahrak) for police, in the centre of the province.	Samangan	MoI
178	Establishment of police sub-station in Tagab district.	Kapisa	MoI
179	Establishment of police sub-station in Nijrab district.	Kapisa	MoI
180	Establishment of police sub-station in Alasai district.	Kapisa	MoI
181	Establishment of police sub-station in centre of Shofi.	Kapisa	MoI
182	Construction of fire brigade building in centre of province	Kapisa	MoI
183	Construction of logistical store room building in centre of province.	Kapisa	MoI
184	Construction of building for highway police brigade in Ahmadbig.	Kapisa	MoI
185	Construction of National Security Secretariat in Tagab district. (6 rooms)	Kapisa	MoI
186	Construction of National Security Secretariat in Alasai district. (6 rooms)	Kapisa	MoI
187	Construction of National Security Secretariat in Kohband district. (6 rooms)	Kapisa	MoI
188	Construction of police check posts from Sabzak to Dowabi Ghormach (Sbzazak , Dorahi, Poste Khowaja doberder, Chalgazi, Jalogerak, Mangan, Dhan Qoroto, Pokan, and Tal-e-Khoshk) (230 km for 400,000 beneficiaries)	Badghis	MoI
189	Construction of accommodation for the police & other Security forces in all districts of the province (400,000 beneficiaries).	Badghis	MoI

No.	Project Name	Project Location	Responsible agency
190	Creation of a military battalion in the district of Murghab (100,000).	Badghis	MoI
191	Construction of a Directorate for Police in Moqur district	Badghis	MoI
192	Establishment of a fire brigade in Qalai Naw City, Badghis	Badghis	MoI
193	Establishment of operational brigade for the national army in the provincial centre.	Badghis	MoI
194	Construction of independent border brigade in Badghis province	Badghis	MoI
195	Establishment of emergency police brigade in the whole district of Badghis province	Badghis	MoI
196	Establishment of an emergency police brigade with equipment in Badghis province.	Badghis	MoI
197	Establishment of job opportunities for DDR personnel	Badghis	MoI
198	Creation and construction of police check point in centre and Qush, Tapa, Sayed Aabad and Qala-i-Sokhta villages.	Sari pul	MoI
199	Creation and construction of police check point in Sayad district.	Sari pul	MoI
200	Creation and construction of police check point in along the highway from centre to Sozma and Balkhab	Sari pul	MoI
201	Creation and construction of police check point in Sancharak district.	Sari pul	MoI
202	Creation and construction of police check point in Gosfandi district	Sari pul	MoI
203	De-mining of Gosfandi district area (10 km	Sari pul	MoI
204	Creation and construction of Security check point in Sayad district, Sozma district.	Sari pul	MoI
205	Conducting of awareness seminar regarding criminal justice and violation against law.	Sari pul	MoI
206	Activation and equipping of fire department in the provincial centre.	Sari pul	MoI
207	Creation of new check points in the centre of the city.	Sari pul	MoI
208	Establishment of 2 Security checkpoints in Dand.	Kandahar	MoI
209	Establishment of tribal Security Shura in centre of Kandahar	Kandahar	MoI
210	Establishment of 29 borderline Security checkpoints in Marof, Arghistan, Shorab, Boldak and Regestan districts.	Kandahar	MoI
211	Establishment of an Bridged for Coordination of Security Posts	Kandahar	MoI
212	Construction of 10 police checkpoints in Arghandab district (92,000 beneficiaries).	Kandahar	MoI
213	Demining at the districts and Centre (300,000 beneficiaries)	Kandahar	MoI
214	Construction of 10 checkpoints In Shawali kot district (39000beneficiaries).	Kandahar	MoI
215	Establishment of Literacy courses for police in all districts.	Kandahar	MoI
216	Construction of 4 Security check-posts in Khakreze (40,000 beneficiaries).	Kandahar	MoI
217	Construction of 10 Security check-posts in Zharai District beneficiaries 92000	Kandahar	MoI
218	Creation of police headquarters in the following regions: centre of the province, MoPHam-mad Agha, Baraki Barak, Khoshi, and Kharwar & Charkh districts	Logar	MoI

No.	Project Name	Project Location	Responsible agency
219	Creation of Security check points in the Coromet min of the MoPHammad Agha district.	Logar	MoI
220	Creation of Security check points at monuments and places of historical interest	Logar	MoI
221	Construction of police hospital. 50 Bed	Logar	MoI
222	Construction of Emergency Airport for military and police (1500 beneficiaries)	Logar	MoI
223	Establishment of police check posts in Khoshi Charkh Azra Kharwar Barakibarak About five rooms in Each post.	Logar	MoI
224	Construction of police Training centres in Alta moor Deserts (500 beneficiaries).	Logar	MoI
225	Establishment of tribal police (Arbaki). About 300 beneficiaries in Azra district.	Logar	MoI
226	Construction of a conference hall for Security related reasons in the centre & district	Logar	MoI
227	Construction of a military Technical Workshop in the centre	Logar	MoI
228	Construction of Laghman police head quarters, 20 rooms. beneficiaries120,000,	Laghman	MoI
229	Construction of building for police sub station in police head quarters, (60 rooms).	Laghman	MoI
230	Construction of police hospital in centre.10 Room Beneficiaries 900	Laghman	MoI
231	Construction of police station of Dawlat Shah district Mora village (20 rooms 91000 beneficiaries).	Laghman	MoI
232	Construction of Alingar district police station (20 rooms 130000 beneficiaries).	Laghman	MoI
233	Construction of Qarghai police station (6 rooms 50000 beneficiaries).	Laghman	MoI
234	Construction of Alishing police station in Bazar Qala village (6 rooms 30000 beneficiaries)	Laghman	MoI
235	Construction of police sub station Dawlat Shah district Banda Door village (6 rooms 30000 beneficiaries).	Laghman	MoI
236	Construction of police sub station in Alingar district Chehl Gaze Baba village (6 rooms 40000 beneficiaries	Laghman	MoI
237	Construction of police check post Mandawara area Qarghaee district (4 rooms 15000 beneficiaries)	Laghman	MoI
238	conducting of Professional courses for police in Dai chopan District	Zabul	MoI
239	Construction of Building for Local Shura About 10Room in Shinkai District Beneficiaries 440 villag	Zabul	MoI
240	Establishment of commission to oversec violation of this Right of innocent People	Zabul	MoI
241	Conducting professional training courses for Security police in mezan district	Zabul	MoI
242	Establishment of 4 police check posts on highways of Kabul Band, Katli, Khozakhil, and Kam Karez (440 villages).	Zabul	MoI

No.	Project Name	Project Location	Responsible agency
243	construction of 3 police check post in share Safa District Hazartak Ziaratona & khanizo villages	Zabul	MoI
244	Establishment of Joint Commission of Community Elder and Collation forces Daichopan District.	Zabul	MoI
245	Conducting professional training courses for Security police in central Shajoi district	Zabul	MoI
246	Recruitment of Professional Police in Arghandab District(45000 beneficiaries)	Zabul	MoI
247	Increasing the Salary of police Shahre Safa District	Zabul	MoI
248	Construction of building for fire brigade (3000000 beneficiaries).	Urozgan	MoI
249	Construction of building for Security posts Ghorken.Charcheno Chambarak Sakhar &Dorahe (150,000 beneficiaries).	Urozgan	MoI
250	Construction of Security posts in Tarainkot, Karna pass Panjawi Sarkhom Karam Karez Mir Abad Spin Landai (300000 beneficiaries).	Urozgan	MoI
251	Construction of police check post In Khas Uruzgan, Sar Tangai Kochak Shago Band Sangar Oeroz (200000 beneficiaries).	Urozgan	MoI
252	Construction of police check post in Charcheno Chambarak Sarai Sakhar Gohar Ken Dorahe (150000 beneficiaries)	Urozgan	MoI
253	Construction of police check post in Dehrawod Morcha Karnala Manda Shorji Chetow (200000 beneficiaries).	Urozgan	MoI
254	Construction of hospital for police (100 Beds 100000 beneficiaries).	Urozgan	MoI
255	Construction of police colony (200 houses in Tarinkot).	Urozgan	MoI
256	Construction of 200 houses for police officers in districts (Choree Dehrawood Khas Urozgan Charcheno Gizab).	Urozgan	MoI
257	Construction of Police Check Post in Gizab District Bered dara e jalezai MoPHammad Khwaja Chardah Khak Band Kchkol	Urozgan	MoI
258	Construction of police station in Chahar Sada district.	Ghor	MoI
259	Construction of police station in Taiwara district.	Ghor	MoI
260	Establishment of 4 police sub-stations in Dawlatyar district.	Ghor	MoI
261	Establishment of 4 police sub-stations in Shahrak district.	Ghor	MoI
262	Construction of police station in Lal Sarjantal district.	Ghor	MoI
263	Construction of 5 police sub – stations in Dolina district.	Ghor	MoI
264	Construction of police station in Tolic district.	Ghor	MoI
265	Construction of police sub - station in Chighchiran, centre of Ghor province (7 buildings).	Ghor	MoI
266	Construction of police training centre in Chighchiran.	Ghor	MoI
267	Construction of police station in Saghar district.	Ghor	MoI
268	Construction of building for police headquarters in the centre of the province, Farah Province (16 rooms).	Farah	MoI
269	Construction of three police check posts from Purchaman to Farah Province (3 rooms).	Farah	MoI

No.	Project Name	Project Location	Responsible agency
270	Construction of building for police headquarters in Delaram district, centre of district, 8 rooms.	Farah	MoI
271	Construction of two police check posts in Pusht Rood Dorahi (4 rooms, beneficiaries are police forces).	Farah	MoI
272	. Construction of one police Check posts in Khaki Safid (4 rooms, beneficiaries are police forces).	Farah	MoI
273	. Construction of two police check post in Gulistan district dasht –i-delaram (beneficiaries are police forces)	Farah	MoI
274	Construction of police check posts in Bakwa district; Silwagha area, 4 rooms, and beneficiaries are police forces.	Farah	MoI
275	Construction of Police Check Post in Balaboolok district Ganj Abad Wacha Wala (4 rooms)	Farah	MoI
276	Construction of police check post (4 rooms) Anar Dara district Kalta Alam Khan	Farah	MoI
277	Construction of two police check post in Pusht Koh district in dahana, khawfak MoPHammad Abad village, 4 Rooms, beneficiaries are police force.	Farah	MoI
278	Increase of highway police to 600 individuals from Zaranj to Delaram and Zaranj to Farah	Nimroz	MoI
279	Creation and construction of an equipped Hospital clinic for police and there Families About 50 Beds in the centre of the provinceBeneficiaries.	Nimroz	MoI
280	Establishment and Construction of four police Stations in the centre of the province.	Nimroz	MoI
281	Establishment of public verse Brigade in Zaranj centre.	Nimroz	MoI
282	Supporting and training for police staff.	Nimroz	MoI
283	Prohibition of drug production and creation of alternative livelihoods.	Nimroz	MoI
284	Provision of military equipment for national police.	Nimroz	MoI
285	Establishment of new city for officers in centre of Zaranj (300 families)	Nimroz	MoI
286	Expansion of fire brigade staff and equipment including modern vehicles.	Nimroz	MoI
287	Establishment of Supporting and reserve Police in Centre and Districts About 600	Nimroz	MoI
288	Construction of building for police head quarters About 50 Room Beneficiaries All Province and Police	Noristan	MoI
289	Construction of Security posts for Kamdish District (10 posts, 5 rooms per post).	Noristan	MoI
290	Construction of Security posts from Wama district to the centre (8 posts, 5 rooms per post).	Noristan	MoI
291	Construction of police headquarters in Kamdish (Centre), about 20 rooms.	Noristan	MoI
292	Construction of a police Headquarter in Waigul (Centre), about 20 rooms.	Noristan	MoI
293	Construction of a police Head Quarter in Wama. (20 rooms).	Noristan	MoI
294	Construction of a police Head quarter in Mandol. (20 Rooms)	Noristan	MoI

No.	Project Name	Project Location	Responsible agency
295	Construction in of police Head Quarter in Burgmatal district, 20 rooms.	Noristan	MoI
296	-Construction in of police Head Quarter in Dowab district centre, 20 rooms	Noristan	MoI
297		Noristan	MoI
298	Establishment of police check posts in all districts on main and minor roads.	Hilmand	MoI
299	Establishment of police check posts on Teri and Dehrwood passes.	Hilmand	MoI
300	Construction of police station in Musa Qala district.	Hilmand	MoI
301	Construction of police headquarters in Gram Sir district.	Hilmand	MoI
302	Construction of police headquarters in Khanashin District	Hilmand	MoI
303	Construction of police headquarters in Nawzad District	Hilmand	MoI
304	Construction of police headquarters in Dishow District	Hilmand	MoI
305	Construction of police station in Marja, the second part of Nad Ali.	Hilmand	MoI
306	Construction of police Station of Baghni, the second part of Baghran.	Hilmand	MoI
307	capicity building of police force in hilmand province	Hilmand	MoI
308	Extension of the Khost national police force.	Khost	MoI
309	Equipping of Khost National police stations staff with modern equipment.	Khost	MoI
310	Establishment of borderline Security checkpoints in the border area.	Khost	MoI
311	Equipment of border police (provincial centre 1500000 beneficiaries).	Khost	MoI
312	Establishment of 4 police check post along Pakiya and Khost highway in Malwe, Alikhil Lacatera (100000 beneficiaries)	Khost	MoI
313	Construction of 3 police stations in Matoon Shamal, Mata Chena 3 (400000 beneficiaries).	Khost	MoI
314	Equipment of traffic police (provincial centre, 400000 beneficiaries).	Khost	MoI
315	Construction of Modern building for the fire brigade (400000 beneficiaries).	Khost	MoI
316	Construction of building for traffic police (400000 beneficiaries).	Khost	MoI
317	equipping of the fire Brigade Staff (400000 beneficiaries).	Khost	MoI
318	Construction of Fire in Centre Of Kunar.	Kunar	MoI
319	Establishment of Traffic Police directorate (10 rooms, centre of Kunar).	Kunar	MoI
320	Establishment of 90 check posts in Centre and districts.	Kunar	MoI
321	Construction of police headquarters in Narang district.	Kunar	MoI
322	Construction of police headquarters in Watapura district.	Kunar	MoI
323	Construction of police headquarters in Marawara district.	Kunar	MoI
324	Construction of police headquarters in Ghaziabad district.	Kunar	MoI
325	Construction of custody room for men and women.	Kunar	MoI
326	Construction of Police Training Centre for men and women	Kunar	MoI

No.	Project Name	Project Location	Responsible agency
327	Construction of 32 police checks posts along border.	Kunar	MoI
328	Establishment of 16 Security borderline police checkpoints in Nari Khoshkhoram and Anhar Kejura.	Paktia	MoI
329	Establishment of 12 eastern border Security police checkpoint in Tashan. Reza Kanda, Saraki Kando, Lotghondi Aspigee Kandu.	Paktia	MoI
330	Construction of police hospital in Gardiz.	Paktia	MoI
331	Construction of 7 police checks points from Gardez to Khost (the east line) at Ghalgi, Karta mamoreen, Sarwari, Sato Kandao. All in Paktia will benefit.	Paktia	MoI
332	Construction of 9 Security police check points from Gardez to Khost (the west line) at Choni, Ibrahim khil, Neknam, Kolalgo ,Shahre Naw & 4 check police for the refugees camp.	Paktia	MoI
333	Construction of prison in Gardez.	Paktia	MoI
334	Establishment of a well and fully equipped Fire brigade in Gardez city.	Paktia	MoI
335	Construction of a building for traffic police in Gardez City	Paktia	MoI
336	Construction of a Conference Hall in Gardez City.	Paktia	MoI
337	Recruitment of honest and skilled personnel to all departments of the Government in Zurmat.	Paktia	MoI
338	Increase of police structure; police check points and police quick reaction unit in police district stations.	Kabul Urban	MoI
339	Activation of Kabul city traffic signals and indicators.	Kabul Urban	MoI
340	Creation of an equipped and active fire fighting department in 6 th , 9 th , 11 th and 12 th security districts .	Kabul Urban	MoI
341	Construction of an equipped building for # 12 th security district.	Kabul Urban	MoI
342	Construction of an equipped building for # 13 th security district.	Kabul Urban	MoI
343	Construction of an equipped building for # 15 th security district.	Kabul Urban	MoI
344	Construction of an equipped building for # 16 th security district.	Kabul Urban	MoI
345	Construction of drinking water network, and connecting it to Bagrami drinking water network, 12 th district.	Kabul Urban	MoI
346	Digging of deep wells in 21 st district.	Kabul Urban	MoI
347	Piping of healthy drinking water in district 6 th .	Kabul Urban	MoI
348	Construction of water supply system from Pul-i-Sukhta to pul-i-Artel.	Kabul Urban	MoI
349	Creation of a public committee for improvement and stability of relations with the government, in all districts of Kabul.	Kabul Urban	MoI
350	Construction of an equipped building for # 18 th security district.	Kabul Urban	MoI
351	Construction of an equipped building for 17 th security district.	Kabul Urban	MoI

Justice & Rule of Law Sector Strategy

1387 - 1391 (2007/08 - 2012/13)






Pillar II - Good Governance

National Justice Sector Strategy

Approved by

Sector Responsible Authorities

Ministry/Agency	Name of Minister/Director	Signature
Supreme Court	H.E. Abdul Salam Azimi	
Ministry of Justice	H.E. Sarwar Danish	
Attorney General's Office	H.E. Abdul Jabar Sabit	

Date of Submission

March - 2008

EXECUTIVE SUMMARY

"And the Firmament (sky) has He raised high, and He has set up the Balance of Justice in order that you may not transgress due balance. So establish weight with justice and fall not short in the balance" (Qur'an 55:7-9).

Over the last six years, the Supreme Court (SC), Ministry of Justice (MOJ) and Attorney General's Office (AGO) have worked assiduously to lay solid foundations for the sustainable development of the justice sector. The National Justice Sector Strategy (NJSS) is designed to enhance performance, integrity, transparency, efficiency and independence of justice institutions.

The NJSS is based on a vision of an Islamic society in which an impartial, fair and accessible justice system delivers safety and security for life, religion, property, family and reputation with respect for liberty, equality before the law and access to justice for all.

NJSS builds upon prior reform efforts and in particular the individual strategies of the SC, MOJ and AGO.

A. The Conceptual Framework

NJSS is guided by a systems approach; that is, it seeks to strengthen the justice sector comprehensively, building and strengthening the institutions and systems that guide their relationships. The NJSS addresses the Justice and Rule of Law Benchmarks of the Afghanistan National Development Strategy (ANDS) in three fundamental goals:

Goal 1 – Improved institutional capacity to deliver sustainable justice services;

Goal 2 – Improved coordination and integration within the justice system and with other state institutions; and

Goal 3 - Improved quality of justice services.

B. Implementation

The National Justice Program (NJP) will implement the NJSS. Funding for implementation will come from a variety of sources, including the Ministry of Finance and international donors (using both bilateral and multilateral mechanisms). Implementation will be managed by an inter-institutional Steering Committee, assisted by a Program Support Unit(s).

INTRODUCTION

The Islamic Republic of Afghanistan presents the National Justice Sector Strategy (NJSS) for the development and strengthening of the rule of law and the justice sector institutions over the next five years. It reflects the values, traditions and Islamic culture of the Afghan people. It integrates the institutional strategies of the Supreme Court (SC), Ministry of Justice (MOJ) and Attorney General's Office (AGO), and recognizes the Government's constitutional obligations to adhere to international legal commitments and human rights standards. Finally, the NJSS demonstrates that Afghanistan's justice sector will need the support of the international community in order to realize its goals and aspirations.

C. Vision

The Government's vision for justice is of an Islamic society in which an impartial, fair and accessible justice system delivers safety and security for life, religion, property, family and reputation; with respect for liberty, equality before the law and access to justice for all

D. Guiding Islamic Values

Justice in Afghanistan is dispensed according to the laws of Allah and the traditions of the Prophet (S.A.W.) as enshrined in the provisions of the Constitution. Justice must be provided in the most remote parts of the country and must be dispensed by justice sector institutions. This strategy's core values are derived from the higher goals of Islam, and the purposes for which Allah bestowed upon all men, women and children the sacred and undeniable rights and responsibilities in the Shari'a of equality before the law and access to justice for all. Achieving justice is therefore the main objective of the justice sector institutions. As the ninth century Islamic scholar, Ibn Qutayba, wrote: *There can be no government without an army, No army without money, No money without prosperity, And no prosperity without justice and good administration.*

The challenge for the Government and the justice institutions is to entrench these visions of justice, values, standards of conduct and performance into the justice system.

E. The Afghanistan Compact and the Afghanistan National Development Strategy (ANDS)

The Afghanistan Compact provides the framework for international engagement with Afghanistan for the next five years in three areas of activity: security, governance (including human rights and rule of law), social and economic development and cross-cutting areas such as counter narcotics, gender equity and anti-corruption. The Compact and the ANDS commit the Government

to achieve several 'high level' benchmarks by the end of 2010 (1391). The ANDS provides the strategy and mechanisms for achieving the Compact's benchmarks as agreed upon by the Government and the international community.

Rule of Law Benchmarks of the Compact are as follows:

1) By the end of 2010 (1391), the legal framework required under the constitution, including civil, criminal and commercial laws, will be put in place, distributed to all judicial and legislative institutions and made available to the public.

2) By the end of 2010 (1391), justice institutions will be fully functional and operational in each province of Afghanistan, and the average time to resolve contract disputes will be reduced as much as possible.

3) A review and reform of oversight procedures relating to corruption, lack of due process and miscarriage of justice will be initiated by end of 2006 (1387) and fully implemented by end of 2010 (1391); by end 2010 (1391), reforms will strengthen the professionalism, credibility and integrity of key institutions of the justice system (the Ministry of Justice, the Judiciary, the Attorney-General's Office, the Ministry of the Interior and the National Directorate of Security).

4) By end 2010 (1391), justice infrastructure will be rehabilitated; and prisons will have separate facilities for women and juveniles.

Other justice-related benchmarks in the Compact have direct or indirect impact on the justice institutions and justice sector strategy-making. These include the benchmarks on Counter-Narcotics, Land Registration, Human Rights, Anti-Corruption, Public Administration Reform, Gender and Parliament.

Approach to the Strategy

At the July 2007 (1386) Afghanistan Rule of Law Conference in Rome, the Government, the justice institutions and the international community agreed on measures to improve coordination

and set realistic and achievable goals for justice sector reform. The Rome Conference Conclusions and Joint Recommendations re-energized the justice sector strategy-making process, and resulted in pledges of new resources to the justice sector.

F. Systems Approach to Strategic Planning

This strategy provides a systems approach to planning and programming to ensure adequate and sustained coordination, focus and integration within justice sector. The systems approach recognizes that the justice system is comprised of several institutions that are accountable, interdependent and independent.

Its objectives and goals are stated broadly and holistically, in order to capture all elements and issues which are relevant for the re-building of the country's legal system. In addition, the strategy takes an access to justice and rights-based approach. Access to justice in this context is defined as the ability of people, particularly those from disadvantaged groups, to seek and obtain a remedy for grievances through the justice system, in accordance with the Constitution and international human rights principles and standards. Access to justice contemplates: (1) The availability of legal protection under the Constitution, laws, and regulations, and Islamic jurisprudence and traditional practices that are consistent with such protection; (2) The capacity to seek a legal remedy through legal awareness, legal counsel and formal and informal justice services; and, (3) The availability of an effective remedy through effective adjudication and due process in judicial proceedings, with enforcement through police and prisons with judicial, governmental and civil society oversight.

The strategy's premise is that productivity and professional excellence in the justice system can be primarily measured by the level of demand the system generates and sustains. Demand depends in part on access to justice (including access to services, laws and service providers), and in part on the accessibility and credibility of justice institutions (which are, in turn, dependent on the functionality, impartiality, professionalism, integrity, and infrastructure of justice institutions). While it is imperative that the Government creates and maintains an equitable system of justice throughout the country, it is important to note that many Afghan citizens use informal and traditional community-based dispute resolution mechanisms to resolve a range of disputes. This situation exists even though these mechanisms are not always easily accessible to women and children.

Structure of the Strategy

The strategy is divided into three goals. These goals represent the sector-wide changes or results that the strategy seeks to achieve as follows:

Goal 1 - Improved institutional capacity to deliver sustainable justice services focuses on improved functionality, competence and professionalism of the justice institutions that will enhance credibility and improve institutional arrangements for service delivery. It focuses on four main areas; administrative structure and information/operating systems, human resources development (including remuneration and professional education), and institutional and professional integrity, and infrastructure, transportation and equipment needs. This goal also integrates cross-cutting issues of gender, counter-narcotics, international cooperation and anti-corruption as well as special topics including national security, and counter terrorism and transitional justice.

Goal 2 Improved coordination and integration within the justice system and with other state institutions focuses on linkages between critical are-

as of support necessary for the proper functioning of justice institutions that includes the legislative process, support for legal education and training as well as partner institutions in government and civil society.

Goal 3 - Improved Quality of Justice focuses on processes and practices in the justice institutions that will facilitate citizens' access to quality justice services. Specifically, it will address issues related to the availability of basic legal information to access quality justice by victims, witnesses, accused persons, civil litigants and other constituents of the justice system. Goal 3 is divided into three sections: criminal justice, civil justice and access to justice. Some of the key topics covered under this goal include reform of and coordination among criminal justice actors, streamlining of civil justice procedures and improved case management, improved standards of judicial education and training, the establishment of the Bar Association and a legal aid system throughout the country, and legal awareness and also to draft a policy for determining necessary principles and benchmarks for the decisions of Jirgas and councils. *(for more details please see Table XX Policy actions Matrix)*

RULE OF LAW AND JUSTICE INSTITUTIONS

The strategy's goals are aimed at improving access to justice and service delivery across the justice sector, in particular by the Supreme Court, the Ministry of Justice, the Attorney General's Office and the National Legal Training Center. These justice institutions, though either independent or independent in their functions, depend on each other and are jointly accountable to the public. Each justice institution is separately administered by its own administration and has its own property, staff and budgets. To achieve the goals of this strategy, each justice institution must be fully functional and competent.

A. The Supreme Court

The judicial power is an independent organ of the Islamic Republic of Afghanistan, comprising the Supreme Court, Courts of Appeal, and Primary Courts, which carry out their duties in accordance with the law and separate from the legislative and executive powers.

The SC operates as the highest judicial organ, dominating the judicial power.

Pursuant to Article 120 of the Constitution, the authority of the judicial power includes consideration of all cases filed by real or legal persons, including the state, as plaintiffs or defendants, before the court in accordance with the provisions of the law.

Pursuant to Article 121 of the Constitution, the SC has the authority to review the laws, legislative decrees, international treaties as well as international conventions for their compliance with the Constitution and the interpretation of these laws at the request of the government or courts, accordance to the provisions of laws.

Pursuant to Article 122 of the Constitution, no law shall under any circumstances exclude any case or area from the jurisdiction of the judicial organ as defined in chapter seven and submit it to another authority.

The Supreme Court and other relevant courts shall, according to the law, take appropriate action in order to protect the fundamental rights of citizens and resolve their legal disputes in a fair and transparent manner and to ensure justice through an independent, useful and effective judiciary system.

The SC acts as a final court of appeal. Its constitutional mandate is to resolve legal disputes in a fair and transparent manner, and to ensure justice

through an independent, honest, and effective judicial system.

Thus, the Supreme Court heading the judicial power shall regulate the judicial system consisting of the high council (composed of members of the Supreme Court), five final divisions, 34 appeals courts and 408 primary courts and employing 6126 judicial and administrative staff including 1700 judges.

B. The Ministry of Justice

The Ministry of Justice has extensive responsibilities that include arrangement of drafts of Laws and Decrees of the President's Office, printing and disseminating of Legislative Documents, protection of property and material interests of the State and when need arises taking legal actions against those liable, protecting the rights of property, employment, family and all other civil rights of citizens based on their complaints, and taking measures towards enforcing judgments issued by courts on civil rights disputes and raising public legal awareness.

In addition, The Ministry of Justice regulates and manages the activities related to Prisons, Detention Centers and Juvenile Rehabilitation Centers throughout the country.

The Ministry of Justice carries out its activities in accordance with the Constitution, Law on main organizational structure of the State and other Legislative documents of the country. The Ministry of Justice also has other duties which include dissemination of registered trade marks and advertisements on documents registration in the official Gazette, and expressing an opinion on congruence of legal and international treaties, compacts, and international trade agreements with the country's Laws is another aspect of the ministry's activities.

The MOJ also provides legal advice to the government and international institutions, registers

political parties and social organizations, and licenses advocates practicing in courts. The MOJ has 11 departments and in general it has 7180 staff including 1971 professionals, 4000 prisons personals and 1209 service providers. The MOJ has departments in provincial centers and offices in 365 districts of the country.

The Central Prisons Department (CPD), with about 5,000 personnel is the largest department of the MOJ, which was transferred from the Ministry of Interior in 2003.

In accordance with the Advocates Law, the MOJ is further required to assist with the establishment of an independent bar association and ensure availability of legal aid in criminal cases to indigents.

C. The Attorney General's Office

In general, The Attorney-General's Office has four deputy Attorneys and there are 23 Departments in the Capital, 34 Appellate Departments in provinces, 365 Primary Attorney's Offices in districts and communities, 45 Military Attorney's Departments, 38 Attorneys Departments of The National Security's Presidency, and has 2500 attorneys and 2000 administrative staff throughout Afghanistan. In accordance with the article 134 of the Constitution and based on Laws, Attorney's Office investigates crimes and takes legal action against the accused in the courts, Attorney General's Office is part of the Executive branch and is independent in its work. During investigations, Attorneys act as impartial persons, while investigating. They monitor the activities of the police and other agencies, and guide them. Deputy Attorney General's Office monitor judgments of the appellate and boards (divans) of the Supreme Court, based on this duty the Attorney Generals Office has direct responsibility over all 34 provincial and more than 365 district offices throughout the country. Attorney General's Office has specialized sections to carry out its investigation and legal prosecution activities against crimes for internal and ex-

ternal security, military, police, financial crimes, administrative corruption and counter narcotics .For comprehensive and objective investigation of cases, especially administrative corruption crimes, there is a need to establish and equip a Criminal Technical Office with its related equipment and tools for finding evidence and signs of crimes during investigations. In addition, based on all Laws of the country, the Attorney Generals Office has duty to monitor implementation of Laws, decrees and sanctions of the Council of Ministers and internal regulations of departments, and monitor detention sites and enforcement of sentences and for enhancement of public legal education level, it publishes and disseminates “Tsarenwal” Gazette, “Tsarenwal” magazine, decisions of the Attorney general’s Office’s high Council and for the strengthening of this process. The Office needs to establish and functionalize its printing house with all relevant printing equipment.

D. The Independent National Legal Training Center

The Independent National Legal Training Center (INLTC) is the newest of the governmental judicial institutions and was established by Presidential Decree on 9 June, 2007. It is responsible for the induction training (the stages) for the other governmental judicial institutions, all of which are actively represented on the Board of Directors of the INLTC. The Center has a broad presidential mandate and is responsible for enhancing the knowledge and education of the legal profession of Afghanistan. Currently the Board of Directors is focused on increasing the knowledge and skills of the new recruits to the Ministry of Justice through the stage process. Supreme Court and Attorney General Office based on their

The Supreme Court as independent branch of the state and Attorney General Office will conduct the induction trainings “the Stage courses” and other capacity building programs for judges and attorneys according to their specific rules and regulations.

E. Other Justice-Related Institutions

Other justice-related institutions are the proposed Independent Bar Association (IBA). In addition, the following institutions interact with the justice system: Ministry of Interior (Police); National Directorate of Security (NDS); Parliament (Wolesi and Meshrano Jirgas); Ministry of Higher Education; traditional (or informal) dispute resolution mechanisms (TDR); Ministry of Women’s Affairs; General Independent Anti-Corruption and Anti-Bribery Commission (GIACC); Afghan Independent Human Rights Commission (AIHRC); media organizations; civil society organizations including professional organizations (judges and prosecutors associations), legal aid providers , Competent institutions for informal dispute resolution and the public.

These institutions have justice-related mandates and functions. By including the Ministry of Interior (police) and the NDS (as foreseen in the Afghanistan Compact’s *Rule of Law Benchmarks*) this strategy covers parts of the security, coercive and law enforcement aspects of the rule of law. It also addresses the benchmark requirement to review and reform miscarriages of justices and lack of due process. Parliament’s role in the justice sector relates to legislation, the legislative process and law reform while addressing the benchmark requirement to put in place the legal framework and disseminate laws. The Ministry of Higher Education’s role addresses the human resource needs for appropriately qualified legal professionals, while also satisfying the benchmark requirement to reform and strengthen professionalism. The role of informal dispute resolution mechanism is that with handling individuals’ disputes in cases other than criminal, it will reduce the load of work in the Courts. Meanwhile, it will save the litigants’ time and money and brings settlement among parties.

The institutions that make up the justice system provide support to each other and act as the necessary balance and counterweight.

They operate in the larger governmental and social environment in which the rule of law is upheld.

This balance is essential if the weight of justice is not to fall short as mandated by the Holy Qur'an, which states: *"So establish weight with justice and fall not short in the balance."*¹

F. International Assistance and the Provincial Justice Coordination Mechanism

Essential direct and technical assistance from international and bilateral donors has lacked a structured coordination mechanism with a presence in the provinces. The Provincial Justice Coordination

Mechanism (PJCM), approved at the July 2007 Rome Conference by stakeholders and donors, will fill this gap. The PJCM will help improve the delivery of justice assistance in the provinces consistent with this strategy and the National Justice Program. PJCM will focus on coordinating donor actions to adhere to three strategic goals: (1) To facilitate the comprehensive and consistent reform of justice systems in the major cities; (2) To ensure comprehensive regional assessments of formal and informal justice systems in each PJCM area; and (3) To expand justice programming by identifying and helping to target future justice assistance to the district level and more remote provinces. UNAMA will provide supervision of the PJCM, which is funded by donors, and UNAMA. The PJCM will become operational in winter 2008 (last quarter 1386)

¹ Surat- Ar Rahman - Verse 9.

CHAPTER 1

GOAL 1: IMPROVED INSTITUTIONAL CAPACITY TO DELIVER SUSTAINABLE JUSTICE SERVICES

CURRENT STATE ANALYSIS

Since 2001, significant achievements have been made in the capacity of the justice institutions to deliver services to the public. Yet even with many successes, deficiencies and challenges persist and work remains to be done.

The institutions experience difficulty in recruiting and retaining qualified professionals particularly in the provinces and districts. Nearly two out of every five judges appointed have not completed the “Stage” course induction training before taking office. A large proportion of judges and 80 percent of provincial prosecutors are not graduates of a law or Shari’a faculty.

A large proportion of judges, prosecutors and MOJ professionals work in provinces and districts without basic legal resources, such as appropriate Afghan laws, manuals and published works. While there has been considerable construction and rehabilitation of infrastructure in the past six years, the majority of buildings in the justice sector, including prisons, need repair or rehabilitation. Indeed, many justice professionals work in areas where there are no dedicated justice buildings or facilities, and are forced to operate in extreme crowding or in spaces inadequate for their mandated duties. In addition to infrastructure challenges, transportation and communication remains inadequate. For example, the AGO does not

have a single vehicle in 26 provinces to transport prosecutors to courts or crime scenes or to bring witnesses and victims to hearings. Salaries for judges and prosecutors and other justice professionals are low. Though there have been improvements in paying salaries on time, they are still sometimes paid late. The capacity to effectively manage human resources, finances and the assets of justice institutions remains weak. This affects in particular procurement and asset management.

Poor personal safety combined with low salaries makes justice officials prone to bribery and corruption. Corruption also thrives where there is a lack of clarity regarding appointment processes, career progression and transfers. A lack of credible mechanisms to enforce standards and codes of conduct governing accountability, discipline and ethics and lack of attention to and control over quality of services also contributes to a culture of impunity. Corruption and low morale can be found throughout the justice sector which results in a lack of confidence and credibility among the public. Justice is a key concern for the National Anti-Corruption Strategy. The NJSS will support the implementation of the National Anti-Corruption Strategy by creating a legal and institutional framework that is sufficiently robust to reduce corruption in the justice sector.

A. Institutional Reform, Restructuring, Management, Information and Processes

1. Expected Results

Within five years the justice institutions will:

- I. Be structured, managed and staffed according to processes that improve efficiency and enhance performance;
- II. Have strengthened their management, leadership and administrative capacity;
- III. Have established program management units for development planning, analysis and implementation;
- IV. Have established and/or enhanced specialized capacity to prosecute and adjudicate cases involving cross-cutting issues in counter narcotics, violence against women, corruption, as well as juvenile justice;
- V. Have a particular policy on the traditional dispute resolution mechanism;
- VI. Have Established a judicial service commission to evaluate the judiciary and make recommendations for necessary improvements; and
- VII. Have established translation and publication units in every justice institution

2. Strategies to Achieve Expected Results:

To enhance capacity to deliver services, the justice institutions' structure and management must enable them to fulfill their mandates. Good organizational design is a critical prerequisite for implementing increased pay and grading, improving work and security conditions and enhancing professional and career development. It is also necessary for the streamlining of internal processes and the achievement of higher performance standards. (for details please see Annex I Policy actions Matrix)

A. ADMINISTRATIVE RESTRUCTURING

Consistent with implementation considerations, reorganizing the justice institutions will initially focus on head quarters and the eight major provinces. Organizational re-design of the justice institutions aims to ensure efficient and cost effective delivery of justice services. Where necessary, organizational changes will be codified into law.

Deployment of human resources should be prioritized based on public need and staff merit. It is recognized that prioritization will require difficult choices, for which significant analytical preparation is needed. To ensure effective administrative restructuring the SC, MOJ, and AGO will:

Conduct administrative restructuring assessments of their organizations aimed at identifying sustainable staffing levels and space needs;

Implement new administrative structures in phases; initially at headquarters, then in the regional centers, and finally extending to all provinces and districts; and

- Train and develop capacity of staff in their new roles and according to new structures, involving the Civil Service Commission's Leadership Development Program in developing capacity training for change management.

Information systems and flows form a critical component of organizational design and structure. Areas of priority for information systems are human resources management, procurement, finance and pay roll. Establishing information technology in each institution including databases and revised records keeping practices in human resources and payroll are a prerequisite to pay and grading reform, determining appropriate staffing strength and performance levels. Departments within each institution responsible for keeping records and managing information will be among the first to be reformed to prepare the rest of the organization for reform.

B. MANAGEMENT AND LEADERSHIP

To better enable the justice institutions to fulfill their respective mandates and functions, professional management and quality leadership is required. Each institution will analyze and, in consultation with its stakeholders, develop recommendations for improving organizational leadership. The institutions will formalize the recommendations in new policies and procedures, which will in turn be communicated to managers via new operations manuals. Such measures may take the form of management support units, as has been outlined in the Strategy of the Supreme Court. As envisioned by the SC, the unit will increase administrative capacity and efficiency, helping to modernize operational procedures, support training programs, increase the use of technology, and establish proper procedures for the management of court records. Ensuring that administrative processes are understandable, transparent, and efficient may require revision of existing regulations. The Supreme Court in particular intends to appoint a committee to review and modernize existing regulations relating to court regulation.

C. PROGRAM MANAGEMENT

The justice institutions will establish dedicated units to create and implement development strategies, and to assist in donor relations. The units will play an important role in the implementation of the National Justice Program (NJP). Because the Afghanistan Reconstruction Trust Fund (ARTF) will likely be one funding mechanism used for the NJP, the units should be designed and structured in accordance with the ARTF's Justice Sector Reform Project requirements.

D. SPECIALIZED CRIMINAL JUSTICE CAPACITY

This strategy pays particular attention to the investigation and prosecution of cases involving narcotics, gender (violence against women), corruption, and juveniles. The justice system will benefit from specialization in each of these cross-cutting areas.

Specialization will be achieved through training of judges, prosecutors and other professionals, and through appropriate institutional arrangements.

I. Narcotics

The Criminal Justice Task Force (CJTF) is a specialized counter narcotics joint effort of several institutions. Despite significant progress in improving law enforcement interdiction and prosecution of drug traffickers, the CJTF lacks an effective presence in key geographic areas. The strategy aims to expand the geographic reach and effectiveness of the CJTF. To that end, the justice institutions will continue cooperating to:

- *Improve the CJTF's capacity to address sentencing and treatment options for drug users and addicts;*
- *Link counter-narcotics efforts to the government's anti-corruption strategy by increasing investigation and prosecution of public officials associated with the drug trade; and*
- *Cooperate with regional governments in combating trafficking and narcotics money laundering.*

II. Violence Against Women

Through the National Action Plan for Women, the Government has committed itself to eliminating violence against women. The three justice institutions play an important role in the implementation of the National Action Plan and have adopted a five-level approach that will require:

- *Each justice institution to take a firm stand against violence against women, which will include strong leadership to communicate and raise awareness about the criminality of violence in general and violence against women in particular;*
- *Improving the investigation and prosecution of domestic disturbances to ensure that the rights of women and other vulnerable groups are protected;*
- *Reviewing laws and practices to identify those that are discriminatory to women, and recommending needed reforms;*

- *Increasing the number of justice professionals with specialized training in investigating and prosecuting violence against women, with a particular focus on techniques for effective and sensitive interviewing of victims and witnesses; and*
- *Developing the necessary infrastructure and referral mechanisms to ensure safety and security of female victims of violence.*

III. Corruption

The justice institutions will collaborate and coordinate in order to assist with the execution of the Government's Anti-Corruption Strategy. To this end the justice institutions will:

- *Identify all laws that need to be harmonized with international anti-corruption standards, including the United Nations Convention Against Corruption (UNCAC), and will develop a plan for completing the harmonization;*
- *Support the creation of a well equipped and resourced, specialized anti-corruption department in the AGO to investigate and prosecute corruption;*
- *Ensure that judges and prosecutors gain international exposure to anti-corruption best practices in other countries; and*
- *Develop and provide specialized training on the detection, investigation, prosecution and trial of corruption.*

IV. Juvenile Justice

The juvenile justice system will be improved by:

- *Developing regulations, protocols, and manuals to implement the Juvenile Justice Code and international norms and standards on juvenile justice;*
- *Developing a common approach to re-integration of juveniles with their families, in cooperation with the Ministry of Social Affairs;*
- *Increasing the number of justice social service professionals with specialized training in juvenile issues; and*
- *Improving and expanding juvenile justice facili-*

ties and programs throughout the country, with a special attention to non-custodial measures such as community-based interventions.

V. Judicial Service Commission

An independent advisory commission, composed of up to five eminently qualified persons, will evaluate the judiciary and make recommendations for necessary improvements. Areas of inquiry by this commission will be judicial pay, conditions of employment, qualifications for appointment to judicial office, standards for appointment and transfer, judicial conduct and enforcement procedures, and reform of court practices. Having an independent commission making recommendations, after providing an opportunity for public and stakeholder input, will enhance objectivity, credibility, and the prospect of the adoption of its recommendations by Afghan institutions and the receipt of necessary support from international donors.

The Judicial Service Commission will have an operating life of one year, with an option for an extension of an additional six months.

VI. Translation and Publication Unit

Many of the laws of Afghanistan have been translated and made available in hardcopy and electronic form, and are also available on websites. However, written educational and training materials for more effective legal and judicial education, both at the university level and in continuing legal and judicial education programs, are urgently needed. One of the most serious education problems of the past 30 years has been the absence of books and other written

materials for judges to study to increase their learning and knowledge. Since these materials do not exist in adequate numbers in original form in Dari, translation is required, at least for the foreseeable future.

An abundance of written judicial and legal education materials exist in international languages, and if the capacity exists to translate those materials, the information gap will diminish. Lack of books and training materials in the justice sector requires the establishment of a translation unit of highly qualified translators, including individuals with native Dari and Pashto skills, all of whom must be proficient in English (and some proficient in Arabic, Urdu, and other languages as well). These translators will translate documents from English and other languages to Dari and Pashto. The translated documents will then be published for distribution to judges and court personnel to raise their judicial knowledge and skills.

HUMAN RESOURCE DEVELOPMENT AND SALARIES

Human resource development strategies aim to establish a more professional and better-performing justice sector workforce. The strategies focus on vocational education, capacity development of administrative staff, recruitment, appointment and career development, salaries and benefits, job descriptions and classifications.

A. Expected Results

Within five years, the justice institutions will:

- I. Have recruited and promoted justice professionals on merit, based on established policies and procedures, including meeting the target of 30% of the professional staff being female;
- II. Be paying their professional and other staff recruited on merit according to increased salary and grading scales; and
- III. Have developed and implemented institutional arrangements for vocational training of judges and prosecutors, as well as for continuing legal education.

B. Strategies to Achieve Expected Results

1. Recruiting and Promotion

To recruit qualified graduates, the justice institutions will:

- *Establish transparent, objective and merit-based recruitment and promotion policies;*
- *Adopt selection criteria requiring minimum levels of academic qualifications and professional experience;*
- *Monitor graduates after appointment to ensure that satisfactory progress is maintained through subsequent levels of induction and vocational training;*
- *Develop and put in place a program of continuous professional development consisting of practical on-the-job experience and mentoring by experienced personnel;*
- *Develop and implement special access programs to overcome obstacles women experience in attending or being selected for legal education and training; and*
- *In conjunction with the Civil Service Commission, develop and implement a policy specifically for recruitment and promotion of women.*

2. Salaries

Salaries in the justice sector must be increased if the most capable people are to be recruited and retained, and if progress is to be made in the battle against corruption. The justice institutions will:

- *Implement new pay and grading systems; and Deploy at least 50 percent of all justice professionals recruited under new pay and grading schemes to the provinces.*

3. Vocational Training

Vocational training of justice professionals is essential to justice reform. The justice institutions will:

- *Evaluate university curricula to determine preparedness of law and Shari'a graduates for justice office, and also for service as government legal officers;*
- *Evaluate existing justice training programs, in order to determine the extent to which such programs have enhanced justice competence and capacity;*
- *Assess and define vocational training requirements for judges and prosecutors, incorporating lessons learned and best practices identified during evaluation exercises;*
- *Design and implement training for educators at the INLTC and justice Stage courses;*
- *Forge closer ties between legal educators at universities and elsewhere with foreign institutions and experts in vocational legal training and adult learning methods;*
- *Develop capacity of the INLTC, and finalize arrangements for the justice institutions' use of INLTC or other facilities for training purposes;*
- *Develop plans for improving access to vocational education and continuing legal education, with particular focus on delivering training programs in regional facilities, so as to increase the participation of provincial judges, prosecutors and graduates, and in particular women in training and stage courses;*
- *Produce, publish, and disseminate manuals and other written reference resources for judges, prosecutors and other legal professionals; and*
- *Develop and implement plans for training justice professionals who do not have the formal qualifications required for the positions they currently occupy.*

C. Information Systems and Processes

1. Expected Results

Within five years, the justice institutions will: Have mapped in detail the processes linking all justice institutions, and have streamlined them to

improve information systems and business processes, with the aim of reducing delays in processing of cases, administrative costs and vulnerability to corruption.

D. Strategies to Achieve Expected Results

If new job descriptions, roles, reporting and management structures are to function effectively, the operational functions of the justice institutions must be clearly understood

and intelligently designed. Mapping, review and redesign of processes and practices will be conducted at the same time as organizational restructuring to improve or eliminate processes that cause delays, unnecessarily increase costs, or provide opportunities for corruption. The justice institutions will assess their procedures and develop recommendations in the following phases:

- *Assess current institutional processes and practices to identify gaps and design improvements, with a particular focus on eliminating delay; unnecessary cost, opportunities for corruption;*
- *Assess the information and communications gaps between headquarters and provincial offices within each justice institution, and design improvements to eliminate such gaps;*
- *Assess the information and communications gaps among justice institutions at the national and sub-national levels, and design improvements to eliminate such gaps;*
- *Improve processes for managing and storing information, and begin introducing new technology options for electronic information systems;*
- *Develop a recruitment and remuneration strategy to attract qualified information technology professionals to operate and maintain new electronic information systems that are introduced at the justice institutions; and*
- *Establish a clear communications strategy that explains new procedures and technology to justice*

sector officials who will be responsible for implementing and working with information systems, and train the justice sector work force on newly introduced technology.

E. Professional Integrity and Institutional Transparency

1. Expected Results

To improve both integrity within justice institutions and enforcement of public integrity laws to combat corruption, within five years the justice institutions will:

- I. Have determined their vulnerabilities to corruption and established policies and procedures to eliminate such vulnerabilities;
- II. Have published and disseminated codes of ethics and professional standards at the provincial level;
- III. Have trained 60 percent of all judges and prosecutors on their respective ethics codes. Have arranged for curricula at university and Stage courses to incorporate ethics training;
- IV. Have worked in cooperation with the Independent Bar Association to put in place enforcement, oversight and disciplinary mechanisms, like ethics panels;
- V. Have established an easily accessible and functioning public complaints system in at least eight major provincial capitals with clear processes for handling complaints.

2. Strategies to Achieve Expected Results

All of the justice institutions are driven by a common goal to improve professionalism, integrity and credibility. The objective is to create accountable and transparent institutions, which is a precondition to public confidence in the justice sector. To achieve this objective, the institutions have

identified a number of common priorities, strategies, programs and techniques.

- *Ethics and disciplinary procedures must be established through amendment and promulgation of laws and regulations, as well as consideration of the use of integrity testing and severe enforcement of asset reporting. The implementation of the UN Convention Against Corruption may add other methods of administrative monitoring of unjust enrichment of legal professionals;*
- *Ensuring the personal security of judges in particular, and other justice professionals;*
- *Enabling the full implementation and growth of professional associations, such as the Afghan Prosecutors' Association.*

A. VULNERABILITY ASSESSMENTS

To identify weaknesses in administration, the justice institutions will conduct vulnerability to corruption assessments (VCA). The VCA should produce a set of recommendations that can be incorporated into a plan of action for combating corruption. The institutions will establish units to oversee and monitor the implementation of these action plans and policies, and will incorporate the findings of the VCA into other institutional development efforts, including in particular ethics training for staff and establishment of a public complaints system.

B. ETHICS CODES, TRAINING, AND ENFORCEMENT

The professional ethics of judges, prosecutors and lawyers need certainty in definition and enforcement. Each institution is drafting or has completed its respective code for ethics. This strategy calls for finalization, dissemination and implementation of harmonized ethics codes in cooperation with the Independent Bar Association. The justice institutions will:

- *Establish ethics and integrity units that will develop training material for the codes of ethics and*

will coordinate training. The units will also serve to provide confidential advisory services to guide justice professionals facing ethical issues;

- *Establish enforcement (disciplinary) bodies in the three justice institutions to investigate, prosecute, and adjudicate claims of violations of proper ethical and professional conduct. The mechanisms will include appropriate rules to protect the rights of justice professionals accused of such violations. The Strategy of the Supreme Court envisage that the remit of existing inspection tours will be expanded to include training on the judicial code of ethics;*
- *Establish procedures to enable lawyers, prosecutors and judges to make confidential complaints relating to corruption, unprofessional conduct or breaches of ethics.*

C. PUBLIC COMPLAINTS SYSTEM

The justice institutions will:

- *Launch a pilot public complaints mechanism in select provinces for court users that will involve representatives from all criminal justice institutions and the Afghan Independent Human Rights Commission;*
- *Incorporate lessons learned from the pilot program in the creation of a national public complaints system;*
- *In designing the pilot and nationwide public complaints systems, pay particular attention to ensuring access to the system by illiterate complainants and vulnerable groups, including women; and*
- *Launch a nationwide campaign to inform and engage the public on issues of judicial standards and conduct.*

D. INFRASTRUCTURE, TRANSPORTATION AND EQUIPMENT

Competent professionals without infrastructure, transportation and equipment have limited capacity to deliver justice. Justice infrastructures are the service centers of justice.

The development of justice human resources must be accompanied by justice infrastructure, and the necessary tools (legislative and physical) with which to work.

E. Expected Results

Within five years the justice institutions will:

- Complete an inventory of all infrastructure and transportation assets;
- Establish a comprehensive nationwide (regional, provincial and sub-provincial levels) infrastructure development plan with standardized design, prioritized and sequenced for Supreme Court, MOJ and AGO.
- Develop training materials and programs for maintaining and managing facilities, transportation and equipment;
- Construct new Supreme Court Building in Kabul; as well as new MOJ and AGO headquarters facilities;
- Constructed or rehabilitated justice infrastructure, including offices, courts, prisons, and juvenile rehabilitation centers in all provinces;
- Construct and maintain residences for judges; and
- Have sufficient transportation assets to provide justice services throughout the country.

II. Strategies to Achieve Expected Results

The strategy aims to concentrate on providing resources and infrastructure in areas where demand is the greatest.

a. Inventory

Before planning or construction of new facilities, justice institutions must assess their

infrastructure needs. A pre-condition to any such assessment is a comprehensive understanding of the number of existing assets and their state of repair. To this end, the justice institutions will conduct a comprehensive inventory of all infrastructure assets, including detention centers and prisons, indicating location, age, state of repair, and ownership status.

b. Infrastructure Development Plans

Each justice institution will prepare an infrastructure development plan and timetable including construction of headquarters and centers at provincial and sub-provincial levels; as well as a transportation acquisition and deployment plan to address needs identified in the inventory. Such plans should be built on the experiences of the last six years; incorporating lessons learned and best practices, with particular emphasis on standardizing designs to increase efficiency.

Moreover, the plans should prioritize construction timetables so as to achieve the maximum cost/benefit ratio.

Infrastructure development for courts and offices will be informed by the need to expand the formal justice system throughout the country. Efforts will be made to continue integrating justice facilities where appropriate to reduce costs, facilitate access, expedite processes and improve security.

The plans will forecast maintenance cost for new construction and rehabilitation to facilitate future budget projections.

c. Asset Management

Development of capacity to acquire, maintain, and manage assets is a critical component to this

strategy. The justice institutions will establish dedicated units of trained and qualified personnel to fulfill this need.

d. New Headquarters

New headquarters for each of the three justice institutions will be constructed in Kabul. The headquarters will be designed with sufficient spare capacity to accommodate future need.

e. Construction and/or Rehabilitation of Existing Infrastructure

Buildings need to be constructed or rehabilitated to be ready for the deployment of qualified professionals in areas of greatest demand. Priority in construction and renovation should be given to the busiest courts, prosecutors and MOJ offices, as determined by reported caseloads. To make a significant impact on the need in the first five years of strategy implementation, at least 20 courthouses should be constructed, and 40 buildings should be renovated each year. Priority will be given to constructing: firstly, secure and safe provincial prison/detention centers; secondly, juvenile rehabilitation centers; and finally, transitional housing and shelters for women and children victims of violence.¹

f. Residences for Provincial Judges

Construction of official residences for judges will enhance security and provide an incentive for qualified justice professionals to transfer to provincial posts.

g. Transportation

Transportation allows justice professionals to expand the reach of their services. The justice institutions will acquire vehicles for use by justice professionals in the performance of their duties. Priority will be given to equipping those areas where there are no permanent courts and other justice facilities.

¹ Many of these are outlined in greater detail in the National Action Plan for Women in Afghanistan (NAPWA), which the institutions will implement.

CHAPTER 2

GOAL 2: IMPROVED COORDINATION AND INTEGRATION WITHIN THE JUSTICE SYSTEM AND WITH OTHER STATE INSTITUTIONS

Current State Analysis

A. Enhancing Cooperation in the Legislative Process

Prior to Parliament's inauguration in December 2005, the Government passed laws through approval by the Cabinet following review and finalization by Taqin. The MOJ then published the laws in the official Gazette and distributed them to national and provincial institutions and made them available to the public. The MOJ also indexed the laws and posted them on its website (www.moj.gov.af).

Since December 2005, the Parliament has been also proposing and drafting legislation, and must approve all legislation however originated. While the legislative process is now enriched by the involvement of the two houses of the Parliament, it has also slowed down the process of passing laws. As a result, key pieces of legislation await consideration and approval by the Parliament. Further, more than 700 legislative documents must be reviewed to ensure their compliance with the new Constitution and about 10 new laws alone must be drafted and enacted in order for Afghanistan to comply with its international legal obligations.

The review and enactment of these laws are required to ensure that the legal framework, including civil, criminal and commercial laws, will be put in place. These requirements are in addition to the laws required by various agencies to fulfill their mandates and the fact that the Parliament may wish to consider laws passed by

the executive authorities between 2001 and 2005 – the period beginning with the establishment of the Interim Authority and the establishment of the Parliament. In short, there is need for the approval of a large number of laws.

B. Poor Quality Legal Translation

The legislative process is also often delayed due to lack of professional legal translators and the lack of access to legal material in Afghanistan's official languages. Further, long delays in drafting and passing legislation have been attributed to language limitations of international experts, limited technical drafting capacity of legislators and legislative staff, and lack of explanatory notes accompanying laws presented for passage. Legal translators are needed to ensure that the legislative process may make best use of international resources and expert advice.

C. Inadequate Level of Higher Legal Education

Similarly, the capacity of staff of the justice institutions has suffered due to lack of adequate legal education and training. University legal education provides the foundation for the development of capable and professional justice sector actors. The long years of war have severely compromised the ability of universities to provide proper education to students, many of whom have joined the justice institutions after graduation. Further, due to lack

of sufficient supply of graduates, the justice institutions have been forced to hire under-qualified staff. For instance, 80 percent of prosecutors in provinces are without university qualifications, and two out of five judges have not completed Stage training before assuming judicial appointments.

The lack of access to the latest materials has also limited Afghan professors' opportunities to develop Afghan Legal scholarship. Over the last five years, support has been disproportionately focused on Kabul University's Faculty of Law and Political Science at the expense of similar faculties in the rest of the country. Extending the curriculum and other reforms and changes to date to all universities in the country needs to be expedited. There remains much to be done to improve infrastructure and facilities, especially library and technology resources in Kabul University and at other universities. The division between the faculties of Shari'a and Law and Political Science has meant that there is a lack of core subjects common to both. There is a need for greater harmonization of curricula so that graduates of both faculties have knowledge of common foundational legal subjects. Further, consideration should be given to establish post-graduate masters program in law. The Independent National Legal Training Centre (INLTC) was established by a presidential decree in 2007 to enhance legal and professional knowledge of the staff of the judicial institutions and graduates of the faculties of law and Shari'a, and for continuing legal education. The INLTC is an independent institution. All justice institutions and the Ministry of Higher Education are represented on the INLTC board and are already using it to conduct training. The INLTC provides a single institutional approach to coordinate all remedial and vocational training.

D. Uncoordinated Professional Training

The last 5 years have witnessed an explosion in remedial vocational training offered by a variety of donor implementers agencies with little systemization and less coordination. Up until 2006, it was not uncommon

for the senior management of the institution not to be aware of the training being conducted. Complaints have been made regarding the usefulness of the training. Further, providing training without improving the working conditions in which the newly trained professional is expected to deploy the new skills may even be wasteful. To address some of these concerns, the government requires a coordinated approach to training justice sector personnel. Currently, materials used for training are being compiled and uploaded onto a website www.afghanistantranslation.com. This and the INLTC as a central facility for continuing legal education and training will ensure greater coordination of all training.

Legislative Processes

A. Legislative Processes: Expected Results

Within five years,

1. The MOJ and Parliament will increase cooperation to strengthen and enhance the efficiency of the legislative process and clear the current backlog of legislation; and systems will be improved so as to ensure increased efficiency and the prevention of future backlogs;
2. Taqin will be strengthened through reforms and restructuring to enable it to more effectively carry out its legislative duties;
3. Translation capacity of the justice institutions will be enhanced and regular English language classes will be provided to relevant staff so that they can communicate and make use of legal resources in English;
4. Taqin will review the provisions of all submitted drafts and revisions from the perspectives of international human rights instruments applicable to Afghanistan;
5. MOJ will ensure timely publication and distribution of laws to all state institutions and ensure their availability to the public;

6. Relevant institutions will conduct a comprehensive and gender oriented review and prioritization of civil, criminal, and commercial laws that are required to be enacted or amended to complete the legal framework required by the Constitution;
7. All laws will be fully harmonized with the implementation requirements of the United Nations Convention Against Corruption, and other applicable international treaties and conventions, including the:
 - International Covenant on Civil and Political Rights, and the Optional Protocol;
 - Convention on the Elimination of All Forms of Discrimination against Women;
 - United Nations Convention against Transnational Organized Crime;
 - International Convention on the Elimination of All Forms of Racial Discrimination; and
 - International Covenant on Economic, Social and Cultural Rights.
8. By 2009 (1388), the new criminal procedure code will be enacted and published, and for its implementation training with written commentary will be provided to all legal professionals, as well as community legal education for citizens;
 - 8.By 2010 (1389), all laws, regulations, and other legal instruments will be compiled, indexed, uploaded and maintained on government websites, will be published and distributed to state institutions at all levels, and will be made available to the people nationwide; and
 - All government agencies and ministries will have improved technical capacity to draft and propose non-discriminatory legislative and regulatory instruments.

B. Legislative Processes: Strategies to Achieve Expected Results

1. Removing Back-Logs, Eliminating Delays and Keeping Legislative Agenda on Schedule

The Government and Parliament shall conduct a comprehensive review of the legislative process, clarifying where necessary the roles and responsibilities of the relevant authorities as follow:

- *The review will include assessments of areas where delays are occurring in passing legislation, and the reasons for the legislative backlog;*
- *Based on the findings of the review the Government and Parliament will develop procedures for clearing the backlog of legislation and review classification of legislation for agenda setting; and*
- *Practice manuals will be developed to improve awareness of the legislative process, including the mechanism for agenda setting and tracking of legislation.*

2. Enhance Capacity of Taqnin

Efforts will be made to ensure that Taqnin and the relevant Standing Committees of the two houses of the Parliament have a smooth exchange of information on draft legislations. To improve Taqnin's capacity to review and revise draft and current laws, the MOJ with relevant national and international partners will:

- *Conduct regular trainings for all professional staff of the Taqnin in, among others subjects, legislative drafting and provide them with study-tours and scholarships abroad to get comparative experience in legislative drafting;*
- *Establish a well-equipped legal resource center within the Taqnin to improve its access to national and international legal materials and resources; and,*

- *Review Taqin's organizational structure (Tash-keel) and, if necessary, make changes to meet its expanding legislative and advisory demands.*

3. Enhance Technical and Translation Resources of the Taqin

Since draft laws are usually drafted within Government ministries and agencies, with the assistance of international partners, Taqin experts will conduct courses in cooperation with the INLTC to train and assist other government institutions to streamline the legislative drafting process. To enhance the technical and translation capacity of the Taqin, the MOJ with the assistance and support of the SC and AGO will:

- *Establish one or more training facilities for translation and will engage in cooperative arrangements with the international community to develop Afghan legal translation capacity for Taqin, Parliament, SC, and AGO;*
- *Establish one or more facilities and recruit qualified language instructors in English and other languages to develop Afghan language trainers' competency in legal translation and interpretation;*
- *Publish a compilation of legal terminologies in Dari, Pashtu and English to ensure consistency and expedite high quality translation;*
- *Consider potential strategic partnerships with the Ministry of Foreign Affairs and Kabul University's Language Training Institute; and*
- *Support a shared long term goal to increase the English-language capacity of the three justice institutions to allow access to internationally-available materials.*

4. Improve Publications and Dissemination of Laws and Regulations

The MOJ will develop publications capacity to

disseminate and distribute legislation and legal instruments throughout Afghanistan. The MOJ will also develop its printing capability (either in-house and/or through out-sourcing) and build the necessary logistics and supply management needed to distribute legislation nationwide. This strategy has three components to be carried out by the MOJ:

- *Ascertain the government printing requirements for legislation, and determine sustainability of printing all government legal and legislative documents;*
- *Assess the adequacy of current distribution practices and resources with recommendations for improvement; and*
- *Develop a detailed plan and costing of printing and distribution resource requirements, including staffing.*

LEGAL EDUCATION AND TRAINING

A. Legal Education and Training: Expected Results

Within five years:

1. A harmonized core curriculum for both Shari'a and Law faculties will be completed and launched;
2. A masters' program in law will be developed;
3. All new entry level prosecutors, judges and government lawyers will have legal qualifications from universities or other institutions of higher education and have completed Stage (induction) vocational training offered in coordination with the INLTC;
4. Afghan law professors and law students will have access to legal scholarship materials

and resources and will have updated and modern (including technological) research and teaching facilities in all university law and Shari'a faculties;

5. The percentage of female professors and female students will be raised to 30 percent at faculties of Law and Shari'a, and provide them necessary facilities and remedial courses as necessary; and
6. Formal arrangements and procedures for partnerships, scholarships and other linkages with foreign academic and vocational training institutions will be concluded and operational.
7. INLTC will have expanded its activities to fulfill its duties under the Presidential decree and, in addition to conducting the judicial stages, will have developed, in consultation with the justice institutions:
 - Curricula and promoted continuous education for judges, prosecutors and legal officers; and
 - A national law library and legal archive for legal research.

B. Legal Education and Training: Strategies to Achieve Expected Results

The strategy for legal education and training is informed by the sector strategy of the Ministry of Higher Education. The justice institutions aim to transition from a professional workforce of mixed qualified and lay judges and prosecutors to a fully legally qualified workforce. Remedial legal education will continue to be provided to raise the competence of under-qualified officials.

1. Developing Law and Shari'a Faculties

A twofold strategy will be used by the Ministry of Higher Education and Kabul University, in collaboration with the INLTC and justice institutions,

to further develop the curricula of the faculties of Shari'a and Law as follows:

- *Completing the development of the new curriculum of the faculties of Law and Political Sciences and Shari'a in Kabul University in collaboration with relevant faculties of other universities in the country; and*
- *Developing core curricular subjects for both Shari'a and Law and Political Science faculties.*

2. Enhancing Law Teachers' Capacity

To improve the capacity of Law teachers and students, the justice institutions will work with the Ministry of Higher Education and the INLTC to:

- *Upgrade resources and facilities at the faculties of Law and Shari'a at Kabul University to improve the knowledge base of academics and students;*
- *Introduce the changes to other faculties of Law and Shari'a throughout the country;*
- *Design and implement a new post-graduate masters program in law in accordance with the strategy of the Ministry of Higher Education;*
- *Carry out student development by establishing and sustaining law journals;*
- *Develop internship programs for law students and career advisory services, including job fairs and other activities designed to introduce students to the practice of law; and*
- *Link academic staff of the faculties of Law and Political Sciences and Shari'a with similar international academics to expose them to international best practices and international peers.*

3. Participation of Women in the Legal Profession

Consistent with the National Action Plan for the Women of Afghanistan (NAPWA) and the Ministry of Higher Education's strategy, the participation of women students and teachers in both Law and Shari'a faculties will be increased through:

- *Development of incentive mechanisms, such as foundation courses for women and providing female dormitories for women coming from provinces;*
- *Designing and implementation of affirmative action programs by SC, MOJ, AGO and*

Ministry of Higher Education to encourage women's entry into and retention in the legal profession, including a special Stage for women judges, prosecutors, lawyers, and special remedial training programs; and

- *Creating linkages of formal legal education to career development for government legal professionals.*

Capacity of future Afghan academics and vocational trainers will be enhanced by exposure to foreign professionals, legal education and legal institutions in other countries.

The justice institutions will implement this strategy by:

- *Exploring relationships with a view to technical and exchange partnerships with foreign legal*

training establishments – for example, in France and in Egypt.

- *Developing a policy of academic and vocational exchanges to secure and promote scholarships and exhibitions/fellowships for promising Afghan legal professionals, in conjunction with the Ministry of Higher Education, and the justice institutions. Special attention will be paid to provide opportunities for women to participate in study abroad.*

4. Establishing Institutional Capacity for Legal Research

To improve and enhance the knowledge of the legal system, the justice institutions will create mechanisms to establish institutional capacity for legal research. In particular, the MOJ will expand its library while the INLTC will establish a modern library with internet research capabilities to provide facilities to legal professionals and the public to conduct legal research.

Further, examples and best practices in other countries will be taken into consideration to provide legal research facilities in provincial capitals.

(For detail please see Annex I Policy actions Matrix)

CHAPTER 3

GOAL 3: IMPROVED QUALITY OF JUSTICE

This goal seeks to improve processes and practices in the justice institutions, and will facilitate citizens' access to quality justice services. Victims, witnesses, accused persons, civil litigants and other constituents of the justice system should also have sufficient knowledge of basic legal information to access quality justice.

CRIMINAL JUSTICE

A. Summary of the Current State of Criminal Justice:

Since 2001, the criminal justice system has made tremendous progress. Some of the major achievements include: reconstituting the AGO, promulgation of an interim criminal procedure code, police law and counter-narcotics law, creating the Criminal Justice Task Force (CJTF) to combat narcotics, specialized and on-the-job training for judges, prosecutors and defense attorneys, re-establishing the induction "Stage" vocational courses for judges and prosecutors, reforms in prisons and juvenile rehabilitation centers, and the Ministry of Interior. The Ministry of Interior/Attorney General's Office Commission has been established to facilitate and implement police-prosecutor collaboration and coordination in investigations. At least ten non-profit organizations now provide legal services for the defense of indigent suspects and accused persons.

In spite of these achievements, however, many challenges remain. One major challenge is the

lack of clarity about the roles and responsibilities of and among the institutions, and the relatively weak coordination mechanisms between them. Another challenge is the many cases of arbitrary and illegal pre and post trial detention. Many Afghans are detained without charge others are detained in violation of mandatory statutory time-lines requiring release if they are exceeded, while many more remain incarcerated after their sentence has been completed. Women, in particular, are detained and prosecuted for alleged offenses like "home escape" that are not provided for in the Penal Code. A further challenge is that the detection, investigative and prosecution tactics most often utilized by police and prosecutors tend to rely on illegal confessions and police reports as the principle evidence produced before the court against the accused person. In addition, the applicable criminal procedures, including advisement of rights, provision of counsel to the indigent and defense presence and questioning of investigation witnesses and experts, are in many cases not followed in trials. Most importantly, in most cases the accused person is not represented by counsel.

Given this situation, the key challenge for the justice institutions is how to put in place an effective, fair and efficient criminal justice system with the limited resources available that puts the people involved -- men, women, and juveniles as suspects, accused, victims, and witnesses -- at the centre of the process.

B. Criminal Justice System: Expected Results

Within five years:

1. Protection of the Rights of the Accused: No suspects or accused persons will be in detention or incarceration without lawful charge and being informed of the charges against them, and never without authorization of a competent authority.
2. Administrative Reform and Transparent Process: The SC, MOJ, AGO, police and NDS will take necessary measures to implement information management systems to better coordinate their functions and activities. This will include strengthening and fully integrating case management, tracking, and operating system with efficient reporting components deployed in at least eight major provinces;
3. Full Implementation of Juvenile Justice Reform: Juvenile Justice Code implementation will have resulted in regulations being promulgated and applied, juvenile justice professionals being trained in all justice institutions and juvenile justice facilities in at least eight major provinces;
4. Sentencing Reform: A comprehensive review of sentencing laws and policies will have been completed and recommendations for improving penal and sentencing system prioritized;
5. Victim/Witness Protection and Enhanced Security: Efficient and effective systems will be in place for protecting and assisting victims and witnesses, and managing evidence, in at least eight major provinces; and
6. Media Access and Public Information: Effective public awareness campaigns will have been conducted across the country to improve the knowledge of victims, witnesses, defendants, and the general public regarding their rights and responsibilities and how to access the criminal justice system.

C. Criminal Justice System: Strategies to Achieve Expected Results

Victims of crime, witnesses, suspects, accused, civil litigants, or simply ordinary citizens need to know which governmental agencies are responsible for protecting their safety and their constitutional rights. This strategy aims to build a criminal justice system that will be accessible to all citizens equally and fairly; and function reliably, promptly, and honestly. In order to achieve this goal, the quality of justice provided by the Government of the Islamic Republic of Afghanistan must be improved in specific ways.

1. Necessary Preconditions for Provision of Access to Quality Justice

A professional and competent prosecution and judiciary will:

- *Provide the necessary laws and legal instruments effectively to conduct trials and deliver justice;*
- *Publish and disseminate the criminal laws and procedures, and prosecutorial and judicial practices and procedures, including specific information regarding individual cases;*
- *Provide professional development of the prosecution and judiciary by improved and comprehensive “stage” courses and continuing professional education through specialized training of experienced judges, prosecutors and attorneys;*
- *Develop administrative tools to clear the backlog of cases and increase efficiency with improved case management systems (both manual and automated) and improved training for judges, court officials and prosecutors in investigative, trial, and appellate case management;*
- *Improve oversight and monitoring of case management to ensure that crime is promptly investigated, accused are provided with prompt and fair trials, convicted persons serve their lawful sentences, and are released when their sentence is served.*

- *Increase public access to trials of criminal cases by ensuring that judges and prosecutors comply with the Constitutional requirements for public proceedings.*

2. A Coordinated and Well-Structured Criminal Justice System

To provide for greater coordination within the criminal justice system overall, the justice institutions will:

- *Improve policy and operational coordination by expanding formal inter-institutional coordination mechanisms such as the joint MOI-AGO Commission at national and sub-national levels;*
- *Strengthen and integrate centralized criminal justice information and management systems at all levels.*
- *Develop and adopt standard operating procedures to standardize operational practices within and between justice institutions.*

3. A Victim and Witness - Sensitive Approach

To further the protection of the individual within the justice process, justice institutions will adopt a victim and witness-sensitive approach to improve public confidence in the system. This approach includes:

- *Reviewing and reforming Afghan criminal procedure, to incorporate modern victim/witness protection and support practices and to facilitate victim and witnesses in coming forward and giving evidence;*
- *Establishing a special division at the AGO to support victims and witnesses, and to provide information and assistance;*
- *Encourage the establishment of nongovernmental organizations engaged in the support of and assistance to victims of crime and vulnerable witness;*

- *Assisting, in particular, victims of crimes of violence (including domestic violence), through collaboration by the AGO with the Ministry of Women's Affairs and the MOI to provide security during all phases of the process;*

4. Increased Public Confidence in Criminal Justice Institutions

The SC, MOJ, and AGO will develop the following capacity to increase public confidence in the justice system:

- *Support and protect witnesses and victims of crime throughout the criminal justice process. The AGO and the police, in particular, will support shelters and safe houses for victims of domestic violence and other serious offenses;*
- *Encourage press coverage of justice proceedings, public attendance at those proceedings, and general public understanding of the process at each stage of such proceedings. The justice institutions should encourage and participate in the development of outreach programs within civil society including curriculum for public education at all levels.*
- *Provide timely and regular public notice of judicial proceedings and widely disseminate the results of those proceedings;*

D. Sentencing and Corrections¹

The SC, MOJ, and AGO, with the support of the MOI, and the National Directorate of Security will develop corrections policies for male and female adults and for juvenile detainees and convicted offenders. Such policies will incorporate international standards for the treatment of prisoners and maintenance of humane conditions of confinement.

¹ Overhauling the detention and sentencing system will necessarily take time and may be beyond the timeframe of this strategy.

1. Detention, Juvenile Rehabilitation and Prisons Reform

To build upon the successes in corrections over the past six years, the following actions will be undertaken to achieve reform. Led by MOJ, the justice institutions will:

- *Conduct a comprehensive survey and assessment to determine the frequency of detainees being held unlawfully without charge or indictment;*
- *Conduct a comprehensive survey and assessment to determine the frequency of convicts who remain incarcerated unlawfully after having served the entirety of their prison sentence;*
- *Implement inter-institutional policies that will prevent unlawful detention;*
- *Classify and segregate prisoners according to appropriate risk and security factors;*
- *Review and improve regulations and standard operating procedures governing the treatment of prisons and the maintenance of human conditions of confinement;*
- *Train corrections professionals on prison regulations and standard operating procedures. In addition, establish a monitoring and evaluating system for implementation of those procedures;*
- *Assist and support the Afghan Independent Human Rights Commission to fully enable it to report on prison conditions and the humane treatment of prisoners;*
- *Conclude protocols and arrangements with Ministry of Social Affairs to provide appropriate assistance to offenders from the early stages of their confinement through to their re-integration into society;*
- *Strengthen prisoner rehabilitation programs throughout the prison system; and*

- *Develop and implement policies and regulations to optimize the use of Open and Closed Centers with the aim to promote an effective rehabilitation of children in conflict with the law regardless of their charges, and with special attention to non-custodial measures such as community based interventions.*

2. Non-Custodial Sentencing and Penal Reform

The justice institutions as coordinated by MOJ with other stakeholders² will examine options for longer-term penal reform alternatives to detention and imprisonment. In the interim, existing alternatives to prison will be enhanced as follows:

- *Establish simplified sentencing guidelines for minor offenses;*
- *Develop new options and improve existing mechanism for enforcement of non-custodial sentences; include systematic collection of fines, confiscation of assets, non -custodial supervision, and court ordered destruction of contraband such as narcotics;*
- *Develop appropriate and Constitutional methods, in addition to the public appropriations process, to fund justice operations (particularly courts and legal aid), and to create and finance a victim's compensation system; and*
- *Develop a program to implement the provisions of the Juvenile Code on non-custodial sentences for juveniles.*

CIVIL JUSTICE

Improving access to quality civil justice requires making the courts and MOJ easier to use for litigants and witnesses, with particular concern for:

- *Illiterate persons, the poor, women, and others with disabilities who need judicial resolution of civil disputes;*

² Ministry of Finance, Ministry of Interior and National Directorate of Security.

- *Providing simplified access to the courts for citizens wishing to challenge the exercise of authority by government agencies;*
- *Providing simplified access to courts for citizens seeking resolution by simplification of legal documentation. Such documentation is critical to the exercise of a citizen's constitutional rights from birth, to identity, to marriage and beyond.*
- *To organize and regulate decisions of informal justice mechanism through drafting a policy and determining rules and principles governing the decisions.*

A. Summary of Current State of Civil Justice

The Justice Sector in Afghanistan has made significant progress in civil justice over the past six years. In addition to the passage of major commercial legislation and the training of judges and Huquq officers, a new case management system (ACAS) has been developed for the courts to administer criminal and civil cases. More than 300 judges have completed at least one of a number of special training courses on civil and commercial law since 2003.

Various legal identification document reforms have been completed, most notably a new marriage certificate approved by the Supreme Court.

Challenges in the civil justice system include the complexity of the system for users, the length of the process before a judgment is rendered and the difficulty in enforcing judgments.

The most significant challenge for the justice institutions in the delivery of civil justice is how to provide civil justice dispute resolution and documentation services in a cost effective, fair and sustainable manner.

B. Civil Justice System: Expected Results

Within five years:

1. **Implementation of Administration Reform:** The Supreme Court will implement a more efficient court case administration and management and updated regulations will be introduced in the eight major regions. (In particular land, commercial and family cases will be easier to file, litigate, track, and enforce);
2. **Reforming the Traditional Dispute Resolution Mechanisms:** The government will develop a policy to reform the traditional dispute resolution mechanisms;
3. **Updating of Laws, Practice and Procedures:** Laws, judicial practices and practices for enforcing judgments will be updated and standardized to conform fully with Constitutional requirements and international commitments;
4. **Simplification of Processes:** Simplified processes for production, certification, storage and dissemination of documents for legal identity and entitlement, including deeds, birth and death certificates, marriage contracts and certificates will be promulgated by the courts and Government; and
5. **Commercial Courts:** The commercial court system will be expanded, modernized and staffed with adequately trained judges and ancillary service providers such as bailiffs and receivers.

C. Civil Justice System Strategies to Achieve Expected Results

The SC and the MOJ will:

- *Strengthen and simplify the respective roles of the Huquq and Courts through development of regulations and greater public awareness;*

- Establish mechanisms to enable the efficient and effective transfer of files, evidence, responsibility, and decision-making authority between the Huquq and primary courts by:

1. Clearly defining the transfer of authority and responsibility for custody of files; and
2. Simplifying the protocol system for efficient daily relations between the Courts and MOJ, and between justice institutions and other agencies.

Improve mechanisms to promptly enforce judgments to maintain confidence in the formal civil justice system.

1. Judicial Case Administration Reform

The Supreme Court will reform its courts' case administration system by:

- Strengthening and updating its case management and filing system;
- Developing a pilot computerized database based on the paper-based system, as the system strengthens;
- Simplifying operating procedures for case intake, management and disposition to ease access to the process for all citizens;
- Investigating the feasibility of deploying mobile courts in areas where there is currently no effective judicial presence.

2. Court Case Administration: Commercial Courts

The Law of Organization of Courts mandates that primary commercial courts be established in every provincial centre. Currently, primary commercial courts function in only two of the eight zones in the country, namely Kabul and Mazar. The Supreme Court will therefore implement the law in two phases:

- The first phase will introduce six additional commercial courts, one in each of the remaining zones;
- The second phase will increase the number and capacity of qualified commercial court judges with specialization in the areas of banking, energy, corporate and bankruptcy law. In addition, the courts will develop practical and efficient procedures for resolving small commercial claims.

3. Court Case Administration:

Land Disputes

The SC and the MOJ will develop the capacity of the courts to resolve land disputes through the following steps that will facilitate the formalization of rights to and over land:

The Supreme Court will develop judicial capacity in property dispute resolution and increase the number of judges trained in this area, initially in the eight major regions and thereafter in other provinces;

The Courts and MOJ will encourage jirgas and shuras to record decisions in disputes related to land to facilitate the formal resolution of land disputes;

The MOJ will improve the capacity of its Government Cases Department to litigate cases involving government land through training and improved procedures.

4. Court Case Administration: Family Courts

Strategies for improving the competence of family courts shall include:

the development of judicial procedures to address the special needs of families and family disputes, including preserving the property and inheritance rights of women and children;

The Government including representatives from the Ministry for Women's Affairs and interested national and international stakeholders will review the provisions of civil procedure and the civil code relating to divorce, child custody, and conditions for marriage to eliminate bias and discrimination against women as provided by the Constitutional and international standards and conventions applicable to Afghanistan.

5. Civil Processes and Procedures

a. Dispute resolution by the courts. The courts will:

- Review the civil justice process including the Civil Procedure Code with a view to simplification, gender sensitization and modernization;
- Modernize the Law on Obtaining Rights (enforcement of judgment procedure) that may necessitate some changes in civil procedure that takes into consideration the article 22 of the Constitution (equality before law).

b. Disputes Resolution outside the Court

I. Formal Dispute resolution by the Huquq department of MOJ, it will:

- Enhance its capacity to conciliate and mediate private disputes through training and the production of manuals on conciliation and mediation;
- Expand its conciliation and mediation services;
- Increase its presence and performance in provinces and districts in close relationship with recruitment and infrastructure development.

II. Informal Dispute Resolution

Traditional (Informal) dispute resolution mechanism is one of the ways of access to justice. This mechanism, which is known as Jirga and council, has a historical background in Afghanistan and currently people refer to this system to handle their disputes. At the same time, informal justice has caused to violate individuals' rights also; so, in order to respect rights, litigants should abide by some standards and principles while proceeding their cases; it means, proceeding a case through council should take place with the agreement of litigants without any kind of discrimination and should not be criminal issues and decisions of Jirgas/councils should not be inconsistent with Islam, Constitution and Human Rights. To better utilize the informal justice mechanism, the

Supreme Court, Attorney General's Office and Ministry of Justice, as coordinator, will assess the informal justice mechanism and by drafting a policy, they will determine the priorities of using this mechanism. These priorities are consisted of the followings:

- To widely conduct public legal awareness programs to explain working framework, limitations and standards that should be abided by in the informal justice mechanism proceeding;
- To provide manual explaining standards fair proceeding, constitution principles, Islamic Rights and International Human Rights for decision makers of Jirga and councils.
- To collect information about balance and way individuals have access to the Jirga and council with gender recognition.
- Besides Jirga and council, other institutions like provincial council, district council, local development council and council of religious leaders are also permitted to handle informal disputes resolution.
- To assess decisions of Jirga and council so that should not be inconsistent with Islam, Human Rights and Constitution.

6. Enforcement of Judgments

The MOJ will, in conjunction with Parliament:

- Update the Law on Obtaining Rights to enhance and streamline processes for enforcement of judgments. Enforcement procedures need to include, among other methods, a mechanism for freezing bank accounts and conducting post-judgment discovery of assets;
- Assess how the law is currently applied, including the roles played by the MOJ and other relevant authorities with a view to increasing efficiency.

7. Legal Documentation

The courts and the Government will provide a critical public service of legal documentation, certification and authentication and seek to improve these services as follows:

- *The Government will assess these services to provide increased value and greater access to legal identity documents for citizens;*
- *The courts will standardize and index legal identification documents and procedures, including:*
 1. *Simplifying the process of certifying and registering such documents;*
 2. *Developing special services specifically to help non-literate users access legal identity documentation;*
 3. *Establishing a sex and age disaggregated pilot electronic storage and retrieval system.*
- *Justice institutions will coordinate and collaborate in producing, printing, and disseminating all public documents, forms and other instruments required, issued by or registered with justice institutions to be easily available to the public in at least eight major provinces.*

8. Commercial Courts

Published and accessible judicial decisions, consistent and predictable judicial decision making, enforcement of judgments, and the availability of ancillary service providers, such as bailiffs and receivers, either require creation or strengthening. In addition, Afghan commercial court judges do not receive the necessary training or acquire the necessary commercial expertise to adequately deal with the myriad of commercial transactions and potential legal disputes that may come before the commercial courts. An assessment of the commercial courts system has been completed, and

training programs for commercial courts judges will commence in the coming weeks. However Article 45 of the Law of the Organization and Authority of the Courts of the Islamic Republic of Afghanistan provides for the establishment of a commercial court in every province.

Currently, only four commercial courts are functioning in Afghanistan, including two courts located in the national capital. Accordingly, as the first phase, six additional commercial courts will be constructed and professionally staffed in order for the Afghan commercial courts to begin functioning with the efficiency, transparency, and predictability required by the international private sector.

LEGAL AID AND LEGAL AWARENESS

Access to justice information, materials and advice is integral to citizens' proper use of the criminal and civil justice system.

A. Summary of Current State of Legal Aid and Awareness

A variety of legal aid and legal awareness programs have emerged since 2001. There are now at least 170 legal aid lawyers working for approximately ten legal aid organizations. Moreover, a department of legal aid provides legal aid in criminal cases through 19 staff lawyers. Pursuant to the new Advocates Law, this department is in the process of being transferred from the SC to the MOJ.

Legal awareness programs and supporting systems – such as shelters for victims of domestic violence – are a welcome development. The creation of Family Response Units at the Ministry of Interior to facilitate and encourage intake and reporting of crimes against women and children are among the proactive developments in improving community based policing and legal awareness. The recently enacted *Advocates Law* demonstrates the government's commitment to improving access to

justice by expanding legal aid and establishing a independent bar association.

Despite these achievements, much remains to be done. Legal aid organizations, though active in 20 of the 34 provinces represent only a small fraction of those accused of crimes. The Family Response Units experience difficulty recruiting women police officers and other qualified staff. There are too few shelters for women victims.

The legal aid system needs to include civil representation to ensure that women and children's economic and social rights are protected as required by the Shari'a, constitutional and international human rights law. The challenge for the justice institutions is to provide access to justice for indigent, vulnerable and disadvantaged persons.

B. Legal Aid and Awareness: Expected Results

Within five years, the justice institutions in conjunction with other justice-related institutions, such as the Ministry of Women's Affairs, Afghan Independent Human Rights commission and civil society will:

1. Establish a fully operational Independent Bar Association (IBA);
2. Establish a comprehensive administrative system for legal aid, with special attention to ensuring women's access to legal aid;
3. Fully establish a unit in the MOJ responsible for monitoring human rights across the Government;
4. Continue and expand current legal awareness and legal literacy programs alongside expansion of resources and deployment of personnel. This will include development of legal awareness programs on:
 - rights and responsibilities of the women, men and the justice institutions, and

- how the formal justice system works for Afghan citizens;

C. Legal Aid and Legal Awareness: Strategies to Achieve Expected Results

1. Establishing the Independent Bar Association

As required by the *Advocates Law*, the MOJ will support the establishment of the Bar Association within three months of the December 2007 (1386) enactment of that law to enhance the professionalism, competence, and credibility of the legal profession. The MOJ, with the support of international partners, will provide interim support to the Bar Association during its inception as follows:

- *Drafting provisional by-laws, which will include provisions for the IBA's organizational structure and operating procedures;*
- *Helping to develop accreditation procedures, licensing requirements, and a code of professional conduct for members;*
- *Enhancing awareness of the Advocates Law, and encouraging unregistered advocates, especially those living in the provinces, to register.*

2. Establishing the Legal Aid System

To implement the *Advocates Law*, the MOJ will establish a legal aid system to provide legal representation for indigent defendants in all provinces. This will require the MOJ to:

- *Review existing legal aid needs assessments, consult with national and international partners involved in legal aid, and evaluate and select the most suitable legal aid system for the country;*
- *Coordinate with the Ministry of Higher Education to ensure the supply of qualified defense lawyers;*
- *Implement public awareness campaigns to promote legal aid services as they become available*

throughout the country. The campaigns will especially target justice officials emphasizing the key role of defense lawyers in the justice system.

3. Establishing a Human Rights Unit in the MOJ

Despite recent progress in efforts to promote human rights throughout the country, many problems remain. Protection of the human rights of individuals remains weak. Poor governance, insufficient government compliance with legal rules, and widespread lack of transparency endanger human rights. To promote consistent protection of human rights and the rule of law, the MOJ will establish a human rights unit, which will be responsible for monitoring human rights across the government.

4. Coordinating Legal Awareness Programs and Linking them with Institutional Presence

The MOJ will develop and coordinate a legal awareness strategy by:

- *Identifying those who use the justice system and the particular access to justice needs of each user;*
- *Improving legal awareness by tailoring messages to the intended audience using all appropriate national and local media;*
- *Providing low-cost or free legal services to indigent defendants;*
- *Bringing justice institutions to the people by making information available about locations of justice institutions to improve access.*

The legal awareness program will:

- *Be designed to reach illiterate or semi-literate persons, using various means of communication, such as radio and television broadcasts, educational movies, billboards, and workshops;*

- *Target local elders involved in informal dispute resolution to raise their legal awareness;*
- *Provide Afghans with information pertaining to their legal rights and obligations and with an emphasis on human rights, particularly as they pertain to women and children;*
- *Publish important decisions and directions from the courts, AGO and Ministry of Justice;*
- *Be regularly monitored and evaluated for effectiveness and coverage.*

5. Transitional Justice

The Government's Action Plan for Peace, Reconciliation and Justice in Afghanistan acknowledges that any mechanism for building peace and justice must be carried out with the active and meaningful participation of all national stakeholders, including the justice institutions. In relevant sections, the Action Plan for Peace and Reconciliation requires:

- *Development of an inclusive strategy for the general reform of the justice sector (judges, prosecutors, police, corrections and defense counsel), to ensure the establishment of a fair and effective justice system and to prevent patterns of*
- *human rights abuses of the past from being repeated;*
- *Draft legislation on the recommended truth-seeking mechanism to be presented to the National Assembly;*
- *Appropriate measures be taken to implement the objectives contained in the Action Plan; and*
- *Conditions for fair and effective justice procedures be established in accordance with the principles of the sacred religion of Islam, international law and transitional justice.*

The justice institutions are fully committed to peace, justice and reconciliation.

The justice institutions in general and the MOJ in particular will take measurable steps, including developing specialized capacity, to implement the Action Plan for Peace and Reconciliation as follows:

Screening applicants during the recruitment and appointment process for judges, prosecutors and MOJ professionals for prior abuses of human rights; and providing oversight and interpretation of the law concerning appointments to public office;

- *Assisting other agencies and civil society organizations, notably Afghanistan Independent Human Rights Commission, in the collection and preservation of evidence of past and or continuing abuses;*
- *Assisting victims of abuse to access their rights in the justice system;*
- *Assisting, where appropriate, investigations and prosecutions being conducted outside Afghanistan on abuses committed in Afghanistan or by Afghans; and*
- *Drafting legislative documents, as necessary*

CHAPTER 4

NATIONAL JUSTICE PROGRAM

NATIONAL JUSTICE PROGRAM BACKGROUND

A. Rome Conference and Post-Rome Commitments

At the July 2007 Conference on the Rule of Law in Afghanistan (the “Rome Conference”) the Afghan Government and the international donor community reached a consensus on the strategic way forward for justice sector development, setting into motion a series of steps to consolidate a National Justice Sector Strategy (“NJSS”) and to create a National Justice Programme (“NJP”) for its implementation.¹

At the conclusion of the Rome Conference, participants had reached consensus on a number of key issues, which included:

- A consensus on the need to elaborate a National Justice Sector Strategy, which will consolidate the individual strategies presented by the justice institutions at the Rome Conference;
- An agreement to implement the National Justice Sector Strategy through the National Justice Programme with short, medium and long term goals to be developed in conjunction with the World Bank and international partners;
- An agreement to fund the National Justice Programme in part by developing a Justice Sector Reform Project in the “investment window” of the Afghanistan Reconstruction Trust Fund (“ARTF”), administered by the World Bank;
- An agreement to establish a Provincial Justice Coordination Mechanism (“PJCM”) to enhance coordination of assistance to the justice sector and rule of law reform in the provinces, and commitments from five donors to fund the PJCM;
- New funding pledges totalling approximately U.S. \$60 million (some on multi-year basis)²; and
- A commitment by the Government to develop a process that will link donor programmes and commitments expressed at Rome with Government priorities in the justice sector.

¹ For ease of description, the Supreme Court, MoJ, and AGO have come to be referred to as “justice institutions,” combining to constitute “the justice sector.” However, this reference to the “justice sector” is not intended to suggest that the Supreme Court is part of the executive branch of government. Under article 116 of the 2004 Constitution, the judicial branch, under the leadership of the Supreme Court, is an independent organ of the state, separate from, but equal to the executive and legislative branches of the state. The independence of the judiciary, although not referenced in every section of the NJP, is fully acknowledged.

² In addition, previous unearmarked pledges were earmarked for the justice sector.

B. Developments Prior to the Rome Conference³

The Bonn Agreements of December 2001, which authorized the creation of the Afghan Interim Administration, highlighted, among other key objectives, the importance of reforming the justice system. The stated goal of these efforts was to rebuild justice sector institutions in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions.

In an effort to support justice sector reform, the Bonn Agreement called for the creation of a Judicial Commissions, which was later renamed the Judicial Reform Commission (“JRC”). The JRC reviewed existing rule of law institutions, proposed various reforms and facilitated international support. It had only limited success and was dissolved in mid-2005.

In early 2003, the Justice Sector Consultative Group (“JSCG”) was established as a means of integrating the efforts of the Government, donor nations, UN agencies and the international community more generally. The JSCG is chaired by the Ministry of Justice and, while it has facilitated communication among its members, it has been unable to create and implement a broad strategy for rule of law reform.

In response to the slow progress of justice sector reform, the “Justice for All” plan was produced and approved by the Afghan government in October 2005. The objective of “Justice for All” was to prepare a broad program with detailed institutional needs, benchmarks, costing and short, medium, and long-term timelines. The “Justice for All” plan set as its goal an “affordable and sustainable justice system that...is accessible to all Afghans...[and] conforms with minimally accepted quality standards” which included improved links with systems of informal justice as well as

a commitment to improved public awareness of legal rights.

This process was adjusted in accordance with the Interim Afghanistan National Development Strategy (“I-ANDS”) presented later that year. The I-ANDS involves three “critical and interdependent areas” or pillars, “Security”, “Governance, Rule of Law and Human Rights” and “Economic and Social Development,” which include various sub-pillars and sub-sections (so, for example the Attorney General’s Office ANDS strategy is positioned within the “Governance, Rule of Law and Human Rights” pillar, the “Rule of Law” sub-pillar and the “Justice” sector). Through both “Justice for All” and the ANDS process, rule of law issues have been envisioned as a fundamental component of overall Afghan reconstruction.

This process was further refined at the January 2006 London Conference on Afghanistan that led to “the Afghanistan Compact.” This established a basic agreement between the Afghan government and the international community involving specific goals, concrete benchmarks and timelines for achievement based on the I-ANDS.

The event also created the Joint Coordination and Monitoring Board (“JCMB”) designed to monitor progress towards the achievement of key benchmarks within the compact by 2010. In the justice sector, these benchmarks include: completing the development and implementation of the legal framework envisioned in the constitution; reforming all key justice sector institutions to ensure “professionalism, credibility and integrity”; rehabilitating all prisons; ensuring that all justice sector institutions are fully operational in every province; and implementation of all mechanisms of oversight to combat corruption and protect against due process violations.

ANDS justice sector reform builds on the vision

³ See “An Assessment of Justice Sector and Rule of Law Reform in Afghanistan and the Need for a Comprehensive Plan,” paper presented at the Rome Conference by the International Institute of Higher Studies in Criminal Sciences (“ISISC”).

elaborated in the Justice for All program. The framework includes an advisory Rule of Law Working Group, as well as six thematic sub-groups on: Law Reform; Justice Institutions and Judicial Reform; Justice Physical Infrastructure; Legal Education and Training; Access to Justice and Legal Aid; Corrections; as well as an Advisory Group on Women and Children in Justice. The goal of these working groups is to help address the technical challenges of each of these elements of justice sector reform and to integrate work in these areas within the larger vision and structure of the ANDS.

In October 2006, the International Coordination Group for Justice Reform (“ICGJR”) was established in order to improve donor communication regarding justice sector policies. Then, in December 2006, the Afghanistan Rule of Law Coordination Meeting was held in Dubai to provide a review of past activities and to motivate a concerted international effort for a new commitment to reforming the Afghan justice sector. This event presented a critical review of donor activities while also raising useful questions about obstacles to more effective reform. It also led to the Rule of Law Conference held in Rome in July 2007.

C. Relation between the National Justice Sector Strategy and the National Justice Programme

The Rome Conference mandated the development of a justice sector strategy and a justice programme in fulfilment of the ANDS process. The two are intended to be complementary and inter-dependent. The National Justice Sector Strategy (“NJSS”) is divided into high level objectives, and broad strategies for reaching them. The NJSS envisions an Islamic society in which an impartial and independent justice system delivers safety and security for life, religion, property, family and reputation; with respect for liberty, equality before the law and access to justice and human rights for all.⁴ However, the NJSS has been writ-

⁴ It is recognized that the Ministry of Interior and police play an important role in the administration of justice. The ANDS structure establishes that it is the Security Sector Strategy, rather than the N-

ten without specific guidance on the implementation of these strategies. This National Justice Programme is therefore designed as the implementation mechanism of the NJSS. This document identifies objectives and outputs associated with each of the expected outcomes articulated in the NJSS, and establishes mechanisms that will allow the Government and donors to define specific projects designed to achieve the outcomes.

OVERVIEW

A. Programme Objectives and Timetable

The goal of the National Justice Programme (“NJP”) is to execute the strategic priorities in key justice reform areas in order to achieve the expected results of, and to arrive at the end state articulated, in the NJSS. The NJSS contains high-level objectives, and corresponding sub-programmes designed to attain these objectives.

The high-level objectives are the creation of:

- Accessible justice processes and practices producing prompt and just results, consistent with international human rights standards;
- Accountable justice operations and accessible justice institutions delivering professional services with integrity nationwide; and
- Legislative processes, legal education, and traditional dispute resolution mechanisms in harmony with constitutional principles and social expectations.

The sub-programmes are concerned with:

- Criminal Justice Processes and Practices;
- Civil Justice Processes and Practices;
- Access to Justice Processes and Practices;

JSS, that will address police-related issues.

- *Accountability and Accessibility of Justice Institutions;*
- *Integrity and Transparency;*
- *Infrastructure, Transportation and Equipment;*
- *Legislative Processes;*
- *Legal Education and Training;*
- *Traditional Dispute Resolution.*
- *Transitional justice*

These sub-programmes have been subsumed in the three goals of the NJP (see Part 2 hereinafter). Experience in the justice sector to date has highlighted that a lack of strong Government leadership, inadequate donor coordination, and fragmented funding impede the achievement of effective justice sector reform. The NJP endeavours to learn from these lessons, and envisions: firstly, the adoption of a synergetic approach; and secondly, the utilization of multilateral trust funds to enhance the impact and minimize the transaction costs of donor assistance. To best achieve these aims it is essential that donors' activities are fully aligned with the Government's priorities as expressed in the NJSS.

The bulk of NJP activities will be implemented within five years, but both the strategy and the programme are designed to be robust. Thus, many of the NJP initiatives that will be started during the life of the programme will continue to require attention and support after the five year programme has concluded.

B. Key Partners and Parties of the NJP

The key Afghan parties to the NJP are the Supreme Court, the Ministry of Justice, the Attorney General's Office, and other independent justice institutions. Delivering justice is a shared obligation of all Government institutions, and so successful implementation of the NJP will require the sup-

port of other critically important Afghan institutions including the Ministries of Interior, Higher Education, and Finance, as well the Parliament, Cabinet, and the Afghan Independent Human Rights Commission. Another important partner institution is the Joint Coordination and Monitoring Board ("JCMB"), which occupies a unique position in the NJSS and NJP. With the ANDS acting as Secretariat, JCMB sets and oversees the high-level benchmarks, indicators, and criteria by which NJP's progress will be measured.

The JCMB performs the same function for other National Priority Programmes. Some of these intersect with the NJP such as the National Action Plan for Women ("NAPWA"). Where relevant, NJP activity areas will be implemented in part through them. Contributions of other Afghan stakeholders, including traditional dispute resolution actors and civil society will also be necessary. Finally, members of the international community, including donors, implementing agencies, international organizations, and the PJCM under the United Nations Assistance Mission to Afghanistan are key to successful implementation of the NJP.

C. Current Justice Sector Programmes

The NJSS and the NJP are based upon the current legal reality in Afghanistan and are designed to contribute to the achievement of the ultimate Afghan compact goal which is to establish a "Stable, Secure and Prosperous Afghanistan". As such both NJSS and NJP take an expansive and inclusive view of the justice sector. This includes the premise that a comprehensive understanding of current justice sector activities is critical to understanding future needs and designing future interventions. AnnexAttachment 1 aims to identify all current and recently completed programmes related to the justice sector, and organizes them according to the sub-programmes in the NJSS. AnnexAttachment 1 provides details about such programmes, including the location of program-

matic activities, project descriptions, implementing partners, and project timeframes. Data in AnnexAttachment 1 have been provided by donors and their implementing agencies. The information may not be comprehensive, and has not been compiled in the manner and form used in the JCMB monitoring matrix. Nevertheless, AnnexAttachment 1 gives a reasonable indication of the scope of ongoing justice sector activities, thereby facilitating the identification of gaps between existing programmes and the priorities set forth in the NJSS. The NJP envisages that AnnexAttachment 1 will be continuously updated and improved by the Programme Support Unit described further below, with the cooperation and assistance of all justice sector actors.

D. Illustration of Assistance Gaps

AnnexAttachment 1 demonstrates that there are presently a number of ongoing activities that will contribute to the achievement of some of the high-level objectives expressed in the NJSS. However, as the situational analysis in each section of the NJSS demonstrates, many of the activities fall short of the comprehensive and coordinated programmatic input required to achieve the high level objectives. For illustrative purposes only, the text below outlines some of the gaps between existing programmes and the activities needed to ensure progress towards the goals articulated in the NJSS⁵. The following text is not intended as a comprehensive or prioritized review of assistance gaps in the justice sector, but rather a sampling of needed assistance. It demonstrates the desirability of establishing a sector-wide coordination mechanism for assistance in the justice sector to enable donors to target areas of greatest need.

The *criminal justice system*, as presently constituted, lacks the capacity consistently to ascertain within a reasonable timeframe the guilt or innocence of the accused. All projects devoted to criminal justice have addressed this issue from their various vantage points. However, capacity of the

⁵ Gaps are described in the order that they appear in the NJSS, without reference to priorities.

system has not been raised sufficiently to ameliorate this deficiency.

Despite efforts to implement interagency cooperation in prosecution of narcotics violations, such as the Criminal Justice Task Force and to develop joint standard operating procedures, such as the Joint MOI/AGO Commission, a lack of coordination and cooperation between justice institutions is a continuing impediment to achieving the high level objectives. More programmatic input into enhancing coordination in the criminal justice system is required.

Though there are a number of legal aid programs and a proliferation of capacity building and case management efforts, the criminal justice system still falls short of minimally acceptable standards. Deficiencies manifest themselves in various ways, for example, criminal trials are conducted largely on the basis of written records, without the presence or testimony of witnesses. This in turn contributes to prolonged pre-trial detention for a large number of detainees. Programmatic efforts to protect the rights of victims, witnesses, and the accused during criminal justice proceedings are required, also addressing such issues as bail and the recording and preservation of evidence.

Similarly, programmes to tackle emerging threats to public safety and the rule of law require the creation of specialized investigative, prosecutorial, and judicial capacity. This capacity is currently in short supply in each institution. In accordance with the I-ANDS, the NJSS emphasizes three cross-cutting issues, each requiring specialized institutional capacity: narcotics, corruption, and violence against women.

Another specialized area of criminal justice concerns juvenile justice. The NJSS describes some of the recent achievements in this field. However, significant capacity, infrastructure and resource constraints nationwide, and delays in implementing the Juvenile Justice Code are some of the gaps that need to be addressed.

There have been numerous efforts directed at prison reform and offender rehabilitation, as well as infrastructure development in the corrections system. However, overcrowding and other deficient conditions, of which the need to segregate juveniles from adults and women from men are examples, remain problematic and need to be addressed, for instance by consideration of alternative sentencing schemes.

At the moment, several NGOs provide criminal legal defense services, but their capacity is insufficient to meet the demand both in terms of geographical reach and numbers. As a result, accused persons have only very limited access to justice and their legal awareness remains low. Despite a number of activities in this field, there are still significant deficiencies, which require further and serious attention.

The *civil justice system* suffers deficiencies similar to the criminal justice system, but it has not received the same level of programmatic attention from donors as criminal justice. Critical issues requiring attention in the civil justice system include the need to reassure court users and professionals of the integrity, transparency and efficiency of the civil justice system. Assistance is also required on operational problems that affect the courts' functioning. A stronger system of civil justice will be relevant not only to the justice sector, but also to the economic growth and prosperity of the country. Competent and well-qualified lawyers are essential to ensuring that citizens have access to the formal justice system. An Independent Bar Association (the "Bar") is critical to expanding and professionalising legal services. Efforts to establish a Bar are ongoing, and will require substantial support. Supporting the Bar is critical for enhancing the capacity of the legal profession as a whole, including legal defense over the long term.

Significant government and donor attention has been directed to the issue of *integrity and accountability* in civil and prosecutorial services, as well

as the judiciary. However, there is a dearth of programming activity to implement many of the policy and legislative instruments that have been produced to enhance integrity and accountability. Codes of ethics have been prepared, or are in the process of being finalized, for prosecutors, judges and civil servants, but the institutional mechanisms and resources to enforce them are in short supply.

In order to improve the performance of ministries and Government agencies, the Independent Administrative Reform Civil Service Commission launched the *Priority Reform and Restructuring Programme* ("PRR"). However, the implementation of PRR in the justice institutions has been uneven. The Ministry of Justice has completed stages one and two of the PRR process for all departments other than the Central Prisons Directorate. Furthermore, it is being helped in the implementation of PRR by a Reform Implementation Management Unit, which leads the effort to introduce merit-based recruitment processes. The Attorney General's Office has completed stage one of PRR. The Supreme Court is currently engaged in the process of completing its application for PRR stages 1 and 2. Without the introduction of PRR or a similar process accompanied by a significant increase of salaries at both the central and provincial levels, justice institutions will continue to be impeded by low skill levels, weak financial incentives, inefficient organisational structures, and opaque processes for recruitment, performance evaluations, promotions, and appointment of personnel.

Both donors and government have worked to enhance *justice system infrastructure* nationwide since 2002. However, the task was enormous to start with and is still far from complete. In some areas, even the most basic needs of the justice system still require infrastructure support. In particular, prison, juvenile, court room and office facilities are seriously deficient. The security situation in some parts of the country complicates the task of expanding justice infrastructure and services, and undermines the efforts systematically to ex-

tend the writ of the central government justice institutions to the provincial level. Bilateral and multilateral efforts to cope with this issue lack a systematic approach consistent with a geographic expansion plan for justice services and centres.

The *equipment and transportation* situation is as poor as that of infrastructure. An equally important component of ensuring sustainability and extending the useful life of infrastructure, equipment and transportation assets is to improve the culture of maintenance and management of these assets. Currently, there are only very few programmes which address these gaps.

Significant resources have been devoted to establishing the houses of Parliament. However, being a new institution, Parliament lacks the depth of expertise required for *legislative drafting*. Enhancing capacity in legislative drafting, analysis and review is essential to entrench a fully effective parliamentary system. Programmes are needed to enhance the skills of personnel in the Taqin and other executive agencies responsible for drafting legislation, along with the efficiency, effectiveness and quality of the legislative process as a whole.

A related matter involves the need to strengthen *legal education* in academic and professional settings. In this regard the establishment of the Independent National Legal Training Centre is a step in the right direction. However, reforming law school curricula and expanding Afghan law students' exposure to international experiences is essential to creating a critical mass of sustainable Afghan expertise in legal areas. This may also extend to entrenching relationships with foreign academic and vocational legal training establishments. A further and urgent area requiring programmatic attention is the need for indigenous Afghan legal research capacity to inform policy-making, and to enhance the quality of legal education.

Traditional dispute resolution is a vast and important topic that is often overlooked in terms of justice sector policy. While a significant number of programmes operate at the community level, few

address the overall scope and characteristics of the justice services being provided by traditional mechanisms. Fewer still address the interface between the formal and traditional system. Indeed, the tension between the formal and informal systems may be one of the most difficult issues facing the justice sector. There is a need programmatically to engage this issue at the policy and operational levels. The NJSS seeks to address this need by establishing a process to clarify the role of traditional dispute resolution in the delivery of justice in Afghanistan.

E. Overview of Funding Structures

The Rome Conference envisioned a justice programme supported by multiple sources of funding and, therefore, multiple funding structures. The identified sources of funding or possible funding include:

The Afghanistan Reconstruction Trust Fund ("ARTF") is a multi-donor funding mechanism administered by the World Bank in conjunction with donors and the Ministry of Finance, and will be one of the sources of funding for the NJP. The ARTF is designed to allow multi-donor pooling of funds to complete projects and programs within the NJP according to its requirements.

The ARTF is unable to fund salaries or other programmatic activities related to security, with the result that it cannot serve certain aspects of the justice sector, notably the Central Prisons Directorate of the Ministry of Justice.

The Law and Order Trust Fund ("LOTFA") was created to administer funding for remuneration, recruiting and training activities, infrastructure development, and equipment and supplies for the police and other law enforcement agencies. It may be possible to expand LOTFA to corrections and prison operations without diminishing funds available for current activities.

The Counter-Narcotics Trust Fund ("CNTF") is aimed at mobilising resources and channelling these through the Governmental institutions in order to support the efforts of the Government in fighting illegal drug production. Two of the eight areas of intervention defined in the Counter-Narcotics Implementation Plan relate to objectives of the NJP, namely drug law enforcement and criminal justice. It may be possible to use CNTF assets to fund NJP component activities in these areas.

LOTFA and CNTF already have their own implementation structures which are independent from the NJP implementation bodies. However, it is envisaged that the NJP Project Oversight Committee ("POC") and the Project Support Unit ("PSU") will closely cooperate with these two trust funds in order to implement of NJP programmatic activities.

Donor funding on a bilateral basis consists of donor government or agency funding and programmes delivered directly to the justice sector; to date such assistance comprises most justice sector initiatives and programmes currently in operation in Afghanistan; and *Government funding* through the Ministry of Finance funds programmes and initiatives of justice institutions through their budgets.

KEY PRIORITIES

The parts of the NJP described below contain matrices which reflect the priorities and actions needed to achieve all the high level objectives in the NJSS, implemented both on bilateral and multilateral bases. The actual prioritization within the needed actions will be completed by the three justice institutions and the Ministry of Finance in close coordination with the ANDS Secretariat. Prioritisation activities have already begun. The activities contained in the ARTF "Reform of the Justice Sector Project" inserted in Part 3 are the result of a prioritisation exercise by the three Justice Institutions, the Ministry of Finance, and the World Bank. Similarly, the ANDS Secretariat has,

through the process of sub-national consultations, identified tier 1, 2, 3, and 4 justice sector priorities in the Provincial Development Plans, which are excerpted for reference in Annex Attachment 2. In developing their own activities and making funding commitments, donors are requested to take these prioritised activities into account.

A. Brief Introduction to Part 2

Part 2 is meant to serve as a reference point and guidance for areas of activities, rather than a description of the specific activities which will need to be carried out in order to achieve the objectives of the NJSS. As such it does not contain specific and detailed prescriptions of the type of actions required to achieve each goal.

It is structured as a logical framework (or "log frame") divided into six broad components linked to the strategic goals of the NJSS and the strategic objectives articulated in the Interim National Development Strategy. Each component is further broken down into specific objectives, which are in turn associated with a variety of key outputs. To ensure proper management and effective implementation of the programmatic activities, it is imperative that the log frame ultimately identifies the Government agency(ies) tasked with leading implementation of each project, as well as the specific implementing partner(s) and funding source(s) for each key output. It is intended that following initial review of the general log frame structure, Government institutions, international partners, and administrators of relevant trust funds will offer input as to the proper allocation of responsibility for specific programme components.⁶ The log frame identifies objectively verifiable indicators, proposed monitoring mechanisms and risk/assumptions upon which success of each activity depends. Effective oversight of the pro-

⁶ As demonstrated in Annexes 1-3, preliminary efforts to incorporate such input have already begun. Ongoing communication between the relevant institutions and stakeholders, guided by the NJP administrative bodies, will ensure that the NJP is updated to reflect the inputs and roles of the institutions and stakeholders as they may shift over time.

gramme will depend in part on proper identification of performance indicators and M&E mechanisms. Accordingly, users are invited to read the log frame carefully and consider the particular programmatic or policy expertise they can offer to support the objectives and key outputs described in the entries.

It should also be noted that the monitoring and evaluation portion of the log frame will be further developed in consultation with the JCMB, which is presently developing a “Matrix for Capturing Progress of Process Indicators” to track progress towards the achievement of the Afghanistan Compact benchmarks. In due course the NJP and Afghanistan Compact monitoring and evaluation methods will be harmonised. This process has already begun, as demonstrated in the Annexes to the programme document.

The areas of activities generically described in Part 2 will be particularised in Parts 3 and 4, which list the actions to be implemented on either a multi-lateral (Part 3) or bi-lateral (Part 4) basis. In setting the priorities for implementation, particular attention will be paid to the Provincial Justice Priorities of the Sectoral Priorities Projects, also referred to as the Provincial Development Priorities identified during sub-national consultations. As noted above, portions of the Provincial Development Plans relevant to the justice sector are excerpted for reference in Annex Attachment 2.

B. Brief Introduction to Part 3

Part 3 contains an application for ARTF funding for a justice project [“the ARTF-Afghan Justice Sector Reform Project Proposal”]. In this task the Government of Afghanistan will be assisted by the ARTF Administrator. The activities will be implemented following an incremental approach articulated in two consecutive phases. All the activities contained in Part 3 will be funded through the ARTF investment and recurrent windows. Procurement, financing, M&E and auditing relat-

ed to these activities will be implemented through the NJP Programme Oversight Committee (acting as a steering committee) and the NJP Programme Support Unit, which will act in accordance with ARTF rules, procedures and mechanisms. The exact shape of the NJP implementation structure in relation to Part 3 activities will be specified in the start-up plan to be negotiated by the ARTF administrator and the Government of Afghanistan.

C. Brief Introduction to Part 4

Part 4 contains information on programmes implemented largely through bilateral mechanisms. These programmes are subject to prioritization and implementation in direct consultation with the donor and the government. The planning and implementation of these programmes are contingent upon donor funding cycles in conjunction with the NJSS priorities and the areas of activities identified in Part 2. The time scale for planning and implementing programmes in Part 4 may differ from multilateral programmes. However, it is inevitable that some programmatic overlap will occur. In these instances the programme management has a consultancy function to address such overlaps or potential duplications in consultation with donor coordination mechanisms, including in particular the PJCM. Part 4 is a robust and dynamic tracking mechanism. It envisages bilateral programmes to be added during the life span of the NJP. It also provides considerable flexibility in addressing programmatic gaps arising during the implementation of either existing Part 2 or Part 3 programmes.

D. Brief Introduction to Annexes 1-3

The process of particularising programmatic initiatives and plans into policy actions that can be tracked, monitored, and evaluated has already begun. Annexes 1-3, also included in this document, demonstrate the commencement of this important process. Annex 1 articulates the key outcomes of the Part 2 log frame as “policy actions” for which

institutional responsibility and projected timeframes have been initially assigned and agreed. Annex 2 restates indicators for the various outcomes, identifies sources of baseline data (where available), and articulates targets against which progress can be measured. Finally, Annex 3 identifies project or programmatic line items in the Government budget that are associated with existing justice sector initiatives. As with the Part 2 log frame, the Part 4 matrix, and the list of existing programmes in Attachment 1, these annexes are intended to be “living documents” that will allow the Government sufficient flexibility to track and plan initiatives as the programmatic elements of the NJP continue to develop.

NJP IMPLEMENTATION STRUCTURES

This segment details the governance structure for implementing the NJP. The success of the NJP depends on the effective functioning of its component parts and their successful interaction with other relevant institutions, both institutionally and operationally.

A. Dual Approach Structure

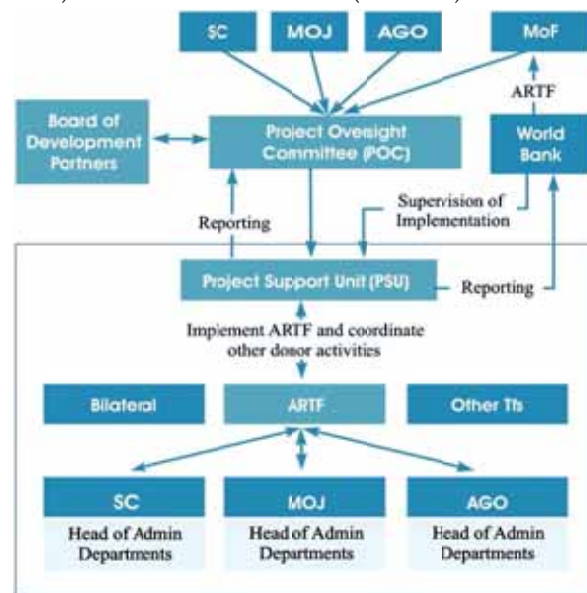
The NJP involves multiple actors. The programme implementation structure is designed to be sufficiently flexible to accommodate this complexity. To ensure organic development, sustainability and Afghan ownership of the programme, this document specifies a “process,” rather than an “implementation,” methodology. That is, the document defines organisational composition and broadly defines the roles and responsibilities of participant institutions, but does not seek to specify the precise steps that each participant will follow in fulfilling assigned duties. It is essential that all programme participants, including those with oversight or management responsibility, be allowed to define and clarify those steps after formation of the oversight and implementation structures. It is also imperative that the programme implementation structure will be able to

integrate into, or conform with, the larger ANDS context.

To accommodate contributions from both bilateral and multilateral funding sources there is a clear need for a single decision-making body to provide an interface between the programme implementation and the political and administrative context. To ensure effective and efficient decision-making, the oversight body must also be supported by an effective support unit and the requisite technical expertise.

B. Introduction to the Program Implementation Structure and Bodies

With the foregoing needs in mind, two structures will be created; one policy-making and the other operational. The policy-making structure will comprise a Programme Oversight Committee (the POC) and a Board of Donors (the BoD).



The POC will have oversight authority over the programme. The POC will be advised in this function by the BoD. The POC will be further assisted in its operations by a Programme Support Unit (the PSU) and separate Programme Units (PUs) to be established in each individual justice institution. The PSU will act as secretariat for the POC, and will be the central operational arm of

the programme. PUs attached to the administrative directors of the justice institutions will assist the PSU. A primary responsibility of the POC and the PSU will be the oversight and coordination of activities funded on a multilateral basis, in particular those activities funded by the ARTF. Accordingly, their establishment and implementation will be coordinated and facilitated by the ARTF administrator.

The ultimate responsibilities and implementing structure of POC, PSU and PU will be defined through a consultation by the Government and ARTF administrators. The Government will consult directly with donors regarding the composition and establishment of the BoD. All of the foregoing bodies are further explained in the following section.

C. Programme Oversight Committee

The POC will provide overall leadership, guidance, and policy direction, and will manage donor relations. In effect, the POC will function as a board of directors for the NJP and any oversight body within the ARTF structure.

1. Composition, Duties and Responsibilities

The POC will be composed of representatives appointed in accordance with Part 3 of the NJP and with the ARTF rules and procedures. Chairmanship of the POC shall be identified in NJP Part 3 and appointed in accordance with procedures to be set by the POC in its first meeting.

The POC will be responsible for establishing the overall policy direction of the NJP, and will act as a steering committee for the ARTF Justice Project (see Part III hereinafter). The POC will adopt such rules and practices as are required to ensure the POC functions effectively and in accordance with its mandate. The duties of the POC will include the following:

- *Ensuring the regular and smooth course of NJP activities;*
- *Maintaining regular and effective communications with administrators of multilateral trust funds, donors and donor-coordinating bodies, including providing advanced notice of likely funding shortfalls;*
- *Identify and recommend solutions for obstacles to effective programme implementation;*
- *Overseeing the drafting of a detailed proposal regarding the PSU start-up process;*
- *Receiving, reviewing and endorsing regular reports of NJP programmatic activities and financial status from the PSU, and generally overseeing work of the PSU;*
- *Providing policy direction on the establishment of NJP priorities, in line with the NJSS.*
- *Ensuring synergy and harmony among multilateral and bilateral project activities;*
- *Establishing and supervising all technical assistance required for programme implementation; and*
- *Facilitating a dialogue between justice institutions and donors to develop a common Monitoring and Evaluation (“M&E”) framework for the implementation of the NJP;*
- *Suggesting possibilities for standardising monitoring and evaluation methods across the entire National Justice Programme, if NJP stakeholders agree that this is desirable;*
- *Overseeing mid-term and final reviews of all NJP activities;*
- *Acting as a steering committee for the ARTF Afghanistan Justice Sector Reform Project; and*
- *Such other activities as are necessary to ensure the smooth operation of the NJP.*

2. POC Relationship with Stakeholders and Establishment of the Board of Donors

As the main policy organ of the NJP, the POC will communicate and coordinate closely with other stakeholders, including donors and other interested Government entities such as the Ministries of Finance, Interior and Education, and the Afghanistan National Development Strategy Secretariat (“ANDS”).

The POC will liaise with donors and with the PJCM. Regular coordination with the members of the donor community participating in the multilateral or bilateral funding mechanisms will be encouraged in order to facilitate cooperative implementation of the Programme and consultation on points of mutual concern to the Government and donors.

To this effect, the Government invites donors to establish a Board of Donors (BoD) to advise the POC on strategic direction and reform challenges. To maximize integration of the BoD with the POC, donors must ensure that the BoD is established simultaneously with the POC. NJP Part 3, Annex 4 envisions that the POC will be established no later than April 2008. Accordingly, the Government requests that existing donor coordination mechanisms, such as the membership of the ICGJR and the PJCM, advise the Government as to the structure and composition of the BoD as soon as possible, and in any case by no later than April 2008. As NJP Part 3 specifically anticipates that the BoD will advise on those aspects of the NJP that are funded through the ARTF mechanism, membership should, at a minimum, include those donors who are committed to support the development and funding of the ARTF project in the short or long term.

3. POC Relationship with PSU

The POC’s rules of procedure and the agreement between the ARTF administrator and the Government will detail all aspects of its relationship with the PSU. At a minimum, it is anticipated that the

POC will select and appoint members of the PSU and oversee its activities. It is further anticipated that the POC will require the PSU to submit regular reports on programmatic, technical, and financial aspects of the NJP. The rules of procedure will also specify how the POC will communicate its decisions prioritising proposed programmatic activities to the PSU. When additional needs not covered by active NJP projects are proposed for inclusion in the Programme, the POC will be responsible for selecting a funding mechanism, and ensuring that all formalities required by the designated funder are satisfied by the PSU.

D. Programme Support Unit

The PSU will be the operational arm of the NJP. It will be a permanent body charged with providing continuous technical support, including coordination of planning, execution, monitoring, and evaluation functions, to the POC. In particular, PSU will be responsible for day-to-day management of the ARTF justice project. The PSU’s specific responsibilities may differ, depending on the source of funding associated with a project and procedures established by the funder. In respect of multilateral projects, the PSU will be charged with activities consistent with applicable legal agreements and trust fund rules, for instance those specified by the ARTF administrator. However, regarding bilateral activities, the PSU will serve primarily in a coordinating and tracking capacity. In these and other responsibilities, the PSU will act according to guidelines established by the POC. The guidelines will further elaborate on the basic principles described below.

1. Selection and Recruitment of PSU Staff

Members of the PSU will be appointed according to the terms of reference and procedures set forth in a PSU start-up plan which will be annexed at a later date to the NJP. The start-up plan and terms of reference will be developed with specific attention to the types of activities that the PSU staff will be required to undertake

in project management, and will identify professional and educational requirements necessary to perform those functions. The PSU staff will be selected through an open application process and evaluated by the objective criteria set out in the start-up plan. As the PSU will be important to the implementation of the NJP, it is essential that the unit be established and staffed at the earliest possible date.

2. Composition

The PSU will be structured as a project in the NJP in accordance with the start-up plan prepared on behalf of POC. The start-up plan will specify whether PSU members will work directly in the individual justice institutions, or whether they will work in a single separately constituted unit. In addition to its permanent staff, the PSU may include international and national consultants, depending on needs and available funds. It is anticipated that during the first years of programme implementation, the need for consultants' expertise will be significant. Consultants will be selected not only for their technical expertise, but also for their ability and willingness to transfer such expertise to the PSU's permanent national staff. Bearing in mind that a function of the PSU is to build capacity in the justice institutions for sustainable strategic planning, programme implementation, and programme evaluation, the PSU itself will be required to transfer capacity to each justice institution's designated Project Unit.⁷ By the end of the programme, it is expected that each justice institution will have developed sustainable capacity to perform the functions that PSU has performed during the life of the programme.

⁷ It is anticipated that each justice will establish a Project Unit comprising the head of administration for that particular institution and one to two project assistants or coordinators, and that each Project Unit will work with staff in departments that are involved in ARTF Justice Project activities.

3. Duties and Responsibilities Regarding Multilateral Trust Funds

As the operational unit for the implementation of the NJP, the primary duties of the PSU will be related to activities implemented on a multilateral basis. In this regard, the PSU will play a leading role in day to day management of the NJP. This role will include the following activities:

- *Coordinating the relations among the World Bank, the Ministry of Finance, and the justice institutions;*
- *Upon request, providing administrators of multilateral trust funds and the JCMB with reports on the status of bilateral projects;*
- *Updating the JCMB M&E unit on the financial and managerial aspects of the NJP;*
- *Drafting semi-annual reports for the POC regarding the financial and managerial status of NJP multilateral projects, the PSU's administration of such projects, including information on progress towards delivery of the NJSS's high-level objectives, risks and problems, as well as actions taken to mitigate them;*
- *Updating multilateral matrices to reflect activities proposed and accepted into the NJP at a later stage and financed through the trust funds;*
- *Ensuring that each project proposal includes a suitable implementation agency;*
- *Undertaking tenders and procurements pursuant to applicable legal agreements;*
- *Undertaking monitoring and evaluation activities specified in Section VI, below; and*
- *Ensuring that the justice institutions are fully informed about the status of NJP projects funded via multilateral mechanisms.*

4. Duties and Responsibilities Regarding Bilateral Funding Mechanisms

Regarding bilaterally implemented activities, the PSU will primarily work as a tracking and coordination body. Its role will be to collect data on bilateral programs, and identify project duplications and synergies. Bilateral donors will also have the option to choose the PSU as an implementation, evaluation, and monitoring body for their own projects. It is anticipated that working with the PSU to arrange such services will benefit both donors and their Government partners by simplifying and streamlining analytical and reporting processes. However, as currently contemplated, the PSU likely will not have sufficient resources to perform such additional duties. Accordingly, a donor that wants the PSU to perform monitoring and evaluation of the donor's programme must agree with the PSU to provide funding for the delivery of M & E services. In the absence of an MOU specifying more detailed services regarding any particular bilateral project, the PSU will be responsible for the following general duties:

- *Identifying possible duplications between bilateral and multilateral activities, and informing the POC of such issues;*
- *Identifying possible synergies between bilateral and multilateral activities, and informing the POC of such issues;*
- *Drafting semi-annual reports for the POC regarding financial and managerial status of NJP bilateral projects, including information on progress towards delivery of the NJSS's high-level objectives, risks and problems, as well as actions taken to mitigate them;*
- *Ensuring that activities are prioritised in accordance with POC guidelines;*
- *Updating donor matrices to reflect activities proposed and accepted into the NJP at a later stage and financed through bilateral mechanisms;*

- *Undertaking a proactive role in requiring information from donors on bilateral future activities and donors' monitoring and evaluation procedures, mechanism and reports;*
- *If donors require, providing information on ARTF activities;*
- *Maintain regular communication with the administrators of multilateral funding mechanisms (such as LOTFA) responsible for implementing any portion of the NJP;*
- *Ensuring that the justice institutions are fully informed about the status of NJP projects funded via bilateral mechanisms; and*
- *Upon request, providing administrators of bilateral projects with reports on the status of multilateral projects.*
- *Producing mid-term and final reviews of all NJP activities.*

In fulfilling these tasks, the PSU will coordinate closely with the PJCM central office in Kabul, so as to maximize the benefit of, and avoid duplicating, the work of the provincial PJCM offices.

5. PSU Relation with POC and Donor Coordination Bodies

The PSU will be accountable to the POC, and will transmit all programme reports, data, and results to the POC. The POC will assume responsibility for communicating relevant information to the justice institutions, other governmental entities and donors.

6. Funding for PSU

The PSU will receive funding support through the ARTF structures and mechanisms, as described in Part 3.. Securing such funding is critical to ensuring full implementation of the NJP. The start-up plan for the PSU will be designed and treated as

a programme priority and, as such, will specify budgets, timelines, and other operational details necessary to project financial and logistical support needs for the life of the NJP. Because all NJP implementation depends on completing the organisation and funding of the PSU, development and establishment of the start-up plan will be the first and foremost responsibility of the POC in coordination with ARTF Justice Project administrators.

7. Composition, Duties, and Responsibilities of PSU acting as POC Secretariat

Given the complexity of NJP oversight the POC could benefit from sustained administrative and logistical support provided by PSU .

Duties and responsibilities of PSU, acting as POC Secretariat will be identified in the Part 3's annexes. It is anticipated that the Secretariat's functions would include the following:

- *Making all logistical arrangements necessary for meetings of the POC;*
- *Elaborating agenda, minutes and background documents for POC members;*
- *Facilitating the recruitment and selection of expert(s) to prepare technical proposals on topics identified by POC ;*
- *Undertaking other activities as specified by the POC.*

E. Programme Units

It is anticipated that in the implementation of the ARTF justice project, the justice institutions will be assisted by Programme Units (PUs) attached to their respective directors of administration. Size and composition of such units will depend on institutional need and funding availability. Generally speaking, the PUs should remain small in size, and should rely to the greatest extent possible on existing administrative capacity, so as to

minimize parallel administrative structures and increase capacity building and skills transfer.

F. Sequencing of NJP Implementation Structures

To ensure that sequencing of implementation of the NJP and associated structures is clear, the following timeline is provided:

- *The NJP has been adopted;*
- *The POC is constituted;*
- *The PSU is established and staff appointed;*
- *PSU operations begin;*
- *PU's are established according to institutional needs.*

Although establishment and start up of the POC and PSU should be expedited to the extent reasonably possible, it must be clear that in the meantime existing justice activities should continue, and planned activities should be implemented according to current schedules and existing agreements with the justice institutions. That is, possible delays in establishment of the POC and PSU should not compromise the scope, quantum, or pace of existing or planned justice sector efforts. During the interim period before the POC and PSU are operational, donors will be able to refer to the National Justice Sector Strategy and Part 2 of this document (as well as the Annexes that the Government has begun to develop) for overall directional guidance, and should adapt their activities accordingly.

G. POC and PSU Coordination Regarding Insertion of New Activities into Parts 2, 3, and 4

The programmatic parts attached to this document may not fully address all possible types of assistance to be implemented in the next five years. The Government seeks to retain its ability to address priority activities and needs identi-

fied by the justice institutions in the future, and recognizes that many such needs may be best addressed through multilateral funding mechanisms. However, some donors may implement valuable programs that are planned bilaterally, and such plans may be developed on an annual basis. To that end, the NJP must be sufficiently flexible to include programmatic activities developed after this program has become effective. The Programme Support Unit (PSU) will be responsible for ensuring that such activities are added to the NJP in an orderly manner.

1. Insertion of New Activities to be Funded by Multilateral Mechanisms

Justice institutions are primarily responsible for identifying additional needs not covered by the activities already contemplated in the NJP Part 2 logical framework. The ARTF-Application provides mechanisms to allow the NJP implementation bodies to evaluate whether such activities can be supported by the justice project of the ARTF.

In case the additional needs are most appropriately financed by multilateral funding mechanisms other than the ARTF, the justice institutions' representative(s) to the Programme Oversight Committee (POC) (described below) will communicate such newly-identified needs to the Committee. The POC will determine if a trust fund mechanism is available to finance the suggested activity. If one or more trust fund mechanisms exist, the POC will consult with the appropriate trust fund administrator(s) to verify the availability of funding. Having received preliminary approval, the POC will direct the PSU to insert the activity in the most applicable section of the NJP logical framework. Thereafter, the activities will be implemented in the manner specified in the applicable agreement, as described in greater detail below.

2. Insertion of New Activities to be Funded by Bilateral Mechanisms

Bilateral activities will be developed through direct consultation between donors and the relevant justice institution(s). Once agreed, a description

of a proposed bilateral project will be developed and communicated by the donor to PSU, which will receive the information on behalf of POC. To ensure sufficient opportunity to review the proposed project and identify possible duplication or synergies with existing or planned projects, ample notice of any new planned activity should be provided before the activity commences. POC may be assisted by PSU in the mechanics of the initial review of the proposed project. In the event POC identifies possible duplication or synergies, POC will direct PSU to communicate that information to the donor and relevant donor coordination groups so that Government and international partners have an opportunity to address resulting concerns. In the event POC determines that no further review is required, POC will direct PSU to insert the planned activity in Part 4 of the NJP, and will provide notice of the addition to relevant donor coordination groups in the next regular reporting cycle.

FUNDING MECHANISMS

Government funding through the Ministry of Finance is the first possible source of monies to support programmes and initiatives of the justice institutions. However, it is anticipated that substantial donor support will be needed to accomplish planned work in the justice sector. The Rome Conference envisioned a justice programme supported by multiple sources of funding and, therefore, multiple funding structures.⁸ Of these, certain require a more detailed explanation. In particular, the multilateral funding sources have certain fixed legal and procedural elements that will have a role in shaping management and oversight of the NJP.

A. ARTF Structure, Mechanism and Financial Reporting System

The Afghanistan Reconstruction Trust Fund

⁸ The final Joint Recommendations issued by the Rome Conference identify key actions to be taken following the conference. One of these was to "establish a mechanism for pooled donor funding and management for the National Justice Programme, along with bilateral assistance." The Conference noted that "a mechanism financed under the ARTF structure shows the most potential in this regard."

(ARTF) is a multi-donor funding mechanism administered by the World Bank in conjunction with donors and the Ministry of Finance, and will be one of the sources of funding for the NJP. The ARTF is designed to allow multi-donor pooling of funds to complete projects and programs within the NJP according to its requirements. A significant portion of the NJP will be funded through ARTF mechanisms. The ARTF was established in May 2002 as a coordinated financing mechanism for reconstruction activities in line with Afghanistan's national priorities. It is administered by the World Bank ("WB") in cooperation with other international agencies. The ARTF consists of two funding mechanisms, firstly support for the Government of Afghanistan's recurrent budget, such as salaries of Government employees, and secondly, the financing of investment projects of the Government. In WB terminology the former is referred to as "Recurrent Cost Financing" and the latter, currently consisting of 10 active projects, as "Investment Financing." One more investment program, namely the Management Capacity Program, is expected to become operational by the end of 2007.

The Recurrent Cost Financing has been used to support the Government's recurrent budget in respect of salary payments and of operation and maintenance expenses. The total size of the ARTF recurrent window is capped at \$276 million for 1386 (2007). This cap has been set in agreement with the International Monetary Fund ("IMF"). The capital of the ARTF is provided by, as it currently stands, 27 donors, and amounts to \$2.3 billion (U.S.).

The ARTF has a three-tier governance structure consisting of, firstly, the WB as Administrator of the ARTF; secondly, a Management Committee ("MC") composed of the WB and the United Nations Development Programme, the Islamic Development Bank, the Asian Development Bank, and the Government as observer; and lastly, the donors.

The MC has the ultimate authority to deny funding to the ARTF where in its view significant doubts arise as to whether the funds concerned will be effectively used for the agreed purpose. In addition, it performs a regular monitoring function over the utilization of funds. In order to fulfill this oversight function for expenditures in the recurrent window, the Administrator appoints an independent Monitoring Agent.

The MC's primary duty is to oversee the activities of the ARTF. It meets on a monthly basis and receives a quarterly report on the activities of the ARTF, produced by the Administrator. The quarterly report focuses mainly on the financial state of the trust and a summary of expenditures.

Donors' participation in the management of the ARTF is limited to a review of its activities and the provision of strategic guidance. This takes place in the form of an annual meeting of all donors, joined by the Government, and a smaller quarterly meeting of a donor committee, which is able to give guidance with respect to short-run implementation issues. The annual donors' meeting reviews the previous year's budget outcomes and the outlook for the current year's budget, and initiates budget preparation for the following year.

Establishment of an Investment Project

All proposals for investment financing projects must address a funding gap for a Government priority project or program. The preparation of a Proposal for an Investment Financing Project, in this case the NJP, is the first step in the establishment of an investment project under the ARTF. In the present case, this would be the National Justice Program read with the National Justice Sector Strategy. The planned project must be included in the approved national budget.

In a second Step, the Project Proposal must be satisfactorily appraised by sector experts, who produce a Project Appraisal Document. This doc-

ument constitutes the feasibility study of the project. In a third step, the MC evaluates the Project Proposal Document. If the MC is satisfied with the proposal and determines that funds are available, the MC approves financing. At this stage, the Investment Financing Project has been approved for financing by the Administrator.

Following approval, the Legal Agreement is prepared by the WB as ARTF Administrator. It contains a Technical Annex which addresses all issues pertinent to the project and its implementation. It includes chapters detailing the general conditions of the project, a description of the project, an account of the institutional arrangements, including details on its implementation, as well as an action plan, monitoring and evaluation procedures and risks. Once agreed and countersigned by the WB and the Government, the Legal Agreement becomes effective and binding, and disbursement of funds can commence. At this point, the Investment Financing Project is active.

The disbursement, financial management and procurement procedures for the Investment Financing Project follow standard WB operational policies and procedures. Full details of these arrangements can be found in Annex to this NJP.

B. LOTFA Structure, Mechanism and Financial Reporting System

The ARTF is a limited funding mechanism; it is unable to fund salaries or other programmatic activities related to security, with the result that it cannot serve certain aspects of the justice sector, notably the Central Prisons Directorate of the Ministry of Justice. The Law and Order Trust Fund (LOTFA) was created to administer funding for remuneration, recruiting and training activities, infrastructure development, and equipment and supplies for the police and other law enforcement agencies, including those charged with responsibility for corrections and prison operations, and thus it is intended that LOTFA will be used

as the multilateral mechanism for supporting the corrections system.

In May 2002, at the request of the Government and UNAMA, UNDP established a Law and Order Trust Fund for Afghanistan (LOTFA) to enable the police to return to operation throughout the country. LOTFA is managed by UNDP and governed by UNDP's financial rules and regulations.

LOTFA is designed to cover all essential costs of "the start-up and operational needs of the police force." An existing project document and terms of reference provide a framework for the activities undertaken with LOTFA funding which limits support to police employees or units reporting to MoI or falling under the direct responsibilities of MoI, as opposed to security being affiliated with other ministries and agencies. However, it is anticipated that the project document and/or terms of reference can and will be amended to extend the scope of LOTFA activity to the corrections system, including employees of the Central Prisons Directorate in the Ministry of Justice.

1. Implementing Agency

The Government, through its designated institution the MoI, retains overall responsibility as the implementing agency of LOTFA, with support from international partners. As the Implementing Agency, the Government is therefore responsible for the overall achievements of the results. UNDP is a key international partner, helping the Government coordinate overall support of the project and liaise with relevant partner institutions and stakeholders. A UNDP Program Officer is responsible for monitoring expenditures, reviewing quarterly work plans and reports, and following up on monitoring missions' recommendations.

The MoF acts as an implementing partner for the purpose of reimbursement of National Budget expenditures and the individualized payment to police personnel.

A Management Support Unit (MSU) has been established under the supervision of the MoI to carry out tasks that cannot be handled by existing Government mechanisms.

2. Financial Management for Funds Disbursement & Reporting

Advances are processed on a quarterly basis according to the following steps:

a. *The Treasury Department of the Ministry of Finance prepares a Draft Quarterly Financial Report no later than 30 days after the end of each Quarter, including a request for advance, according to agreed formats and procedures. The purpose of the financial report is to request a quarterly advance of funds, to list the disbursement on the project by budgetary basis, and to reconcile outstanding advances and foreign exchanges loss or gain during the quarter.*

b. *The Draft Financial Report and Quarterly Financial Forecast are reviewed and endorsed by the Ministry of Interior, as the Implementing Agency, prior to submission to UNDP.*

c. *Upon receiving and reviewing the Quarterly*

Financial Report and Quarterly Financial Forecast, UNDP releases the required advance into the appropriate bank account indicated by the Treasury Department of the Ministry of Finance.

d. *The Treasury Department of the Ministry of Finance processes and accounts for these funds vis-à-vis the Government budget, and releases funds to the Executing Agency accordingly.*

For audit and reporting purposes, MoF is required by UNDP to produce evidence of, and bank statements related to: the amount received by the designated bank; the date, amounts, and exchange rate at the time of the withdrawal, of withdrawals made in local currency by MoF to the designated account; fees, if any, related to exchange transactions.

LOTFA is coordinated by a Steering Committee chaired by the Minister of Interior, with representation from MoF, UNAMA, and UNDP, and major donors. It meets quarterly, and oversees Project activities. The Project is managed in accordance with UNDP rules and regulations.

C. CNTF Structure, Mechanism and Financial Reporting System

The Counter Narcotics Trust Fund (“CNTF”) came into existence on 29 October 2005 as a key financial vehicle of the Counter Narcotics Implementation Plan of the Afghan National Drug Control Strategy (“NDCS”).

The areas of intervention identified by the Counter Narcotics Implementation Plan include the enforcement of drug laws and criminal justice, both of which are relevant to the development objectives of the NJP. With respect to the former, specific structures and institutions such as a Counter Narcotics Police, Counter Narcotics Courts and special detention facilities for drug offenders have or are being created. Narcotics related interventions in the area of criminal law include the passing of a Counter Narcotics Law in 2005.

1. Management Structure

The management structures of the CNTF comprise the Ministry of Counter Narcotics as the implementing entity, responsible for policy development and coordination, and the Ministry of Finance as the executing entity and financial manager of the overall CNTF programme. The UNDP Country Office for Afghanistan acts as the administrator of the CNTF, managing and administering the funds.

This task includes the monitoring of expenditures, review of workplans and reports and follow-up of recommendations of monitoring missions. A Cabinet Sub Committee on Counter Narcotics, chaired by the Minister for Counter Narcotics, is

charged with the development of counter narcotics strategies and implementation plans and acts as the Afghan Government's primary decision-making authority on counter narcotics policies. The Sub Committee also approves on behalf of the Government the priorities for expenditures from the CNTF and sets guidelines and policies for the allocation of CNTF funds.

The Sub Committee reviews and agrees on overall allocation of CNTF resources, while the CNTF Management Board approves individual project proposals.

The Management Board consists of international and multilateral partners, as well as the Government of Afghanistan. A Steering Committee forms the final building block of the management structure of the CNTF, providing guidance on strategies for the administration of the trust fund, fund mobilisation and programme implementation.

2. Contribution, Disbursement and Utilisation of Funds

Contributions to the CNTF can be in the form of voluntary contributions, or contributions to specific identified projects. It is therefore possible for donors to earmark funds for specific projects. Donors enter into a bilateral administrative agreement with UNDP which specifies the financial commitment, disbursement schedule, support and administrative fees, reporting requirements, use of funds, and termination clause. Each commitment is also governed by the generic Terms of Reference of the CNTF.

Fund utilisation is through the National Execution ("NEX") system. UNDP has designated the Ministries of Finance and Counter Narcotics as the NEX executing agencies. Standard protocol establishes the controls to be performed before authorisation of payments, the establishment of accounts, and the report requirements. The Ministry of Finance releases funds through the Treasury Department

to the line ministries' implementing projects. This process means that funds can only be disbursed if line ministries have formulated counter narcotics projects that meet the requirements of the CNTF administrator. In practice, only a relatively small number of projects have satisfied these requirements.

3. Monitoring and Evaluation

Monitoring of the CNTF is carried out by the implementing and executing agencies, as well as by the UNDP. In addition, there is a Monitoring Agent assigned by the Ministry of Finance. Audit arrangements of the CNTF are governed by the National Execution Modality audit regime, which transfers audit responsibilities to the Auditor General of the Government.

In addition, the CNTF project document provides for independent evaluations to be organised by UNDP over the course of the program's life. A first, mid-term, evaluation took place earlier this year. Publication of results is pending, but it should be noted that there is a possibility that the management structures of the CNTF might be changed in light of findings and recommendations from the evaluation.

D. Bilateral Structures, Mechanisms, and Financial Reporting Systems

Donor funding on a bilateral basis consists of donor government or agency funding and programmes delivered directly to the justice sector. To date, such assistance comprises most justice sector initiatives and programmes currently in operation in Afghanistan. The ICGJR offers donors a forum to discuss cooperation, but until recently, there existed no mechanism at the implementation level to coordinate reporting, improve project synergies, and avoid duplication. The newly launched PJCM is designed to fulfill these functions for bilaterally funded projects at the provincial level. The NJP seeks to increase coordination

in the justice sector as a whole, in line with the NJSS and without disrupting existing successful programmes. To this end, the NJP anticipates close coordination between the programme implementation bodies and the PJCM, once it becomes operational.

Generally, bilateral activities are planned on an annual basis, and are an outcome of direct negotiations between the donor country or agency and the Government. Bilateral programs are run according to the donor country's or donor agency's funding, implementation, monitoring and evaluation requirements. The primary purpose for including bilateral programs in the NJP is to encourage a synergistic and holistic approach to the justice sector, minimizing the possibility of disruptions and uncertainties that may result from short-term planning. Accordingly, the NJP will ensure that donors will have the ability to continue independent program planning and operations, with the benefit of the additional coordination and Government input provided by the PSU reporting and planning exercises.

MONITORING AND EVALUATION

A. Methodology

Programme monitoring and evaluation (M&E) activities will be structured in an open manner in order to accommodate a range of applicable standards, including those specified in ANDS guidelines, legal agreements and other standards relating to NJP funding mechanisms, as well as existing standards in current projects. M&E activities are critical to ensuring the success of the NJP and, properly structured, represent a valuable investment of resources. Thus, ensuring that a) basic data capturing, management and analysis mechanisms are put in place for operational, planning, decision-making, transparency, accountability and learning purposes, b) the reporting system has the capacity to generate indicators or warnings of programme weaknesses, allowing the Government, donors, or implementers to take

timely corrective actions where necessary, and c) effective follow-up are in place is as central to the programme as the programmatic activities themselves. It must be acknowledged at the outset that the Government's capacity to analyse the performance of the justice system is limited by a lack consistently reliable data. As such, impact and effectiveness of programmatic inputs may be difficult to assess without the establishment of a baseline of data regarding the performance of the legal system. Comprehensive data gathering could be costly but will ultimately yield management and oversight efficiencies. It has therefore been included as one of the proposed development objectives in Part 2 (and as a policy action in Annex 1). In several instances, the Part 2 matrices suggest a reference to survey data as a means for monitoring and evaluating individual component activities. In those instances, it is anticipated that the proposed legal system performance survey would be the source of relevant data.

Programme M&E activities will provide timely feedback and analysis to programme partners, funders, managers and implementers. Information generated through the M&E process will be used to: facilitate problem-solving at the individual project level, identify trends requiring corrective action at the programme level; evaluate programme performance; document successful approaches and lessons learned; and support strategic planning efforts. M&E activities and analyses will be based on measurement of key indicators linked with the inputs and outputs of project components and consistent with ANDS and NJSS benchmarks. Such indicators will be monitored closely during project implementation.

B. Monitoring and Evaluation Process

The Government recognizes the paramount obligation to its own citizens to ensure that NJP activities are delivering expected results, and further recognizes that delivery of aid may be conditioned on reasonable requirements to par-

ticipate in donors' own monitoring and evaluation efforts. At the present time, M&E activities are fragmented and varied, depending on the funding stream of individual projects. The Government, through the JCMB, conducts monitoring of certain high-level benchmarks, including those in the Afghanistan Compact. There is no centralized reporting or evaluation system, and many of the existing reporting requirements are overlapping. M&E activities should be structured in a manner that eliminates unnecessary duplication and overlap and facilitates effective and efficient implementation of NJP activities. Therefore, the Government anticipates that, over the life of the NJP, M&E activities will be further harmonized and coordinated, allowing a more focused analysis of programme success.

As with all other elements of the NJP, M&E efforts will respect and naturally build on the work already carried out by the Government and the donor community. Ultimate responsibility for M&E will rest with the Government. As demonstrated in Annex 2, the Government has begun the process of implementing M&E initiatives.

The NJP will include five types of monitoring and evaluation activities:

- *Financial monitoring of NJP expenditures will be performed according to procedures associated with relevant funding stream(s); that is, ARTF, LOTFA, CNTE, and bilateral donor expenditures will be monitored in accordance with procedures specified in applicable agreements with the Government, and Government-funded expenditures will be monitored according to applicable law and procedures.*
- *Implementation monitoring of ongoing subprojects will focus on measuring progress against benchmarks, targets, or goals (outputs).*
- *Post-implementation monitoring of completed subprojects will focus on the quality of completed subprojects (e.g., design, construction, and lessons learned) and sustainability.*

- *Programme evaluation will provide a more in-depth assessment of development outcomes and impacts and the effectiveness and efficiency of implementation (including institutional arrangements, policies, procedures and management systems).*
- *Programme impact monitoring will provide an in-depth analysis of whether stakeholders and the Afghan public perceive that the NJP is having an impact on restoring an effective justice system, which is developing in a manner that meets their needs.*

C. Entities in Charge of Monitoring and Evaluation

Ultimate responsibility for evaluation of NJP activities rests with the Government, and must be a cooperative effort shared by all justice institutions. However, the flexible structure of the NJP allows multiple funding sources, creating a risk of a proliferation of overlapping M&E requirements and efforts. At the present stage of justice sector assistance, M&E activities are fragmented. Donors conduct monitoring and evaluation activities for their own information and records. Multilateral funders' legal agreements establish detailed systems for monitoring and standards for evaluations. Bilateral donors' agreements with the Government may reflect an *ad hoc* grouping of monitoring systems and evaluation methods. The Government attempts to comply with donors' varying requirements, but the range of reporting systems complicates its own efforts to monitor and evaluate progress in the justice sector as a whole.

It is recognized that a successful monitoring system must avoid undue complexity, and should be based on mutual sharing of monitoring and evaluation data. Accordingly, the PSU will play a primary role in ensuring coordination of M&E methods, measures, and processes. PSU will review proposed projects for addition to the NJP, and will advise on possible efficiencies to be sought and duplications to be avoided in proposed M&E activities. As projects progress, PSU will also as-

sume responsibility for coordinating reports of monitoring and evaluation data, including measures of provincial impact. Its centralized role in collecting and reporting monitoring data will allow it to work cooperatively with donors or their representatives to minimize inefficiencies in the reporting processes.

D. Monitoring & Evaluation Process

The NJP aims not only to develop a holistic approach to the implementation of assistance in the justice sector, but also to harmonize the monitoring and evaluation systems which, to date, lack coordination. Enhanced harmonization should serve to increase the quality of information flow both to the Government and to its donors. The NJP implementation structure should also serve as a tool to facilitate the Government's compliance with existing donor reporting requirements.

1. Monitoring and Evaluation of Multilateral Projects

The POC will play an active role in coordinating and formulating M&E policies. The PSU will coordinate the Government's compliance with multi-lateral funders' monitoring and evaluation procedures. Project indicators for NJP elements that will be funded through the multilateral mechanisms, including ARTF, LOTFA and CNTFA, will be developed pursuant to the processes set forth in the relevant governing agreements. That is, for those components of the NJP funded via the ARTF, the normal rules and procedures governing the operations of the "Recurrent" and "Investment" windows of the ARTF will apply to each respective program component, including mid-term review procedures.

A Monitoring Agent is currently in place to review and report on expenses in the "Recurrent" cost window, and will continue to use currently applicable review and reporting mechanisms. M&E for NJP programme components funded through the "Investment" window will be conducted by

entities designated in the General Conditions and Technical Annex to a project legal agreement to be negotiated between the ARTF Administrator and the Ministry of Finance.

It is anticipated that these documents will establish one or more monitoring and evaluation unit(s) specifically charged with overseeing M&E activities for the ARTF components of the NJP, and communicating with the PSU regarding exchange of M&E data and reporting. Similarly, LOTFA-funded projects will be monitored and evaluated in accordance with the United Nations Development Programme's standards and procedures and the UNDP Handbook on Monitoring & Evaluating for Results, and CNTF-funded projects will be monitored and evaluated according to the procedures already in place for that trust fund.

2. Monitoring and Evaluation of Bilateral Projects

With respect to bilateral mechanisms, the PSU will work to facilitate a successful monitoring system that avoids undue complexity and encourages the exchange of monitoring and evaluation data between the Government and donors. Evaluation of NJP program components to be carried out as bilateral projects will be performed consistent with ANDS procedures for monitoring and evaluation, as well as existing project guidelines. To the extent existing project guidelines and ANDS procedures are inconsistent, bilateral programs will, at least initially, be evaluated pursuant to existing project guidelines so as to minimize undue disruption of current work. However, over time, it is expected that a three-phased process for identifying and articulating bilateral project indicators will be implemented. The process will involve preliminary articulation of indicators by the donor, followed by PSU review and joint re-articulation. In submitting information concerning proposed bilateral projects to the PSU, donors will propose indicators, as well as monitoring and evaluation methods, in their project descriptions. PSU will review the project proposal to identify potential

deficiencies in analyses or data collection and to ensure consistency with ANDS standards. Thereafter, the donor, the PSU, and ministry partners will collaborate to address any issues identified during the PSU review. Following the initial review of proposed project indicators, PSU will coordinate a clarification process, during which the parties will jointly work to eliminate gaps or other deficiencies in the articulation of project indicators.

3. Monitoring & Evaluation Design and Reporting

PSU will explore possibilities for consolidating M&E design and reporting with trust fund officials and donor programme managers. Such discussions would ideally result in a process that encourages ministries and other partners to participate in the development of a single, coordinated M&E process. The issue will require substantial policy and technical discussions, which may be pursued during the life of the NJP. With such goal in mind the duties of the POC will also include the facilitation of a dialogue between justice institutions and donors to develop a common monitoring and evaluation framework for the implementation of the NJP.

E. Evaluation Time Schedule and Reporting System

M&E data collection, reporting and analysis will be conducted according to the timelines and procedures negotiated with administrators of multi-lateral trust funds and with bilateral donors. The PSU will collect and maintain records of such agreements, for instance the legal agreement of the ARTF. The Government notes that in negotiating such agreements, a priority will be minimizing the frequency of duplicative reporting, so as to reduce administrative burdens and costs.

GENERAL EXPECTED OUTCOMES, RISKS AND FINAL REMARKS

A. NJP Expected Outcomes

The purpose of the NJP is to execute the NJSS.

1. Afghanistan Compact and NJSS

The high-level objectives of the NJSS are directly derived from the Afghanistan Compact Rule of Law Benchmarks. The latter are quoted below:

By end 1389 (March 2011), the legal framework required under the constitution, including civil, criminal and commercial law, will be put in place, distributed to all judicial and legislative institutions and made available to the public.

By end-1389 (March 2011), functioning institutions of justice will be fully operational in each province of Afghanistan, and the average time to resolve contract disputes will be reduced as much as possible.

A review and reform of oversight procedures relating to corruption, lack of due process and miscarriage of justice will be initiated by end-1385 (March 2007) and fully implemented by end-1389 (March 2011); by end-1389 (March 2011), reforms will strengthen the professionalism, credibility and integrity of key institutions of the justice system (the Ministry of Justice, the Judiciary, the Attorney-General's office, the Ministry of Interior and the National Directorate of Security).

By end-1389 (March 2011), justice infrastructure will be rehabilitated; and prisons will have separate facilities for women and juveniles.

Following on from these benchmarks, the NJSS takes a holistic view of the Afghan legal system, and takes into consideration contextual, overarching and cross-cutting issues. In the NJSS, the

benchmarks have been combined and reshaped into three high level objectives, with corresponding areas of activity. A listing of the goals and expected outcomes follows⁹: The structure of the Part 2 log frame corresponds, in broad terms, to the structure of the NJSS, with two NJP log frame components devoted to each of the three NJSS goals. However, for programmatic reasons, the structure of the log frame does not precisely replicate that of the NJSS. To guide the user, the following list of NJSS goals and expected outcomes is annotated in parentheses with the corresponding row number(s) of the NJP log frame:

- *Goal 1: Improved institutional capacity to deliver sustainable justice services*
- 1. *Institutional Reform, Restructuring, Management, Information and Processes - within five years the justice institutions, individually or jointly, will:*
 - *Be structured, managed and staffed according to processes that improve efficiency and enhance performance (NJP Part 2 rows A.1.1, A.1.2, A.2.4, A.2.5);*
 - *Have strengthened their management, leadership and administrative capacity (NJP Part 2 rows A.1.2, A.1.3);*
 - *Have established programme management units for development planning, analysis and implementation (NJP Part 2 row A.3 and related Key Outputs);*
 - *Have established and/or enhanced specialized capacity to prosecute and adjudicate cases involving cross-cutting issues in counter narcotics, violence against women, corruption, as well as juvenile justice (NJP Part 2 row E.2 and related Key Outputs);*
 - *Establish a judicial service commission to evaluate the judiciary and make recommendations for necessary improvements (NJP Part 2 row A.1.4); and*

⁹ As the specific language of the NJSS is being completed simultaneously with this document, objectives may require further harmonisation. The text reflects language from the most recent draft of the NJSS.

- *Have established translation and publication units (NJP Part 2 rows A.1.5).*
- 2. *Human Resource Development and Salaries - within five years, the justice institutions, individually or jointly, will:*
 - *Have recruited and promoted justice professionals on merit, based on established policies and procedures, including meeting the target of 30% of the professional staff being female (NJP Part 2 row A.2.1);*
 - *Be paying their professional and other staff according to increased salary and updated grading policies and scales (NJP Part 2 row A.2.2); and*
 - *Have developed and implemented institutional arrangements for vocational training of judges and prosecutors, as well as for continuing legal education (NJP Part 2 rows C.2 and C.3, and related Key Outputs).*
- 3. *Information Systems and Processes - within five years, the justice institutions will:*
 - *Have mapped in detail the processes linking them, and will have streamlined these processes to improve information systems and business processes, with the aim of reducing delays in processing of cases, administrative costs and vulnerability to corruption (NJP Part 2 rows E.1, and related Key Outputs).*
- 4. *Professional Integrity and Institutional Transparency - within five years the justice institutions, individually or jointly, will:*
 - *Have determined their vulnerabilities to corruption and established policies and procedures to eliminate such vulnerabilities (NJP Part 2 row A.6.2);*
 - *Have published and disseminated codes of ethics and professional standards at the national and provincial level (NJP Part 2 row A.4.1);*
 - *Have trained 60 percent of all judges and prosecu-*

- tors on their respective ethics codes and arranged for curricula at university and Stage courses to incorporate ethics training (NJP Part 2 row A.4.2);
- Have worked in cooperation with the Independent Bar Association to put in place enforcement, oversight and disciplinary mechanisms, like ethics panels (NJP Part 2 rows A.4.3); and
 - Have established in at least eight major provincial capitals an easily accessible, easily used and fully functioning public complaints system (NJP Part 2 row F.1.4).
5. *Infrastructure, Transportation and Equipment - within five years the justice institutions, individually or jointly, will:*
- Complete an inventory of all infrastructure and transportation assets (NJP Part 2 row B.1.1);
 - Establish a comprehensive, nationwide (regional, provincial and sub-provincial), prioritised and sequenced infrastructure development plan with standardized designs (NJP Part 2 row B.1.1);
 - Develop training materials and programmes for maintaining and managing facilities, transportation and equipment (NJP Part 2 rows B.1.2, B.1.3);
 - Construct a new Supreme Court building in Kabul; as well as new MOJ and AGO headquarters facilities (NJP Part 2 rows B.1.4);
 - Construct or rehabilitate justice infrastructure, including offices, courts, prisons, and juvenile rehabilitation centers in all provinces (NJP Part 2 rows B.1.1, B.1.5);
 - Construct and maintain residences for judges (NJP Part 2 rows B.1.1, B.1.5); and
 - Have sufficient transportation assets to provide justice services throughout the country (NJP Part 2 rows B.3 and related Key Outputs).
 - Goal No. 2: Improved coordination and integration within the justice system and with other state institutions.
1. *Legislative Processes - within five years,*
- The MOJ and Parliament will increase cooperation to strengthen and enhance the efficiency of the legislative process and clear the current backlog of legislation; and systems will be improved so as to ensure increased efficiency and the prevention of future backlogs (NJP Part 2 row D.3 and related Key Outputs);
 - Taqin will be strengthened through reforms and restructuring to enable it to more effectively carry out its legislative duties (NJP Part 2 row D.1 and related Key Outputs);
 - Regular English language classes will be provided to relevant staff in each justice institution so that they can communicate and make use of legal resources in English (NJP Part 2 row A.1.5);
 - Taqin will review all draft laws and amendments for consistency with international human rights instruments applicable to Afghanistan (NJP Part 2 row D.2.2);
 - MOJ will ensure timely publication and distribution of laws to all state institutions and ensure their availability to the public (NJP Part 2 row G.1 and related Key Outputs);
 - Relevant institutions will conduct a comprehensive and gender oriented review and prioritisation of civil, criminal, and commercial laws that are required to be enacted or amended to complete the legal framework required by the Constitution (NJP Part 2 rows D.2 and related Key Outputs);
 - All laws will be fully harmonized with the implementation requirements of the United Nations Convention Against Corruption, and other applicable international treaties and conventions, including the, International Covenant on Civil and Political Rights, and the Optional Protocol; Convention on the Elimination of All Forms of Discrimination against Women; United Nations Convention against Transnational Organized Crime; International Convention on the Elimination of

All Forms of Racial Discrimination; and International Covenant on Economic, Social and Cultural Rights (NJP Part 2 row D.2.2);

- *A new criminal procedure code will be enacted and disseminated, and for its implementation, training with written commentary will be provided to relevant legal professionals (NJP Part 2 rows E.1.2, E.1.3,);*
 - *All laws, regulations, and other legal instruments will be compiled, indexed, published and distributed to the public nationwide and to state institutions at all levels, and will also be uploaded and maintained on publicly accessible government websites (NJP Part 2 rows D.2 and related Key Outputs and F.1 and related Key Outputs); and*
 - *All government agencies and ministries will have improved their technical capacity to draft and propose non-discriminatory legislative and regulatory instruments (NJP Part 2 row D.3 and related Key Outputs).*
2. *Legal Education and Training – within five years:*
- *A harmonized core curriculum for university faculties of law and political science and of Shari'a will be completed and launched (NJP Part 2 row D.1.1);*
 - *A masters' programme in law will be developed (NJP Part 2 rows D.1.2);*
 - *All new entry level prosecutors, judges and government lawyers will have legal qualifications from universities or other institutions of higher education and will have completed Stage (induction) vocational training offered in coordination with the NLTC (NJP Part 2 rows C.2 and related Key Outputs);*
 - *Afghan law professors and law students will have access to legal scholarship materials and resources, and will have updated and modern (including technological) research and teaching facilities in all university faculties of law and political science and of Shari'a (NJP Part 2 rows C.1.3, C.1.4);*

- *The percentage of female professors and female students will be raised to 30 percent at university faculties of law and political science and of Shari'a, and provide them necessary facilities and remedial courses as necessary (NJP Part 2 row C.1.8); and*
- *Formal arrangements and procedures for partnerships, scholarships and other linkages with foreign academic and vocational training institutions will be concluded and operational (NJP Part 2 row C.1.5);*
- *NLTC will have expanded its activities to fulfill its Presidentially-mandated duties and, in addition to conducting the judicial Stage, will have developed, in consultation with the justice institutions: curricula and continuous education programs for judges, prosecutors and legal officers; and a national law library and legal archive for legal research (NJP Part 2 row C.2 and related Key Outputs).*
- *Goal 3: Improved Quality of Justice.*

1. *Criminal Justice System - within five years:*

- *No suspect or accused person will be in detention or incarceration without the prerequisites of a lawful charge, being informed of the charges against him or her, and authorization of a competent authority (NJP Part 2 row E.3 and related Key Outputs, and row E.6 and related Key Outputs);*
- *The SC, MOJ, AGO, police and NDS will take necessary measures to implement information management systems to better coordinate their functions and activities. This will include strengthening and fully integrating case management, tracking and operating systems and deploying such systems in at least eight major provinces (NJP Part 2 rows F.1.1, F.1.7, F.1.8, F.1.9, F.1.10);*
- *The implementation of the Juvenile Justice Code will have resulted in regulations being promulgated and applied, juvenile justice professionals being trained in all justice institutions and juvenile justice facilities in at least eight major provinces (NJP Part 2 row E.7 and related Key Outputs);*

- A comprehensive review of sentencing laws and policies will have been completed and recommendations for improving penal and sentencing system will have been prioritized (NJP Part 2 rows E.6.1);
 - Efficient and effective systems will be in place for protecting and assisting victims and witnesses, and managing evidence, in at least eight major provinces (NJP Part 2 rows E.3.1, E.3.2, E.3.3); and
 - Effective public awareness campaigns will have been conducted across the country to improve citizens' knowledge of their rights and responsibilities in and to the criminal justice system, with particular emphasis on the needs of victims, witnesses and defendants (NJP Part 2 rows E.3.1, F.4 and related Key Outputs).
2. Civil Justice - within five years:
- The Supreme Court will implement an efficient court case administration and management system in the eight major regions including updated regulations. In particular land, commercial and family cases will be better managed (NJP Part 2 rows E.1.7, E.1.8, E.1.9, E.1.10);
 - The commercial court system will be expanded, modernized and staffed with adequately trained judges and ancillary service providers such as bailiffs and receivers (NJP Part 2 rows E.4.1, E.4.2);
 - The Supreme Court and MOJ will enhance their capacity to resolve land disputes and to formalize rights to and over land (NJP Part 2 rows E.4.4, E.4.5);
 - The Supreme Court will work with other justice institutions and other relevant Government institutions such as the Ministry of Women's Affairs to enhance the capacity of family courts (NJP Part 2 rows E.4.6, E.4.7);
 - The justice institutions will review and update the Civil Procedure Code and related judicial procedures (NJP Part 2 row E.4.3);
 - The MOJ will enhance and expand its capacity to conciliate and mediate private disputes (NJP Part 2 row E.4.8);
 - The MOJ will work with other relevant Government institutions to enhance and streamline processes for enforcement of judgments (NJP Part 2 row E.1.11);
 - The justice institutions will survey and standardize routine legal documents and the systems for registering, indexing and retrieving them (NJP Part 2 rows F.1.5, F.1.6, F.1.7); and
 - Justice institutions will develop a policy regarding the introduction of administrative law structures and procedures to enhance accountability of government institutions (NJP Part 2 row E.5 and related Key Outputs).
3. Legal Aid and Legal Awareness - within five years:
- Establish a fully operational Independent Bar Association (IBA) (NJP Part 2 row A.4.4);
 - Establish a comprehensive administrative system for legal aid, with special attention to ensuring women's access to legal aid (NJP Part 2 rows F.2.1, F.2.2, F.2.3);
 - Fully establish a unit in the MOJ responsible for monitoring human rights across the Government (NJP Part 2 row F.3 and related Key Outputs);
 - Continue and expand current legal awareness and legal literacy programmes alongside expansion of resources and deployment of personnel. This will include development of legal awareness programmes on: rights and responsibilities of the women, men and the justice institutions and how the formal justice system works for Afghan citizens (NJP Part 2 row F.4 and related Key Outputs);
 - Develop policies towards Traditional Dispute Resolution (TDR) mechanisms to promote compliance of TDR with Afghan Constitutional principles and values, and Islamic law (NJP Part 2 rows F.5 and related Key Outputs); and
 - Develop policies to implement the Government's Action Plan for Peace, Reconciliation and Justice in Afghanistan (NJP Part 2 row F.6 and related Key Outputs).

B. Risks

A majority of the activities described in the NJP assume the availability of donor funding. They also assume that the appropriate capacity and organisational structures will be built, and that the required implementing partners are available to carry out specific activities. The key risks to successful implementation are:

- *political instability;*
- *deterioration in the security environment needed to implement projects, particularly those envisioned for provincial areas;*
- *delays in setting up NJP implementation structures;*
- *insufficient transparency, accountability of expenditures, or financial reporting could result in loss of donor confidence and funding, which*
would limit progress towards expected NJP results;
- *insufficient ownership of the NJP by the justice institutions and other key Government entities, resulting in diminished capacity of the POC to offer substantive programme oversight and a lack of sustainability of results;*
- *insufficient ownership of the NJP by donors, resulting in inefficient or delayed progress toward expected outcomes;*
- *insufficient commitment by stakeholders to the synergetic and coordinated approach described in the NJP, resulting in inefficient or delayed progress toward expected outcomes.*

Risks and assumptions associated with individual development objectives and projects are identified in Part 2.

However, most of these risks can be mitigated by realistic work plans with clear timeframes. In addition, the overall effectiveness of the above arrangements and their impact on capacity building and long term sustainability will be systematically reviewed throughout the project and during

monitoring and evaluation. With these measures in place, the expected results of the NJP can be achieved within the five year life of the programme.

C. Final Remarks

The Rome Conference envisaged the NJSS and the NJP as a means of improving progress towards the realization of the rule of law in Afghanistan. The NJP is based on the belief that a fair and efficient justice sector is essential to any society. Donors' proactive support is essential to achieving the expected results of the NJP. Both the implementation of the activities and the efficiency of the mechanisms set up in this document are relying on complete and open cooperation between donors and the Government. The justice sector is in need of effective synergetic approaches to implementation and funding. The Government expects that this programme will be considered by the donors' community as the proper tool for reaching the NJSS high level objectives, reducing duplication, and increasing support for multilateral mechanisms.

NATIONAL JUSTICE PROGRAM LOGICAL FRAMEWORK

COMPONENT AND RELATED NJSS GOAL:		OBJECTIVES:
<u>COMPONENT A</u> Public can rely on effectively organized and professionally staffed, transparent and accountable justice institutions.	RELATED TO NJSS GOAL: 1	A.1 Justice institutions are structured, managed and administered according to their mandate and functions
		A.2 Justice institutions are professionally staffed by men and women who are equally remunerated according to their competencies and qualifications.
		A.3 Justice institutions have established the organs necessary for implementation of the National Justice Programme
		A.4 Justice institutions and organisations have adopted and are enforcing codes of professional conduct and ethics
		A.5 Justice institutions have developed transparent operating procedures
		A.6 Justice institutions have adopted effective anti-corruption measures
<u>COMPONENT B</u> Justice institutions have access to infrastructure, transportation, equipment, and supplies adequate to support effective delivery of justice services	RELATED TO NJSS GOAL: 1	B.1 Justice institutions, including the Central Prisons Directorate, are provided with buildings necessary for fulfillment of their tasks.
		B.2 Justice institutions are provided with equipment and supplies necessary for fulfillment of their tasks
		B.3 Justice institutions are provided with means of transport necessary for fulfillment of their tasks
<u>COMPONENT C</u> Legal education and vocational training are adequate to provide justice professionals with sufficient know-how to perform their task.	RELATED TO NJSS GOAL: 2	C.1 Universities provide legal education which equips graduates with the intellectual skills and substantive knowledge to perform well as justice professionals.
		C.2 Justice institutions equip new professionals with the practical and professional skills necessary to fulfill their duties
		C.3 A system of continuing legal education for justice professionals, paying specific attention to women, is in place and operational.
<u>COMPONENT D</u> Statutes are clearly drafted, constitutional and the product of effective and consultative drafting processes RELATED TO NJSS GOAL: 2	RELATED TO NJSS GOAL: 2	D.1 The Taqin has sufficient capacity and resources to review, amend or draft legislation.
		D.2 All laws in force have been reviewed for constitutionality
		D.3 Capacity for legislative drafting has been enhanced throughout other government institutions including Parliament
		D.4 System is in place to ensure consultation of stakeholders regarding proposed or pending legislation

COMPONENT AND RELATED NISS GOAL:	OBJECTIVES:
<p><u>COMPONENT E</u></p> <p>Justice institutions effectively perform their functions in a harmonized and interlinked manner</p> <p>RELATED TO NISS GOAL: 3</p>	<p>E.1 Coordination and cooperation among justice sector institutions is enhanced, resulting in improved criminal and civil trials and case management</p> <p>E.2 Adequate institutional organization structures capable of addressing cross cutting issues in rule of law are in place</p> <p>E.3 Criminal justice is administered effectively, and in accordance with the law, the Constitution, and international standards</p> <p>E.4 Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards.</p> <p>E.5 Policies regarding introduction of administrative law structures are in place</p> <p>E.6 Policies are in place to ensure that the corrections system operates in accordance with international standards</p> <p>E.7 Enhance legal and policy framework related to juvenile offenders and children in conflict with the law</p>
<p><u>COMPONENT F</u></p> <p>Citizens are more aware of their rights and are better able to enforce them.</p> <p>RELATED TO NISS GOAL: 3</p>	<p>F.1 Practices and procedures governing trials and routine legal transactions, including registration of documents, have been streamlined and rationalised</p> <p>F.2 Enhanced access to formal legal system for indigents, illiterates, women, and children</p> <p>F.3 Enhanced monitoring of human rights enforcement throughout the Government</p> <p>F.4 Increased knowledge of laws, rights, and responsibilities through legal awareness campaigns</p> <p>F.5 The role of traditional dispute resolution in the rule of law is defined, and TDR decisions consistently meet international human rights standards.</p> <p>F.6 Begin the process of establishing a transitional justice system to record past human rights abuses and preserve the rights of victims consistent with the Government's Action Plan for Peace, Reconciliation and Justice</p>

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>COMPONENT A</p> <p>Public can rely on effectively organized and professionally staffed, transparent and accountable justice institutions.</p> <p>Objectives:</p> <p>A.1**</p> <p>Justice institutions are structured, managed and administered according to their mandate and function</p> <p>A.2</p> <p>Justice institutions are professionally staffed by men and women who are equally remunerated according to their competencies and qualifications.</p> <p>A.3**</p> <p>Justice institutions have established the organs necessary for implementation of the National Justice Programme</p> <p>A.4</p> <p>Justice institutions and organisations have adopted and are enforcing codes of professional conduct and ethics</p>	<p>Public use of formal justice system and institutions is increasing</p> <p>A.1</p> <ul style="list-style-type: none"> Justice institutions have met Civil Service Commission benchmarks <p>A.2</p> <ul style="list-style-type: none"> Percentage of justice institution staff positions that are filled in accordance with PRR, NAPWA or similar procedures has increased <p>A.3</p> <ul style="list-style-type: none"> Programme Oversight Committee has been established and is operational Programme Support Unit has been established and is operational Programme Units have been established and are operational <p>A.4</p> <ul style="list-style-type: none"> Justice institutions are proactively enforcing codes of ethics Increased number of justice professionals are aware of ethical requirements Data tracking numbers of public 	<p>Evaluation of usage data</p> <p>A.1</p> <ul style="list-style-type: none"> Civil Service Commission records <p>A.2</p> <ul style="list-style-type: none"> Institutional audits <p>A.3</p> <ul style="list-style-type: none"> Review of records Institutional audits <p>A.4</p> <ul style="list-style-type: none"> Institutional audits Survey of justice professionals Review of complaints data 	<p>Security conditions permit expansion of justice services into provincial areas</p> <p>A.1</p> <ul style="list-style-type: none"> Justice institutions remain cooperative with Civil Service Commission processes <p>A.2</p> <ul style="list-style-type: none"> Resources to pay increased salaries are available and functioning <p>A.3</p> <ul style="list-style-type: none"> International community continues to support coordinated development in justice sector Leadership of institutions continues to support National Justice Programme <p>A.4</p> <ul style="list-style-type: none"> Institutional leaders demonstrate consistent commitment to uphold standards in their respective institutions

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>COMPONENT A</p> <p>Public can rely on effectively organized and professionally staffed, transparent and accountable justice institutions.</p> <p>Objectives:</p> <p>A.1**</p> <p>Justice institutions are structured, managed and administered according to their mandate and function</p> <p>A.2</p> <p>Justice institutions are professionally staffed by men and women who are equally remunerated according to their competencies and qualifications.</p> <p>A.3**</p> <p>Justice institutions have established the organs necessary for implementation of the National Justice Programme</p> <p>A.4</p> <p>Justice institutions and organisations have adopted and are enforcing codes of professional conduct and ethics</p>	<p>Public use of formal justice system and institutions is increasing</p> <p>A.1</p> <ul style="list-style-type: none"> Justice institutions have met Civil Service Commission benchmarks <p>A.2</p> <ul style="list-style-type: none"> Percentage of justice institution staff positions that are filled in accordance with PRR, NAPWA or similar procedures has increased <p>A.3</p> <ul style="list-style-type: none"> Programme Oversight Committee has been established and is operational Programme Support Unit has been established and is operational Programme Units have been established and are operational <p>A.4</p> <ul style="list-style-type: none"> Justice institutions are proactively enforcing codes of ethics Increased number of justice professionals are aware of ethical requirements Data tracking numbers of public 	<p>Evaluation of usage data</p> <p>A.1</p> <ul style="list-style-type: none"> Civil Service Commission records <p>A.2</p> <ul style="list-style-type: none"> Institutional audits <p>A.3</p> <ul style="list-style-type: none"> Review of records Institutional audits <p>A.4</p> <ul style="list-style-type: none"> Institutional audits Survey of justice professionals Review of complaints data 	<p>Security conditions permit expansion of justice services into provincial areas</p> <p>A.1</p> <ul style="list-style-type: none"> Justice institutions remain cooperative with Civil Service Commission processes <p>A.2</p> <ul style="list-style-type: none"> Resources to pay increased salaries are available and functioning <p>A.3</p> <ul style="list-style-type: none"> International community continues to support coordinated development in justice sector Leadership of institutions continues to support National Justice Programme <p>A.4</p> <ul style="list-style-type: none"> Institutional leaders demonstrate consistent commitment to uphold standards in their respective institutions

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>Justice institutions have developed transparent operating procedures</p>	<p>complaints show improvement</p> <p>A.5</p> <ul style="list-style-type: none"> Operating procedures can be ascertained easily 	<p>A.5</p> <ul style="list-style-type: none"> Institutional audit 	<p>A.5</p> <ul style="list-style-type: none"> Institutional culture is able to adapt to requirements of openness
<p>Justice institutions have adopted effective anti-corruption measures</p>	<p>A.6</p> <ul style="list-style-type: none"> As per National Anti-Corruption Strategy 	<p>A.6</p> <p>As per National Anti-Corruption Strategy</p>	<p>A.6</p> <p>As per National Anti-Corruption Strategy</p>
<p>Key Outputs:</p> <p>A.1</p> <p>A.1.1.</p> <p>Assess, analyse and, in consultation with stakeholders, develop recommendations for improving the organisational, management and administrative structures of justice institutions to enable them to fulfill their respective mandates and functions at headquarters and at provincial and district level offices. Where appropriate, consider introducing management support units to institutional structures.</p>	<p>A.1.1</p> <ul style="list-style-type: none"> Survey and analysis of current structures and processes has been conducted Recommendations have been agreed with relevant stakeholders Institutions have created mechanisms formally to adopt and implement new policies and procedures 	<p>A.1.1</p> <ul style="list-style-type: none"> Review of documents Review of meeting minutes Institutional audit 	<p>A.1.1</p> <ul style="list-style-type: none"> Stakeholders can reach consensus
<p>A.1.2.</p> <p>Implement recommendations</p>	<p>A.1.2</p> <ul style="list-style-type: none"> New operations manuals have been prepared Staff has been trained Revised administrative and management policies and procedures have been implemented at institution headquarters and eight major provinces 	<p>A.1.2</p> <ul style="list-style-type: none"> Review of documents Review of training records Institutional audit 	<p>A.1.2</p> <p>Institutions remain committed to administrative and management reform</p>

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
A.1.3 Analyse and develop recommendations regarding justice institutions' record-keeping practices in order to improve accuracy and retrievability and to avoid redundant processes	A.1.3 <ul style="list-style-type: none"> Working groups have been established and are functioning Measures of record-keeping accuracy and retrievability are developed Survey and analysis of current record-keeping practices has been conducted Recommendations have been agreed with relevant stakeholders and are being implemented Justice institutions demonstrate consistent improvement on measures 	A.1.3 <ul style="list-style-type: none"> Review of meeting minutes Review of documents Review of documents Institutional audit Analysis of measurement data samples 	A.1.3 <ul style="list-style-type: none"> Security conditions permit comprehensive survey and analysis Sufficient resources exist to introduce and implement new practices
A.1.4 Establish a Judicial Service Commission to evaluate the status of the judiciary and make recommendations for necessary improvements	A.1.4 <ul style="list-style-type: none"> Judicial Service Commission has been established Review and evaluation has begun Recommendations have been developed 	A.1.4 <ul style="list-style-type: none"> Review of meeting minutes Review of documents 	A.1.4 <ul style="list-style-type: none"> Members of the judiciary are prepared to cooperate with Judicial Service Commission
A.1.5 Establish a translation and publication unit to translate international legal materials into Dari and Pashto and provide international language training to relevant staff .	A.1.5 <ul style="list-style-type: none"> A unit of highly qualified translators with proficiency in the legal terminology of foreign languages (such as English, Arabic, and Urdu) has been established Unit is operational Staff who will benefit from foreign language training have been identified, and relevant training programs designed Foreign language training has 	A.1.5 <ul style="list-style-type: none"> Review of human resource records Institutional audit Review of training records Review of training records 	A.1.5 <ul style="list-style-type: none"> Sufficient number of qualified translators with legal proficiency exists

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<p>begun, and trainees demonstrate increasing competence in foreign languages</p> <ul style="list-style-type: none"> Publication and distribution of translations of foreign legal materials is increasing 	<ul style="list-style-type: none"> Review of publications 	
<p>A2: Human Resources and Pay and Grading</p> <p>A.2.1 Analyse and make recommendations for improving existing remuneration and human resources systems in justice institutions</p>	<p>A.2.1</p> <ul style="list-style-type: none"> Survey has been completed and results analysed and reported Proposed improvements and amendments to existing policies and systems have been developed 	<p>A.2.1</p> <ul style="list-style-type: none"> Review of documents, including reports of IARCSC 	<p>A.2.1</p> <ul style="list-style-type: none"> Justice institutions remain committed to reform
<p>A.2.2. Support development and introduction of institution-specific remuneration and human resources schemes, such as pay and grading and performance evaluation measures.</p>	<p>A.2.2</p> <ul style="list-style-type: none"> Justice institutions have reviewed existing applications, human resources procedures, and compensation policies Justice institutions have developed and implemented updated procedures and policies, including NAPWA Percentage of staff appointments that have been made in accordance with new policies 	<p>A.2.2</p> <ul style="list-style-type: none"> Review of documents Institutional audit Review of human resources records 	<p>A.2.2</p> <ul style="list-style-type: none"> Justice institutions remain committed to reform Related government outside of justice sector (e.g., Civil Service Commission) continue to provide needed support Revised pay scales are sufficient to attract and retain qualified personnel
<p>Improving Career Development</p> <p>A.2.3 Justice institutions to establish links with universities for recruiting candidates (e.g., job fairs and short internships).</p>	<p>A.2.3</p> <ul style="list-style-type: none"> Job fairs at universities are taking place on a regular basis Justice institutions have developed internship schemes for law students 	<p>A.2.3</p> <ul style="list-style-type: none"> Spot inspections Institutional audit 	<p>A.2.3</p> <ul style="list-style-type: none"> Justice institutions and universities are able to reach agreements

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>A.2.4</p> <p>Survey, develop and implement recommendations to improve existing career development practices in each institution with particular attention to complying with gender benchmarks</p>	<p>A.2.4</p> <ul style="list-style-type: none"> Survey has been completed and results analysed and reported Proposed improvements and amendments to existing policies and systems have been developed Percentage of women benefiting from new career development practices has increased 	<p>A.2.4</p> <ul style="list-style-type: none"> Review of documents Review of documents and institutional audit Review of staff records 	<p>A.2.4</p> <ul style="list-style-type: none"> Justice institutions cooperate with production of survey Institutional culture is able to adapt to proposed changes
<p>A.2.5</p> <p>Develop institutional capacity to train professionals, involving the Civil Service Commission's Leadership Development Program</p>	<p>A.2.5</p> <ul style="list-style-type: none"> Justice institutions have designed and introduced Staff training programmes for entry level professionals and existing work force that would otherwise not qualify for merit-based recruitment; Staff training programmes for specialists in cross-cutting units; and Skills training for administrative professionals (e.g., budget, information technology, asset management) Increasing percentage of staff, in particular women, have successfully completed training programmes 	<p>A.2.5</p> <ul style="list-style-type: none"> Institutional audits <p>Review of staff and records disaggregated by gender</p>	<p>A.2.5</p> <ul style="list-style-type: none"> Justice professionals have sufficient capacity to participate in and absorb training Training venues are accessible and suitable for use by participants, in particular female professionals
<p>A3:</p> <p>National Justice Programme Implementation</p> <p>A.3.1</p> <p>Create and establish the Programme Oversight Committee, together with</p>	<p>A.3.1</p> <ul style="list-style-type: none"> POC is constituted POC selects a form of administrative support 	<p>A.3.1</p> <ul style="list-style-type: none"> Review of documents Institutional audit 	<p>A.3.1</p> <ul style="list-style-type: none"> POC is established in a timely and cost-efficient manner that attracts donor support

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
requisite administrative and logistical support.	<ul style="list-style-type: none"> Funding for administrative support is identified Small cadre of administrative and logistical staff are appointed 		<ul style="list-style-type: none"> POC is enabled to act as the ARTF justice project steering committee
A.3.2 Create and establish the Programme Support Unit.	<p>A.3.2</p> <ul style="list-style-type: none"> Project plan and proposal for the PIU is drafted in accordance with ARTF guidelines The PIU is established and staff are appointed <p>PIU begins to operate as ARTF justice project implementation body</p>	<p>A.3.2</p> <ul style="list-style-type: none"> As directed by ARTF procedures PIU is established in a timely and cost-efficient manner that attracts donor support 	<p>A.3.2</p> <ul style="list-style-type: none"> Funding for the PIU is obtained
A.3.3 Create and establish Programme Units in each justice institution	<p>A.3.3</p> <ul style="list-style-type: none"> Programme Units have been established in each justice institution Programme Units are operational in each justice institution 	<p>A.3.3</p> <ul style="list-style-type: none"> Review of documents Institutional audit 	<p>A.3.3</p> <ul style="list-style-type: none"> Sufficient institutional capacity exists to operate Programme Units successfully
A.3.4 Design and administer a baseline survey of legal system performance.	<p>A.3.4</p> <ul style="list-style-type: none"> Project plan and proposal for baseline legal system performance survey is drafted Funding for survey is obtained Survey is designed and administered Data are collated, analysed, and distributed 	<p>A.3.4</p> <ul style="list-style-type: none"> As directed by ARTF procedures 	<p>A.3.4</p> <ul style="list-style-type: none"> Donors remain committed to consistent monitoring and evaluation efforts Central Statistics Office has capacity to create baseline survey in time to inform the programme
Key Outputs: A.4 Codes of Ethics A.4.1 Develop, finalize and disseminate	<p>A.4.1</p> <ul style="list-style-type: none"> Working group is established and functioning 	<p>A.4.1</p> <ul style="list-style-type: none"> Minutes of meetings Review of documents 	<p>A.4.1</p> <ul style="list-style-type: none"> Justice institutions remain committed to improve accountability and

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codes of ethics for professionals in justice institutions	<ul style="list-style-type: none"> Preliminary drafts of ethics codes have been prepared for each institution Drafts have been disseminated to stakeholders for consultation and comment Comments are incorporated, and institutions' ethics codes have been harmonised Final codes are disseminated to justice professionals in each institution 	<ul style="list-style-type: none"> Review of comments Review of revised ethics codes <p>Audit and spot inspection</p>	transparency
A.4.2 Train justice professionals on ethics code.	<p>A.4.2</p> <ul style="list-style-type: none"> Justice institutions, in consultation with the Independent National Legal Training Center, have developed training curricula Trainings have been implemented 60 percent of justice professionals have successfully completed ethics training 	<p>A.4.2</p> <ul style="list-style-type: none"> Review of training curricula Institutional audits <p>Review of training and employment records</p>	<p>A.4.2</p> <ul style="list-style-type: none"> Justice institutions remain committed to improve accountability and transparency
A.4.3 Design and establish dedicated and effective institutional units and procedures to advise on and enforce codes of ethics	<p>A.4.3</p> <ul style="list-style-type: none"> Justice institutions have established and staffed dedicated units Ethics units are operational Procedures have been established for advising on ethical questions, accepting confidential complaints regarding possible violations and enforcing codes Ethical advice is offered and disseminated Enforcement actions have begun 	<p>A.4.3</p> <ul style="list-style-type: none"> Institutional audit Spot inspection Review of documents Review and count of ethics opinions Review and count of enforcement actions 	<p>A.4.3</p> <ul style="list-style-type: none"> Justice institutions remain committed to improve accountability and transparency

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<p>Independent Bar Association</p> <p>A.4.4</p> <p>Improve the professional and ethical standards of attorneys at law through an Independent Bar Association</p>	<p>A.4.4</p> <ul style="list-style-type: none"> ■ Preliminary organizational documents for the Independent Bar Association have been prepared, IBA has been formally established ■ Awareness of the Advocates Law is expanding, and membership numbers in the Independent Bar Association are increasing ■ Independent Bar Association works with stakeholders to develop professional standards, including professional entry requirements ■ Independent Bar Association designs and implements programs to strengthen the national network of female lawyers ■ Independent Bar Association actively monitors and enforces professional standards 	<p>A.4.4</p> <ul style="list-style-type: none"> ■ Review of membership records ■ Review of documents ■ Review institutional records 	<p>A.4.4</p> <ul style="list-style-type: none"> ■ Association is able to retain independence from and impartiality towards political actors
<p>Public Information on Operating Procedures</p> <p>A.5.1</p> <p>Develop and standardise informational materials on the mission, the function and the operating procedures of each justice institution and make it available to the public</p>	<p>A.5.1</p> <ul style="list-style-type: none"> ■ Justice institutions have formed working groups to develop and produce information materials ■ Information materials are being disseminated to the public ■ Increasing percentage of people demonstrate familiarity with the mission and function of justice institutions 	<p>A.5.1</p> <ul style="list-style-type: none"> ■ Minutes of meetings ■ Spot inspections ■ Sample surveys 	<p>A.5.1</p> <ul style="list-style-type: none"> ■ Justice institutions remain willing to cooperate

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<p>A.5.2</p> <p>Establish a dedicated office within each justice institution and organization capable of acting as a focal point for public inquiries</p>	<p>A.5.2</p> <ul style="list-style-type: none"> ▪ Prioritized and sequencing plans have been developed and agreed ▪ Suitable premises have been secured and equipped ▪ Staff have been assigned and trained ▪ Easily accessible information desks are operational 	<p>A.5.2</p> <ul style="list-style-type: none"> ▪ Review of documents ▪ Institutional audit ▪ Review of training records ▪ Spot inspections 	<p>A.5.2</p> <ul style="list-style-type: none"> ▪ Members of public are willing to address questions to institutional focal points
<p>A.5.3</p> <p>Encourage press coverage of judicial proceedings, and public attendance at such proceedings</p>	<p>A.5.3</p> <ul style="list-style-type: none"> ▪ Increased number of courtrooms sufficiently large to accommodate members of the press and the public ▪ Details of increasing number of trials are reported in public media ▪ Number of trials at which members of the public are present have increased 	<p>A.5.3</p> <ul style="list-style-type: none"> ▪ Audit/survey of infrastructure ▪ Review of press coverage ▪ Spot inspections 	<p>A.5.3</p> <ul style="list-style-type: none"> ▪ Press has sufficient capacity to offer routine coverage of legal proceedings ▪ Members of the public are willing to attend legal proceedings
<p>A.6:</p> <p>Anti-Corruption Measures</p> <p>A.6.1</p> <p>Implement the activities related to operations of the justice sector contained in the National Anti Corruption Strategy.</p>	<p>A.6.1</p> <p>As per National Anti-Corruption Strategy</p>	<p>A.6.1</p> <p>As per National Anti-Corruption Strategy</p>	<p>A.6.1</p> <p>As per National Anti-Corruption Strategy</p>
<p>A.6.2</p> <p>Develop and conduct vulnerability to corruption assessments (including an assessment of the personal security of justice professionals) and establish policies and procedures to eliminate such vulnerabilities</p>	<p>A.6.2</p> <ul style="list-style-type: none"> ▪ Vulnerability to corruption assessment has been conducted and polices have been developed basis on the result of the assessment 	<p>A.6.2</p> <ul style="list-style-type: none"> ▪ Review of documents and procedures 	<p>A.6.2</p> <ul style="list-style-type: none"> ▪ Staff cooperates with study

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<p>COMPONENT B</p> <p>Justice institutions have access to infrastructure, transportation, equipment, and supplies adequate to support effective delivery of justice services</p> <p>Objectives:</p> <p>B.1. **</p> <p>Justice institutions, including the Central Prisons Directorate, are provided with buildings necessary for fulfillment of their tasks.</p>	<p>Provision of material resources is in line with institutional strategies and budgets</p>	<p>Review of documents</p> <p>Institutional audits</p>	<p>Justice institutions are able accurately to identify and report their needs</p>
<p>B.2. **</p> <p>Justice institutions are provided with equipment and supplies necessary for fulfillment of their tasks</p>	<p>B.1</p> <ul style="list-style-type: none"> High-priority infrastructure projects have been completed within anticipated time frames, and planning has progressed for lower-priority infrastructure projects Prison conditions meet international standards <p>B.2</p> <ul style="list-style-type: none"> Justice institutions' available equipment and supplies are consistent with needs identified in planning documents 	<p>B.1</p> <ul style="list-style-type: none"> Review of construction records Review of independent reports by international observers <p>B.2</p> <ul style="list-style-type: none"> Procurement records Budget documents 	<p>B.1</p> <ul style="list-style-type: none"> Environmental and security conditions do not delay construction projects <p>B.2</p> <ul style="list-style-type: none"> Justice institutions are able accurately to identify and report their needs
<p>B.3. **</p> <p>Justice institutions are provided with means of transport necessary for fulfillment of their tasks</p>	<p>B.3</p> <ul style="list-style-type: none"> Justice institutions' available means of transport is consistent with needs identified in planning documents 	<p>B.3</p> <ul style="list-style-type: none"> Procurement records Budget documents 	<p>B.3</p> <ul style="list-style-type: none"> Justice institutions are able accurately to identify and report their needs
<p>Key Outputs:</p> <p>B.1:</p> <p>Building Infrastructure</p> <p>B.1.1.</p> <p>Conduct comprehensive inventory of all infrastructure assets, including detention centres and prisons,</p>	<p>B.1.1</p> <ul style="list-style-type: none"> Survey instruments are developed Inventories are in place Prioritised infrastructure development plans outlining and 	<p>B.1.1</p> <ul style="list-style-type: none"> Review of documents 	<p>B.1.1</p> <ul style="list-style-type: none"> Security conditions permit a full inventory

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indicating location, age, state of repair, and ownership status and prioritise and sequence rehabilitation and construction	<p>scheduling needed rehabilitation and construction projects are in place sufficient to:</p> <ul style="list-style-type: none"> Construct at least 20 new safe and secure facilities per year, with emphasis on the busiest localities Rehabilitate at least 40 existing facilities per year, with emphasis on ensuring safety and security in the busiest localities Construct needed residences for judges Address the needs of vulnerable populations, with particular attention to the need to provide separate custodial arrangements for female detainees and offenders, and to improve the conditions of female detention centers and prisons The feasibility of deploying mobile courts in areas where there is currently no effective judicial presence 		
B.1.2. Survey existing asset management capacity and make recommendations for improvement and consolidation of such capacity in dedicated units, with attention to need to ensure equitable access to justice facilities for women and other underserved populations.	<p>B.1.2</p> <ul style="list-style-type: none"> Surveys and reports are in place 	<p>B.1.2</p> <ul style="list-style-type: none"> Review of documents 	<p>B.1.2</p> <ul style="list-style-type: none"> Existing asset management records permit a comprehensive survey
B.1.3. Implement recommendations	<p>B.1.3</p> <ul style="list-style-type: none"> As defined in recommendations 	<p>B.1.3</p> <ul style="list-style-type: none"> Review of asset management 	<p>B.1.3</p> <ul style="list-style-type: none"> Institutions have sufficient spare capacity to assume

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	above	records	additional or modified duties
B.1.4 Justice institutions construct, acquire or make functional headquarter buildings and regional centres or facilities.	B.1.4 <ul style="list-style-type: none"> As defined in prioritized plan 	B.1.4 <ul style="list-style-type: none"> Inspection of buildings 	B.1.4 <ul style="list-style-type: none"> Security conditions permit construction/rehabilitation Construction proceeds without unanticipated contingencies
B.1.5. Justice institutions construct, acquire or make functional on a priority basis infrastructure necessary to expand delivery of justice services throughout provincial and district areas outside of regional centres.	B.1.5 <ul style="list-style-type: none"> As defined in prioritized plan 	B.1.5 <ul style="list-style-type: none"> Inspection of buildings and institutions during construction and upon completion Audit of building usage post-construction 	B.1.5 <ul style="list-style-type: none"> Security conditions permit construction/rehabilitation Construction proceeds without unanticipated contingencies
B.2: Equipment and Supplies			
B.2.1. Assess and prioritise equipment and supply needs of justice institutions and establish effective and accountable procurement systems.	B.2.1 <ul style="list-style-type: none"> Survey instruments are developed Needs assessments have been completed Accountability, transparency, management and audit standards have been established Procurement systems have been developed Procurement systems are in place Staff has been trained on use of procurement systems 	B.2.1 <ul style="list-style-type: none"> Review of documents Review assessments Review of standards Review of procedures Institutional audit Review of training records 	B.2.1 <ul style="list-style-type: none"> Existing records are sufficient to assess needs Institutional capacity and willingness to adhere to new procurement system exists
B.2.2. Provide equipment and supplies in accordance with needs assessment.	B.2.2 <ul style="list-style-type: none"> As defined in needs assessment Procurement systems are 	B.2.2 <ul style="list-style-type: none"> Audit of equipment usage Review of procurement system 	B.2.2 <ul style="list-style-type: none"> Institutional capacity and willingness to adhere to new procurement system exists

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	satisfying defined standards	records	
B.3: Means of Transport			
B.3.1. Conduct comprehensive inventory of all transportation assets, indicating condition and expected lifespan.	B.3.1 <ul style="list-style-type: none"> Survey instruments are developed Inventories are in place Prioritised acquisition plans have been developed 	B.3.1 <ul style="list-style-type: none"> Review of documents 	B.3.1 <ul style="list-style-type: none"> Security conditions permit comprehensive inventory
B.3.2. Survey existing asset management capacity and make recommendations for improvement.	B.3.2 <ul style="list-style-type: none"> Surveys and reports are in place 	B.3.2 <ul style="list-style-type: none"> Review of documents 	B.3.2 <ul style="list-style-type: none"> Existing asset management records permit a comprehensive survey
B.3.3. Implement recommendations	B.3.3 <ul style="list-style-type: none"> As defined in recommendations above 	B.3.3 <ul style="list-style-type: none"> Review of asset management records 	B.3.3 Institutions have sufficient spare capacity to assume additional or modified duties
B.3.4 Justice institutions acquire and maintain transportation assets sufficient to fulfill their tasks	B.3.4 <ul style="list-style-type: none"> As defined in prioritised plans 	B.3.4 <ul style="list-style-type: none"> Inspection of transportation assets Audit of asset usage 	B.3.4 <ul style="list-style-type: none"> Assets remain under control of justice institutions
COMPONENT C Legal education and vocational training are adequate to provide justice professionals with sufficient know-how to perform their task.	Justice professionals express increasing satisfaction with the quality of legal education and vocational training	Surveys of justice professionals	Legal education system is sufficiently stable to allow professional growth over time
Objectives: C.1. Universities provide legal education which equips graduates with the intellectual skills and substantive knowledge to perform well as justice	C.1 <ul style="list-style-type: none"> Senior justice professionals report increasing confidence in capacity of new graduates 	C.1 <ul style="list-style-type: none"> Surveys of senior justice professionals 	C.1. <ul style="list-style-type: none"> Universities have sufficient resources to enhance curricula and instruction

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
professionals.			
C.2. Justice institutions equip new professionals with the practical and professional skills necessary to fulfill their duties	C.2 <ul style="list-style-type: none"> Senior justice professionals report increasing confidence in capacity of recently hired and trained professionals 	C.2 <ul style="list-style-type: none"> Surveys of senior justice professionals 	C.2 <ul style="list-style-type: none"> Justice institutions and senior justice professionals are prepared to make frank appraisals of the performance of newly hired employees
C.3.** A system of continuing legal education for justice professionals, paying specific attention to women, is in place and operational.	C.3 <ul style="list-style-type: none"> Increasing number of justice professionals are participating in continuing legal education 	C.3 <ul style="list-style-type: none"> Review of training records disaggregated by gender 	C.3 <ul style="list-style-type: none"> Justice institutions remain committed to offering, and allowing employees to access, ongoing training
KEY OUTPUTS: Curricula Development C.1.1. Create and launch an agreed core subject curriculum for Shari'a, law and political science faculties	C.1 <ul style="list-style-type: none"> Representatives of faculties have met and agreed on core subjects Curriculum is finalised and teaching resources are developed by universities Staff are prepared to teach new curriculum Curriculum is launched in Shari'a and law and political science faculties 	C.1 <ul style="list-style-type: none"> Review of agreement Review of curriculum and teaching materials Review of training records Review of enrolment records 	C.1 <ul style="list-style-type: none"> Ministry of Higher Education and universities remain committed to introducing unified core curriculum Sufficient resources exist in educational sector to support development and introduction of new curriculum
C.1.2. Develop and launch a masters' program in law	C.1.2 <ul style="list-style-type: none"> A masters' program in law is in place 	C.1.2 <ul style="list-style-type: none"> Review of universities' course offerings 	C.1.2 <ul style="list-style-type: none"> Students are interested in pursuing post-graduate qualification in law
Legal Research Capacity C.1.3. Survey and make recommendations	C.1.3 <ul style="list-style-type: none"> Feasibility study has been 	C.1.3 <ul style="list-style-type: none"> Review of survey report and 	C.1.3 <ul style="list-style-type: none"> None

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
for enhancement of legal research facilities, including a feasibility study of the establishment of an advanced legal research institute.	conducted and report has been published	feasibility study	
C.1.4. Create stakeholder consultations to develop policy and planning mechanisms for enhancing legal research capacity.	C.1.4 <ul style="list-style-type: none"> Stakeholders have been identified Structured consultation process has been established and is operational 	C.1.4 <ul style="list-style-type: none"> Review of records Review of meeting minutes 	C.1.4 <ul style="list-style-type: none"> Stakeholders are willing to participate in the process
C.1.5. Law and Shari'a faculties establish links with foreign legal educational institutions to enhance research capacity, including foreign study programmes for both students and staff.	C.1.5 <ul style="list-style-type: none"> Formal agreements established between educational institutions Students and staff have attended foreign university law courses 	C.1.5 <ul style="list-style-type: none"> Review of agreements Review of student and staff records 	C.1.5 <ul style="list-style-type: none"> Foreign educational institutions are amenable to agreements Ministry of Higher Education and universities remain committed to introducing foreign study options Sufficient resources exist in educational sector to support foreign study Sufficient numbers of students and staff have language skills needed to support foreign study
Enhancing Law Teachers' Capacity C.1.6 Universities upgrade resources and facilities to improve the knowledge base of law professors and law students	C.1.6 <ul style="list-style-type: none"> Facilities and resources available to faculties of law and political science and of Shari'a at Kabul University have been upgraded Needs assessments are conducted at other schools of law around the country Recommendations implemented 	C.1.6 <ul style="list-style-type: none"> Institutional records Review of assessments Institutional audits Review of publications Review of internship programs 	C.1.6 <ul style="list-style-type: none"> Institutions outside the justice sector are prepared to cooperate with educational initiatives of the programme

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<ul style="list-style-type: none"> Academic law journals are established and are being published Educational internship programs for law students have been established 		
<p>Improving Accessibility of Law and Shari'a Faculties</p> <p>C.1.7.</p> <p>Universities identify and enhance infrastructure so as to accommodate female students and staff.</p>	<p>C.1.7</p> <ul style="list-style-type: none"> Comprehensive list of infrastructure improvements needed to accommodate increased percentage of female students and staff Infrastructure improvements have been completed 	<p>C.1.7</p> <ul style="list-style-type: none"> Review of list of infrastructure needs Assess records of construction activity Inspection of new and/or rehabilitated infrastructure 	<p>C.1.7</p> <ul style="list-style-type: none"> Ministry of Higher Education and universities remain committed to accommodating female students and staff Sufficient resources exist to support needed infrastructure improvements
<p>C.1.8.</p> <p>Universities develop and implement policies to raise percentage of female students and staff to at least 30 percent</p>	<p>C.1.8</p> <ul style="list-style-type: none"> Policy to improve percentage of female students is in place Census completed of numbers of female students in staff in faculties of law and Shari'a as baseline data Percent of female students in law and Shari'a faculties increases to 15% within two years, and to 30% within five years Percent of female staff in law and Shari'a faculties is considerably higher than baseline data within five years A policy with clear implementation mechanisms is in place in order to achieve the mid-term goal of minimum 30% female staff at university faculties 	<p>C.1.8</p> <ul style="list-style-type: none"> Review of policy Review of census records Review of enrollment records Review of employment records Review of policy and implementation records Review of student professional placement records 	<p>C.1.8</p> <ul style="list-style-type: none"> Ministry of Higher Education and universities remain committed to accommodating female students and staff Family and social impediments to female enrollment and employment in law and Shari'a faculties are minimized

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<p>of law and Shari'a</p> <ul style="list-style-type: none"> ■ Policies are in place to facilitate the transition of female students from university to professional environments 		
C.2: Vocational Training C.2.1. Justice institutions, in coordination with the Independent National Legal Training Center, develop appropriate vocational training courses for justice professionals, paying specific attention to the needs of female professionals.	C.2.1 <ul style="list-style-type: none"> ■ Representatives of justice institutions have worked with INLTC to develop vocational training courses ■ Vocational course curricula are finalised and teaching resources are developed ■ Identify and secure suitable venues and locations in a coordinated manner ■ Instructors are hired and trained to teach new curricula ■ Vocational courses are launched 	C.2.1 <ul style="list-style-type: none"> ■ Review of meeting minutes ■ Review of course documentation ■ Review of venues and related agreements ■ Review of staff and training records disaggregated by gender ■ Review of student records disaggregated by gender 	C.2.1 <ul style="list-style-type: none"> ■ Justice institutions are open to coordination of vocational training efforts ■ Experienced professionals are able to participate in vocational training without a loss of seniority or job security ■ Qualified instructors are available
C.3 Continuing Legal Education C.3.1. Justice institutions, in coordination with the Independent National Legal Training Center, develop and implement specialised programmes for continuing legal education, paying specific attention to the needs of female professionals.	C.3.1 <ul style="list-style-type: none"> ■ Representatives of justice institutions have worked with INLTC to develop processes for ongoing creation of continuing legal education courses addressing current professional issues and legal developments ■ Continuing legal course curricula are finalised and teaching resources are developed 	C.3.1 <ul style="list-style-type: none"> ■ Review of records and processes ■ Review of course materials ■ Review of institutional and staff records, disaggregated by gender ■ Review of institutional and staff 	C.3.1 <ul style="list-style-type: none"> ■ Justice institutions are open to coordination of continuing legal education efforts ■ Justice institutions introduce incentives for employees to participate in continuing legal education

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<ul style="list-style-type: none"> Justice institutions develop mechanisms for monitoring staff participation in continuing legal education Continuing legal education courses are launched 	records, disaggregated by gender	
COMPONENT Statutes are clearly drafted, constitutional and the product of effective and consultative drafting processes	Increasing number of laws survive review by Supreme Court Laws increasingly reflect the input of stakeholders	Review of court decisions Review of legislative records	Political consensus to pass laws drafted pursuant to new processes
Objectives: D.1. ** The Taqin has sufficient capacity and resources to review, amend or draft legislation.	D.1 <ul style="list-style-type: none"> Legislative backlog has been cleared Review and drafting of legislation is proceeding on schedule, without accumulation of new backlogs 	D.1 <ul style="list-style-type: none"> Review of Taqin records 	D.1 <ul style="list-style-type: none"> Taqin's requirements for material resources are adequately provided for in MOJ budget
D.2. All laws in force have been reviewed for constitutionality and consistency with Afghanistan's international obligations	D.2 <ul style="list-style-type: none"> Number of laws reviewed by Taqin 	D.2 <ul style="list-style-type: none"> Review of Taqin records 	D.2 <ul style="list-style-type: none"> Political consensus exists as to the body of laws in effect Agreement on interpretative rules is reached
D.3. Capacity for legislative drafting has been enhanced throughout other government institutions including Parliament	D.3 <ul style="list-style-type: none"> Average time required for Taqin review of bills originating in government institutions outside of MOJ has decreased 	D.3 <ul style="list-style-type: none"> Review of Taqin records 	D.3 <ul style="list-style-type: none"> Government institutions have sufficient spare capacity to absorb additional legislative drafting responsibilities Government institutions outside of justice sector remain cooperative
D.4.	D.4	D.4	D.4

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
System is in place to ensure consultation of stakeholders regarding proposed or pending legislation	<ul style="list-style-type: none"> Increasing number of laws reflect input from stakeholders 	<ul style="list-style-type: none"> Review of records 	<ul style="list-style-type: none"> Relevant stakeholders can be reached
Key Outputs: D.1: Taqin Capacity Building D.1.1. Perform comprehensive needs assessment of Taqin and make recommendations for technical assistance and capacity building	D.1 <ul style="list-style-type: none"> Needs assessment is in place Recommendations that are coordinated with plans for material assistance have been developed 	D.1 <ul style="list-style-type: none"> Review of documents 	D.1 <ul style="list-style-type: none"> None.
D.1.2. Provide technical assistance and capacity building (including, as necessary, translation capacity) for Taqin and other justice institutions in line with recommendation	D.1.2 <ul style="list-style-type: none"> Technical assistance have been provided in line with recommendations 	D.1.2 <ul style="list-style-type: none"> Review of institutional records 	D.1.2 <ul style="list-style-type: none"> Provision of material resources matches increased capacity
D.2: Constitutional Review D.2.1. An indexed compilation of all laws in force is assembled and updated regularly.	D.2.1 <ul style="list-style-type: none"> Initial compilation is in place Initial index is in place Institutional mechanism is designed for updating statutory compilation and index Mechanism for updating compilation established and functioning 	D.2.1 <ul style="list-style-type: none"> Review of documents Institutional audit 	D.2.1 <ul style="list-style-type: none"> Political consensus exists as to the body of laws in effect
D.2.2. Taqin conducts a review of the constitutionality of all laws in force,	D.2.2 <ul style="list-style-type: none"> Review has been completed, and encompasses review for required 	D.2.2 <ul style="list-style-type: none"> Review of documents 	D.2.2 <ul style="list-style-type: none"> Political consensus exists as to

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
and recommends amendments to ensure constitutionality	consistency with international obligations <ul style="list-style-type: none"> Recommendations are in place 		the body of laws in effect <ul style="list-style-type: none"> Agreement on interpretative rules is reached
D.2.3. Unconstitutional laws are amended to ensure constitutionality	D.2.3 <ul style="list-style-type: none"> Amendments have been passed 	D.2.3 <ul style="list-style-type: none"> Review of laws 	D.2.3 <ul style="list-style-type: none"> Political consensus to amend laws has been reached
D.3: Enhanced Legislative Drafting Capacity D.3.1. Assess capacity of government institutions and entities to draft laws and make recommendations for enhancing that capacity.	D.3.1 <ul style="list-style-type: none"> Assessments and recommendations are in place 	D.3.1 <ul style="list-style-type: none"> Review of documents 	D.3.1 <ul style="list-style-type: none"> Government institutions outside the justice sector are prepared to cooperate in assessment
D.3.2. Implement recommendations for enhancing legislative drafting capacity in justice institutions	D.3.2 <ul style="list-style-type: none"> As defined in recommendations 	D.3.2 <ul style="list-style-type: none"> Institutional audit 	D.3.2 <ul style="list-style-type: none"> Justice institutions have sufficient spare capacity to assume new duties
D.3.3. Establish a working body to promote greater cooperation and enhance the efficiency of the legislative drafting process	D.3.3 <ul style="list-style-type: none"> Working body meets regularly and is functioning Legislative process is mapped Pending legislation has been catalogued and prioritised 	D.3.3 <ul style="list-style-type: none"> Meeting minutes Review of documents 	D.3.3 <ul style="list-style-type: none"> Government bodies outside the justice sector remain cooperative
D.4: Increased Openness of Legislative Processes D.4.1. Establish a Taqin working group to make recommendations for inclusion of civil society stakeholders in legislative deliberations.	D.4.1 <ul style="list-style-type: none"> Working group has been established and meets regularly Recommendations have been drawn up 	D.4.1 <ul style="list-style-type: none"> Review of meeting minutes Review of records 	D.4.1 <ul style="list-style-type: none"> Taqin has sufficient spare capacity to assume new responsibilities

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
D.4.2 Implement recommendations	D.4.2 <ul style="list-style-type: none"> System for consultations is in place Increasing numbers of laws reflect input from stakeholders 	D.4.2 <ul style="list-style-type: none"> Institutional audit Review of legislative records 	D.4.2 <ul style="list-style-type: none"> Civil society is willing to participate in consultation processes
COMPONENT E Justice institutions effectively perform their functions in a harmonized and interlinked manner	Adoption of procedures and defined institutional roles for criminal and civil disputes. Increasing number of complaints are being addressed, and complaints are decreasing relative to number of cases	Audit of procedural codes Audit of inter-institutional practices Review of complaints tracking report	Representatives of justice institutions are able to forge and maintain cooperative working relationships
Objectives: E.1** Coordination and cooperation among justice sector institutions is enhanced, resulting in improved criminal and civil trials and case management	E.1 <ul style="list-style-type: none"> Increasing percentage of criminal trials are conducted in accordance with procedural requirements Civil litigants report satisfaction with civil trials Usage of formal civil system is increasing 	E.1 <ul style="list-style-type: none"> Survey of criminal trials Satisfaction survey of civil litigants Number of cases filed 	E.1 <ul style="list-style-type: none"> Institutional leadership continues to prioritize cooperation among justice institutions
E.2 Adequate institutional organization structures capable of addressing cross cutting issues in rule of law are in place	E.2 <ul style="list-style-type: none"> Specialized units addressing the crosscutting issues such as corruption, counter narcotics, and gender have been established Specialized units have become active and are addressing an increasing number of cases involving cross cutting issues 	E.2 <ul style="list-style-type: none"> Survey of justice institutions Periodic reporting of number of cases involving cross cutting issues that are addressed by specialized units 	E.2 <ul style="list-style-type: none"> Legal framework facilitates coordination on cross cutting issues
E.3 Criminal justice is administered	E.3 <ul style="list-style-type: none"> International and domestic 	E.3 <ul style="list-style-type: none"> Review of relevant assessment 	E.3

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effectively, and in accordance with the law, the Constitution, and international standards	assessments report improvements in human rights records and due process related to accused, victims, and witnesses	reports (e.g., UNAMA Legal Systems monitoring report, External audit reports, Rapid assessment reports, Human Rights Watch, Afghan Independent Human Rights Commission,	<ul style="list-style-type: none"> Sufficient human capacity
E.4 Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards.	E.4 <ul style="list-style-type: none"> Increasing use of the formal legal system for resolution of civil disputes 	E.4 <ul style="list-style-type: none"> Survey of court usage 	E.4 <ul style="list-style-type: none"> Public confidence in formal institutions increases
E.5 Policies regarding introduction of administrative law structures are in place	E.5 <ul style="list-style-type: none"> Government has clear plan to enhance legal accountability of government institutions 	E.5 <ul style="list-style-type: none"> Review of policy recommendations 	E.5 <ul style="list-style-type: none"> Sufficient political consensus exists to make and adopt policy recommendation
E.6 Policies are in place to ensure that the corrections system operates in accordance with international standards	E.6 <ul style="list-style-type: none"> Increasing percentage of detention facilities complies with international standards Non-custodial sentencing options are increasingly used for minor offenses 	E.6 <ul style="list-style-type: none"> Institutional audits Review of case records 	E.6 <ul style="list-style-type: none"> Sufficient political consensus exists to make and adopt policy recommendations
E.7 Enhance legal and policy framework related to juvenile offenders and children in conflict with the law	E.7 <ul style="list-style-type: none"> Effective rehabilitation of juvenile offenders and children in conflict with the law 	E.7 <ul style="list-style-type: none"> Review of UNICEF case follow-up records 	E.7 <ul style="list-style-type: none"> Sufficient political consensus exists to pass relevant laws
Key Outputs: E.1: Procedural enhancement E.1.1 Improve information sharing	E.1.1 Inter-institutional coordination <ul style="list-style-type: none"> Inter-institutional coordination 	E.1.1 Institutional audit <ul style="list-style-type: none"> Institutional audit 	E.1.1 Institutional leadership <ul style="list-style-type: none"> Institutional leadership

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
between justice institutions, and coordinate information management and interfacing	<ul style="list-style-type: none"> mechanisms are created Inter-institutional coordination meetings occur regularly Formal agreements have been concluded regarding schedule and reporting formats for information sharing 	<ul style="list-style-type: none"> Institutional audit Review of documents 	remains supportive of coordination
E.1.2 Develop, establish and implement measures and mechanisms to improve police prosecutors coordination in criminal matters and addressing the cross cutting issues.	<p>E.1.2</p> <ul style="list-style-type: none"> Criminal Procedure Code is revised and amended MOI-AGO Commission adopts standard operating procedures (SOPs) for police-prosecutor coordination SOPs are distributed to police and prosecutors and trainings are conducted MOI-AGO Commission reports improvements in police-prosecutor coordination NDS mandate is clarified and its relationships with justice institutions are improved 	<p>E.1.2</p> <ul style="list-style-type: none"> Review of draft legislation Review of SOPs Spot inspections Review of Reports 	<ul style="list-style-type: none"> E.1.2 Institutional leadership remains supportive of coordination
E.1.3 Develop and implement procedures to safeguard and further the role and function of defence attorneys in criminal investigations and trials.	<p>E.1.3</p> <ul style="list-style-type: none"> Advocates law and amendments to Criminal Procedure Code which safeguard role of defence attorneys are enacted Number of accused persons represented by counsel during investigation and trial is increased 	<p>E.1.3</p> <ul style="list-style-type: none"> Review of amendments Review of data 	<p>E.1.3</p> <ul style="list-style-type: none"> Community of defence lawyers will continue to grow in number and influence
E.1.4. Introduce effective “one stop” complaints system covering all	<p>E.1.4</p> <ul style="list-style-type: none"> Pilot complaints system is in place and accessible 	<p>E.1.4</p> <ul style="list-style-type: none"> Survey 	<p>E.1.4</p> <ul style="list-style-type: none"> Justice institutions are responsive to citizens complaints

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<p>justice institutions, with particular attention to the needs of vulnerable populations including women and illiterates</p>	<ul style="list-style-type: none"> Complaints are being received, tracked, reported and addressed Increasing percentage of complaints filed in pilot system by members of vulnerable groups are being addressed Review of pilot system is completed Pilot program is expanded nationwide, in connection with information campaign 	<ul style="list-style-type: none"> Review of tracking reports Review of reports Review of tracking reports 	
<p>Skills and capacity enhancement</p> <p>E.1.5</p> <p>Enhance capacity of police and prosecutors to conduct proactive criminal investigations.</p>	<p>E.1.5</p> <ul style="list-style-type: none"> Proportion of convictions based solely on witness statements and/or confessions is reduced Increased percentage of reported cases being investigated Increased numbers of personnel with specialized trainings in e.g. forensics 	<p>E.1.5</p> <ul style="list-style-type: none"> Review of data <p>E.1.5</p> <ul style="list-style-type: none"> Provision of infrastructure matches needs 	
<p>E.1.6</p> <p>Train judges, lawyers and prosecutors in trial practices and trial management.</p>	<p>E.1.6</p> <ul style="list-style-type: none"> Training materials on trial practices and trial management have been developed Training has taken place 	<p>E.1.6</p> <ul style="list-style-type: none"> Review of training records for all provinces and districts Review of training records (disaggregated by gender and location) for all provinces and districts <p>E.1.6</p> <ul style="list-style-type: none"> Skills taught in training are retained and applied 	
<p>Information management</p> <p>E.1.7</p> <p>Assessment of information interfacing needs of AGO, MOI, MOJ, courts, and other specialized agencies.</p>	<p>E.1.7</p> <ul style="list-style-type: none"> Each institution has identified its information interfacing needs 	<p>E.1.7</p> <ul style="list-style-type: none"> Review of needs assessment in all provinces and districts <p>E.1.7</p> <ul style="list-style-type: none"> Institutions remain cooperative 	

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<p>E.1.8</p> <p>Assessment and improvement of paper based case file and case tracking system.</p>	<p>E.1.8</p> <ul style="list-style-type: none"> ▪ Paper-based case filing systems in each justice institution have been mapped ▪ Case file and case tracking systems have been harmonised and rationalised ▪ New system is in use ▪ Time required to transfer case files between justice institutions is reduced 	<p>E.1.8</p> <ul style="list-style-type: none"> ▪ Review of documents ▪ Audit of forms and processes ▪ Audit tracking practices ▪ Review of data 	<p>E.1.8</p> <ul style="list-style-type: none"> ▪ Institutions remain cooperative
<p>E.1.9</p> <p>Update and implement court regulations in order to facilitate filing and tracking of civil and criminal cases (including AGO information system)</p>	<p>E.1.9</p> <ul style="list-style-type: none"> ▪ Court regulations have been updated ▪ Litigants are able to track civil and criminal cases 	<p>E.1.9</p> <ul style="list-style-type: none"> ▪ Review of court regulations ▪ Sample survey of litigants 	<p>E.1.9</p> <ul style="list-style-type: none"> ▪ Infrastructure and logistical support are sufficient
<p>E.1.10</p> <p>Evaluate the viability of converting paper-based file systems to combined paper and electronic files systems.</p>	<p>E.1.10</p> <ul style="list-style-type: none"> ▪ Pilot projects have taken places and been evaluated 	<p>E.1.10</p> <ul style="list-style-type: none"> ▪ Review of evaluations 	<p>E.1.10</p> <ul style="list-style-type: none"> ▪ Institutions remain cooperative
<p>Enforcement of Judgments</p> <p>E.1.11</p> <p>Update enforcement procedures to enhance and streamline processes for enforcement of judgments.</p>	<p>E.1.11</p> <ul style="list-style-type: none"> ▪ Working group on enforcement procedures is established ▪ Working group assesses current application of enforcement of judgment processes, including the roles played by the MOJ and other relevant authorities, with a view to increasing efficiency. ▪ Working group makes 	<p>E.1.11</p> <ul style="list-style-type: none"> ▪ Review of meeting minutes ▪ Review of assessment ▪ Review of proposed legislation 	<p>E.1.11</p> <ul style="list-style-type: none"> ▪ Institutions outside of justice sector have capacity to adopt legal and procedural mechanisms needed to facilitate enforcement of judgments

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	<p>recommendations for updating the Law on Obtaining Rights based on assessment, including recommendations for mechanisms to freeze bank accounts and conduct post-judgment discovery of assets</p> <ul style="list-style-type: none"> Working group drafts proposal for updating the Law on Obtaining Rights Updates to Law on Obtaining Rights are passed 		
E.2: Establishment of specialized units E.2.1 Justice institutions develop plans and implement coordination mechanisms for specialized units addressing cross cutting issues (e.g. corruption, narcotics, violence against women) at national and regional levels, which also impact at the provincial and district level	E.2.1 <ul style="list-style-type: none"> Justice institutions have developed plans for coordinated approach to addressing cross cutting issues Legal provisions for establishing inter-institutional coordination mechanisms have been enacted 	E.2.1 <ul style="list-style-type: none"> Review of plans Review of legislation 	E.2.1 <ul style="list-style-type: none"> Institutions remain cooperative Institutions continue to agree on identification and definition of cross cutting issues
Training of specialized units E.2.2 Recruit qualified professionals, with specialized knowledge of cross cutting issues.	E.2.2 <ul style="list-style-type: none"> Job descriptions and person specifications have been developed for each specialized unit Professionals who satisfy specifications have been appointed with a minimum of 30% female appointees 	E.2.2 <ul style="list-style-type: none"> Review of job descriptions Institutional audit 	E.2.2 <ul style="list-style-type: none"> Qualified professionals are available and vetting system is in place
E.2.3	E.2.3	E.2.3	E.2.3

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
Build capacity of judges, prosecutors and investigators by training on cross cutting issues	<ul style="list-style-type: none"> Coordinated trainings on each cross cutting issue have been developed Trainings have been delivered Cross cutting crimes are addressed by specialized units 	<ul style="list-style-type: none"> Review of training materials Review of training records Survey of baseline data 	<ul style="list-style-type: none"> Skills taught in training are retained and applied
<p>Counter narcotics</p> <p>E.2.4</p> <p>Enhance capacity of specialized counternarcotics unit to address sentencing and treatment options for drug users, investigate narcotics-related money laundering, and promote joint investigations with anti-corruption bodies</p>	<p>E.2.4</p> <ul style="list-style-type: none"> More alternative sentencing and treatment options are available for drug users Personnel in specialized units have received training on investigation of money laundering and regional cooperation related to same Increased number of corruption investigations and prosecutions related to drug trafficking 	<p>E.2.4</p> <ul style="list-style-type: none"> Review of case records Review of training records Review of court records 	<p>E.2.4</p> <ul style="list-style-type: none"> Specialized units are sustainable and can be integrated into government structures over time
<p>Violence Against Women</p> <p>E.2.5</p> <p>Consistent with the National Action Plan for Women, Family Response Units, staffed by all female police officers, are functional in all provinces, and are effectively linked with special victims units to be established in the AGO.</p>	<p>E.2.5</p> <ul style="list-style-type: none"> Special victims units capable of addressing the particular needs of witnesses to and victims of gender-based crime have been established in the AGO, are fully operational, and are capable of gathering sex-disaggregated data on violence against women Increasing number of VAW cases are being reported and successfully investigated and prosecuted Laws and practices have been 	<p>E.2.5</p> <ul style="list-style-type: none"> Institutional audit Survey of tracking data disaggregated by age and sex Review of records 	<p>E.2.5</p> <ul style="list-style-type: none"> Afghan National Police are able to recruit sufficient numbers of women to staff FRUs

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<p>reviewed to identify those that are discriminatory to women, and needed reforms, including policies concerning VAW and sexual harassment, have been recommended</p> <ul style="list-style-type: none"> Number of justice professionals with specialized training in investigating and prosecuting violence against women <i>has increased</i> 	<ul style="list-style-type: none"> Review of training records 	
<p>E.2.6</p> <p>Establish necessary infrastructure and referral mechanisms to ensure safety and security of female victims of violence.</p>	<p>E.2.6</p> <ul style="list-style-type: none"> Increased number of referral centers and shelters available for use by female victims of violence, with particular priority to construction of shelters in Takhar, Nangarhar, Ghazni, and Logar provinces Advocacy councils regarding violence against women are established and operational in Faryab province 	<p>E.2.6</p> <ul style="list-style-type: none"> Review of records Review of advocacy council records 	<p>E.2.6</p> <ul style="list-style-type: none"> Security of centers and shelters can be established
<p>Anti-corruption</p> <p>E.2.7</p> <p>Harmonize legal framework with international anti-corruption standards and conventions</p>	<p>E.2.7</p> <ul style="list-style-type: none"> Working group is established to review legal framework in light of international conventions and standards Review has been performed and recommended revisions have been identified Laws have been amended Specialized trainings on the 	<ul style="list-style-type: none"> E.2.7 Review of meeting minutes Review of records Review of laws Review of training records 	<p>E.2.7</p> <ul style="list-style-type: none"> Sufficient political consensus exists to amend or pass laws

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<p>detection, investigation, prosecution and trial of corruption in light of the new laws have been developed and provided to justice professionals</p> <ul style="list-style-type: none"> Programs to ensure that judges and prosecutors gain international exposure to anti-corruption best practices have been developed and implemented 	<ul style="list-style-type: none"> Review of program records 	
<p>E.2.8</p> <p>Create specialized anti-corruption units investigate and prosecute corruption, consistent with the National Anti-Corruption Strategy</p>	<p>E.2.8</p> <ul style="list-style-type: none"> As per National Anti-Corruption Strategy 	<p>E.2.8</p> <ul style="list-style-type: none"> As per National Anti-Corruption Strategy 	<p>E.2.8</p> <ul style="list-style-type: none"> As per National Anti-Corruption Strategy
<p>E.3:</p> <p>Rights Awareness and Promotion</p> <p>E.3.1</p> <p>Develop information campaigns to enhance the public's knowledge of the rights of victims, witnesses, and the accused in the criminal justice system, in particular with respect to the criminality of violence against women.</p>	<p>E.3.1</p> <ul style="list-style-type: none"> Public knowledge of substantive legal rights increases 	<p>E.3.1</p> <ul style="list-style-type: none"> Survey of target group sample 	<p>E.3.1</p> <ul style="list-style-type: none"> Security conditions are sufficient to reach entire population Population sufficiently legally literate to absorb message
<p>E.3.2</p> <p>Promote practices within the justice institutions that are supportive of the rights of victims, witnesses, the accused, and those convicted of crimes, including proactive cooperation with relevant non-governmental organizations</p>	<p>E.3.2</p> <ul style="list-style-type: none"> Justice institutions' internal rules and practices have been modified to match the needs of target groups, consistent with international standards and in line with cultural practices regarding gender segregation Procedural amendments are in place and are being applied 	<p>E.3.2</p> <ul style="list-style-type: none"> Audit of institutional practices 	<p>E.3.2</p> <ul style="list-style-type: none"> Institutional structures are resistant to change

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<ul style="list-style-type: none"> A special unit of the AGO has been established to support victims of crime and vulnerable witnesses Unit is operational Number of operational nongovernmental organizations engaged in the support of and assistance to victims of crime and vulnerable witnesses have been established 	<ul style="list-style-type: none"> Survey of relevant non-governmental organizations 	
E.3.3 Procedural code is amended to address specific needs of witnesses, including women and other vulnerable groups.	E.3.3 <ul style="list-style-type: none"> Baseline data are established and tracked 	E.3.3 <ul style="list-style-type: none"> Survey of new code provisions and audit of institutional practices 	E.3.3 <ul style="list-style-type: none"> Political support sufficient to amend law exists
Improving Prosecutions E.3.4 Carry out a baseline survey of prosecution efficiency and number of criminal complaints proceeding to trial.	E.3.4 <ul style="list-style-type: none"> Baseline survey is in place and data are being tracked 	E.3.4 <ul style="list-style-type: none"> Audit of survey data 	E.3.4 <ul style="list-style-type: none"> Existing recordkeeping system allows for data collection
E.3.5 Develop a program for prioritising prosecution resources according to seriousness of the offence.	E.3.5 <ul style="list-style-type: none"> Program is in place Improvements reflected in baseline data 	E.3.5 <ul style="list-style-type: none"> Program audit Survey of tracking data 	E.3.5 <ul style="list-style-type: none"> Legal framework does allow sufficient flexibility
Survey of Sentencing Policy E.3.6 Review and analyze existing assistance, programs and activities relating to sentencing practices, detention practices, and prisoner conditioners.	E.3.6 <ul style="list-style-type: none"> Improvement of sentencing and detention practices 	E.3.6 <ul style="list-style-type: none"> Review of records 	E.3.6 <ul style="list-style-type: none"> Political consensus regarding procedural code is sufficient

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
E.3.7 Develop and implement policy recommendations for improving sentencing, detention, and conditions of prisoners	E.3.7 <ul style="list-style-type: none"> Improvement of conditions of prisoners 	E.3.7 <ul style="list-style-type: none"> Review of sample of court and prison records Spot inspections 	E.3.7 <ul style="list-style-type: none"> Lack of political consensus to implement changes in legal framework Judiciary fails to implement recommended policies
E.4 Civil Justice E.4.1 Expand the number of commercial courts and increase number and capacities of commercial court judges.	E.4.1 <ul style="list-style-type: none"> Increase in the number of commercial courts. Increase in the number of judges trained on commercial law subjects. 	E.4.1 <ul style="list-style-type: none"> Institutional audit Spot inspections 	E.4.1 <ul style="list-style-type: none"> Security allows for expansion
E.4.2. Develop and implement procedures for speedy resolution of small commercial claims	E.4.2 <ul style="list-style-type: none"> Small claims procedure is established and functioning 	E.4.2 <ul style="list-style-type: none"> Institutional Audit 	E.4.2 <ul style="list-style-type: none"> Procedures can be amended
E.4.3 Review the civil justice process, including the Civil Procedure Code with a view to simplification, gender sensitization, and modernization	E.4.3 <ul style="list-style-type: none"> Working group to assist in review of civil justice processes, including the Civil Procedure Code, is formed Working group reviews Civil Procedure Code and proposes amendments designed to achieve simplification, gender sensitization, and modernization of civil procedures Civil Procedure Code is revised in line with recommendations 	E.4.3 <ul style="list-style-type: none"> Review of meeting minutes Review of proposed amendments Review of legislation 	E.4.3 <ul style="list-style-type: none"> Sufficient political consensus exists to implement changes in procedure
E.4.4 Increase number of skilled judges in	E.4.4 <ul style="list-style-type: none"> A number of judges are trained on 	E.4.4	E.4.4 <ul style="list-style-type: none"> Supreme Court supports

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
the area of land disputes.	land law subjects.	<ul style="list-style-type: none"> ■ Institutional audit 	<ul style="list-style-type: none"> ■ programme
E.4.5 Develop policies to promote the recording of informal decisions on land disputes	E.4.5 <ul style="list-style-type: none"> ■ Review of records 	E.4.5 <ul style="list-style-type: none"> ■ Review of documents 	E.4.5 <ul style="list-style-type: none"> ■ Political consensus exists
E.4.6 Develop and implement judicial procedures to address the special needs of women and children in family disputes	E.4.6 <ul style="list-style-type: none"> ■ Procedures are place and applied 	E.4.6 <ul style="list-style-type: none"> ■ Institutional audit, review of data 	E.4.6 <ul style="list-style-type: none"> ■ Judges have been trained on new procedures
E.4.7 Review and amend laws and procedures related to marriage, divorce and child custody so as to eliminate bias and discriminations against women	E.4.7 <ul style="list-style-type: none"> ■ Laws have been amended 	E.4.7 <ul style="list-style-type: none"> ■ Review of legislation 	E.4.7 <ul style="list-style-type: none"> ● Political consensus to amend laws exists
E.4.8 MOJ will enhance its capacity to conciliate and mediate private disputes and, as capacity and available infrastructure expand, will increase the quality and availability of such services in provincial and district offices.	E.4.8 <ul style="list-style-type: none"> ■ Regulations enacted to clarify the respective roles, and improve coordination between, the Huquq and the courts in resolving private disputes ■ Number of successfully mediated disputes has measurably increased 	E.4.8 <ul style="list-style-type: none"> ■ Review of legislation ■ Institutional audit 	E.4.8 <ul style="list-style-type: none"> ■ Parties are willing to bring disputes to MOJ
E.5 System of Administrative Law	E.5.1 <ul style="list-style-type: none"> ■ Commission including representatives of justice institutions, law faculties, and independent bar is formally established ■ Experts are identified and 	E.5.1 <ul style="list-style-type: none"> ■ Review of organisational documents ■ Review of experts' work plan ■ Review of study 	E.5.1 <ul style="list-style-type: none"> ■ Sufficient political consensus exists to undertake study and consider recommendations
E.5.1 Justice institutions participate in a commissioned study of the feasibility of introducing administrative law structures and procedures to enhance accountability of government			

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
institutions.	<ul style="list-style-type: none"> retained by Commission Study is conducted, assessing current procedures for judicial review of decisions made by Government officials and considering the sustainability and affordability of introducing a system of administrative justice Results are published 		
E.6 Corrections E.6.1 Develop and implement detention policies which incorporate international standards for the treatment of prisoners and humane conditions of confined prisoners	E.6.1 <ul style="list-style-type: none"> Comprehensive survey has been conducted to determine the frequency of detainees being held unlawfully without charge or indictment Comprehensive survey has been conducted to determine the frequency of convicts remaining incarcerated unlawfully after having served the entirety of their prison sentence Detention policies have been developed, with attention to: <ul style="list-style-type: none"> Prevention of unlawful detention; Appropriate classification and segregation of prisoners according to risk and security factors; and Preservation the human rights of detainees and prisoners Detention centers and prisons 	E.6.1 <ul style="list-style-type: none"> Review of survey instrument and results Review of survey instrument and results Review of documents Review of human rights reports 	E.6.1 <ul style="list-style-type: none"> Consensus amongst stakeholders is sufficient to agree on policies

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>E.6.2</p> <p>Develop and expand non-custodial sentencing options incorporating international standards for minor offenses</p>	<p>are cooperating with the Afghan Independent Human Rights Commission and other relevant groups to ensure independent review of prison conditions and prisoner treatment</p> <p>E.6.2</p> <ul style="list-style-type: none"> ■ Justice institutions have established a working group to consider options for simplifying sentencing guidelines and expanding options for non-custodial sentencing for minor offenses ■ Working group issues simplified sentencing guidelines for minor offenses ■ Develop new options and improve existing mechanism for enforcement of non-custodial sentences, including <ul style="list-style-type: none"> ○ systematic collection of fines, ○ confiscation of assets, ○ non custodial supervision, and ○ court ordered destruction of contraband such as narcotics; ■ Relevant justice personnel are trained on new guidelines and sentencing mechanisms ■ New guidelines and sentencing mechanisms are implemented 	<p>E.6.2</p> <ul style="list-style-type: none"> ■ Review of meeting minutes ■ Review of guidelines ■ Review of documents ■ Review of training records ■ Review of case files 	<p>E.6.2</p> <ul style="list-style-type: none"> ■ Sufficient institutional capacity exists to enforce non-custodial sentencing options without compromising security
<p>E.6.3</p>	<p>E.6.3</p>	<p>E.6.3</p>	<p>E.6.3</p>

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
Develop and implement policies and regulations to optimize the use of Open and Closed Centres with the aim to promote an effective rehabilitation of children in conflict with the law regardless of their charges, and with special attention to non-custodial sentences, consistent with the Juvenile Code	<ul style="list-style-type: none"> ▪ Policies on Open and Close Rehabilitation Centers have been implemented 	<ul style="list-style-type: none"> • Review of documents • Institutional Audits 	<ul style="list-style-type: none"> • Consensus and political will exists
E.7 Improving Treatment of Juveniles and Children E.7.1 Review and analyze existing assistance, programs and activities for juvenile offenders and children in conflict with the law.	E.7.1 <ul style="list-style-type: none"> ▪ Baseline data are established and tracked 	E.7.1 <ul style="list-style-type: none"> ▪ Review of records 	E.7.1 <ul style="list-style-type: none"> ▪ None
E.7.2 Strengthen the legal framework so as to improve responsiveness to the needs of juvenile offenders and children in conflict with the law., in line with the Juvenile Code and international norms and standards.	E.7.2 <ul style="list-style-type: none"> ▪ Relevant laws have been amended/improved to reflect the requirements of the Juvenile Code 	E.7.2 <ul style="list-style-type: none"> ▪ Review of legislative record 	E.7.2 <ul style="list-style-type: none"> ▪ Political consensus regarding juvenile needs is sufficient to pass proposed laws
E.7.3 Strengthen the institutional framework for delivery of juvenile justice services, including social services.	E.7.3 <ul style="list-style-type: none"> ▪ Required number of institutions and personnel are in place and operational ▪ Juvenile offenders are successfully reintegrated into community and family ▪ Number of social workers incorporated in the Tashkil and recruited to serve both juvenile rehabilitation and adult detention 	E.7.3 <ul style="list-style-type: none"> ▪ Review of institutional records ▪ Audit of case files 	E.7.3 <ul style="list-style-type: none"> ▪ Capacity of related institutions outside the justice sector exists

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
E.7.4 Strengthen the legal and institutional framework for children accompanying their mothers in prison.	centres E.7.4 <ul style="list-style-type: none"> Baseline census and conditions survey of children accompanying their mothers in prison Procedures are in place to supervise the wellbeing of children accompanying their parents Increasing numbers/percentage of children accompanying their parents in prison who are supervised by social workers 	E.7.4 <ul style="list-style-type: none"> Review of census data Review of records Review of records 	E.7.4 <ul style="list-style-type: none"> Political consensus regarding is sufficient to pass proposed laws
COMPONENT F Citizens are more aware of their rights and are better able to enforce them.	<ul style="list-style-type: none"> Independent evaluations report increasing confidence in the formal legal system 	<ul style="list-style-type: none"> Opinion polling 	<ul style="list-style-type: none"> Political actors remain committed to rule of law
Objectives: F.1** Practices and procedures governing trials and routine legal transactions, including registration of documents, have been streamlined and rationalised	F.1 <ul style="list-style-type: none"> Increased percentage of trials are completed within the legally mandated time limits Use of systems for registering and retrieving documents is increasing 	F.1 <ul style="list-style-type: none"> Case tracking data Evaluation of indexing system data 	F.1 <ul style="list-style-type: none"> New system grows quickly enough to meet increasing demand
F.2** Enhanced access to formal legal system for indigents, illiterates, women, and children	F.2 <ul style="list-style-type: none"> Increasing numbers of targeted populations receive fair and equitable services from justice institution 	F.2 <ul style="list-style-type: none"> Sample surveys of targeted populations Evaluation of usage data 	F.2 <ul style="list-style-type: none"> Existing cultural barriers to use are amenable to change Justice system is able to adapt to social and cultural needs of target groups
F.3 Enhanced monitoring of human	F.3 Reporting on human rights'	F.3 <ul style="list-style-type: none"> Institutional audit, review of 	F.3 Political consensus and will exists

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
rights enforcement throughout the Government	performance of government has been established	documents	
F.4** Increased knowledge of laws, rights, and responsibilities through legal awareness campaigns	F.4 Public demonstrates increasing knowledge of basic rights and responsibilities	F.4 Sample surveys of targeted populations	F.4 Relationship of trust between government and the people continues and expands
F.5 The role of traditional dispute resolution in the rule of law is defined, and TDR decisions consistently meet international human rights standards.	F.5 Policies regarding TDR have been developed and are in place	F.5 Review of documents	F.5 Stakeholders are able to reach consensus on policies
F.6 Begin the process of establishing a transitional justice system to record past human rights abuses and preserve the rights of victims consistent with the Government's Action Plan for Peace, Reconciliation and Justice	F.6 Structures and processes are being established	F.6 Review of documents	F.6 Political consensus exists
Key Outputs: F.1: Enhanced Publication and Dissemination F.1.1 Assess needs of justice institutions and citizens for legal materials.	F.1.1 Survey instrument is designed Needs assessment is in place	F.1.1 Review of documents	F.1.1 Institutions and citizens are sufficiently familiar with available resources to assess needs realistically
F.1.2 Compile and distribute legal materials in response to needs and establish system for routine updating of legal resources.	F.1.2 Laws are compiled and printed in line with needs assessment Distribution system is designed, established, and operational	F.1.2 Review of documents Spot inspections Institutional audit	F.1.2 Political consensus exists as to the body of laws in force Provincial distribution centres can be established

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<ul style="list-style-type: none"> ▪ Mechanism for updating compilation established and functioning 		
F.1.3 Develop and distribute judicial and procedural manuals for legal professionals, including judges, prosecutors and defense advocates.	<p>F.1.3</p> <ul style="list-style-type: none"> ▪ Working group established to identify key laws and procedural code provisions ▪ Initial drafts of manuals are prepared and vetted with legal professionals ▪ Distribution systems are designed, established, and operational ▪ Mechanism for updating manuals is established and functioning 	<p>F.1.3</p> <ul style="list-style-type: none"> ▪ Review of meeting records ▪ Review of documents ▪ Spot inspections ▪ Institutional audit 	<p>F.1.3</p> <ul style="list-style-type: none"> ▪ Legal professionals willing to participate in working groups ▪ Judges and other legal professionals have capacity to use assembled manuals
F.1.4 Develop and implement policies for the reporting and publication of important decisions of the Supreme Court	<p>F.1.4</p> <ul style="list-style-type: none"> ▪ Policies are in place ▪ Publication of important decisions has begun ▪ Increasing number of legal professionals have access to important Supreme Court decisions 	<p>F.1.4</p> <ul style="list-style-type: none"> ▪ Review of policies ▪ Institutional audit ▪ Spot inspections 	<p>F.1.4</p> <ul style="list-style-type: none"> ▪ None.
Enhanced Access to Legal Documents F.1.5 Survey and standardize routine legal documents (e.g., bonds, title deeds, marriage certificates and certificates of the courts) and the existing systems for registering, indexing and retrieving them.	<p>F.1.5</p> <ul style="list-style-type: none"> ▪ Survey instrument is designed and survey completed ▪ Working group to design standardized forms and registration systems is established and operational ▪ Recommendations are made for simplifying procedures to resolve questions of legal documentation, 	<p>F.1.5</p> <ul style="list-style-type: none"> ▪ Review of documents ▪ Review of meeting minutes and documents ▪ Review and evaluation of recommendations 	<p>F.1.5</p> <ul style="list-style-type: none"> ▪ Local practices are sufficiently coherent to allow standardisation

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
	<p>with particular emphasis on documentation related to personal identification</p> <ul style="list-style-type: none"> Recommendations are implemented 		
F.1.6. Distribute forms to relevant justice facilities nationwide and train staff to use them and make them available to the public for standardised nominal fees.	<p>F.1.6</p> <ul style="list-style-type: none"> Court and relevant ministry personnel are trained on updated registration, indexing and retrieval systems, and on newly simplified procedures for resolving questions of legal documentation Standardised forms are distributed System is made operational 	<p>F.1.6</p> <ul style="list-style-type: none"> Institutional audit and review of training records Review of documents Spot inspections, number of registrations 	<p>F.1.6</p> <ul style="list-style-type: none"> Sufficient court infrastructure exists to introduce and implement new registration and indexing system
F.1.7. Pilot an electronic storage and retrieval system for legal registration documents	<p>F.1.7</p> <ul style="list-style-type: none"> Suitable locations for implementation of pilot system are identified Pilot system is designed and made operational Pilot system is evaluated 	<p>F.1.7</p> <ul style="list-style-type: none"> Review of documents Institutional audit Review usage and system data 	<p>F.1.7</p> <ul style="list-style-type: none"> Sufficient infrastructure to run pilot scheme exists Standardisation project is sufficiently advanced to allow launch of pilot with consistent data
Access to Formal Legal System for Indigents F.2.1. Conduct baseline survey of legal aid service provision.	<p>F.2.1</p> <ul style="list-style-type: none"> Survey instruments are designed Survey is carried out and results reported 	<p>F.2.1</p> <ul style="list-style-type: none"> Review of documents 	<p>F.2.1</p> <ul style="list-style-type: none"> Security conditions allow for comprehensive survey
F.2.2. Consider options and costs of various models for legal aid delivery, and draw up recommendations for a legal aid system	<p>F.2.1</p> <ul style="list-style-type: none"> Stakeholder consultations have taken place Report has been commissioned and finalised, and 	<p>F.2.1</p> <ul style="list-style-type: none"> Review of meeting minutes Review of report 	<p>F.2.1</p> <p>Stakeholders and current providers of legal aid are prepared to disclose data necessary to complete full costing analysis</p>

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
F.2.3 Implement legal aid recommendations	<p>recommendations disseminated</p> <p>F.2.3</p> <ul style="list-style-type: none"> As defined in recommendations Recommendations are implemented in coordination with public awareness campaign designed to inform public of the availability of legal aid services Public awareness of legal aid services is increasing 	<p>F.2.3</p> <ul style="list-style-type: none"> Review of implementation records Spot checks Survey of public 	<p>F.2.3</p> <ul style="list-style-type: none"> Political consensus on recommendations can be reached
Access to and Use of Formal Legal System for Women and Children F.2.4. Conduct needs assessment and survey of obstacles to access to and use of formal legal system	<p>F.2.4</p> <ul style="list-style-type: none"> Survey instruments are designed Survey is carried out and results reported 	<p>F.2.4</p> <ul style="list-style-type: none"> Review of documents 	<p>F.2.4</p> <ul style="list-style-type: none"> Security conditions allow for comprehensive survey
F.2.5. Draw up recommendations for a project for women's protection and empowerment to increase access to and use of formal legal system	<p>F.2.5</p> <ul style="list-style-type: none"> Stakeholder consultations have taken place Report has been commissioned and finalised, and recommendations disseminated 	<p>F.2.5</p> <ul style="list-style-type: none"> Review of meeting minutes Review of report 	<p>F.2.5</p> <ul style="list-style-type: none"> Consensus can be reached among stakeholders
F.2.6. Implement recommendations	<p>F.2.6</p> <ul style="list-style-type: none"> As defined in recommendations Women have access to free legal aid, including the services of trained paralegals 	<p>F.2.6</p> <ul style="list-style-type: none"> Review of implementation records Review of case records 	<p>F.2.6</p> <ul style="list-style-type: none"> Public officials outside of the justice sector (e.g., police) remain cooperative
Access to Formal Legal System for Illiterate Persons F.2.7. Survey of obstacles to providing	<p>F.2.7</p>	<p>F.2.7</p>	<p>F.2.7</p> <ul style="list-style-type: none"> Security conditions allow for

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
justice services (including access to standard legal forms and identification documents) for illiterate persons	<ul style="list-style-type: none"> Survey instruments are designed Survey is carried out and results reported 	<ul style="list-style-type: none"> Review of documents 	comprehensive survey
F.2.8. Consider options and costs of various models for improving access to formal legal system, and draw up recommendations	F.2.8 <ul style="list-style-type: none"> Stakeholder consultations have taken place Report has been commissioned and finalised, and recommendations disseminated 	F.2.8 <ul style="list-style-type: none"> Review of meeting minutes Review of report 	F.2.8 <ul style="list-style-type: none"> Stakeholders are able to reach consensus on recommendations
F.2.9. Implement recommendations to improve access.	F.2.9 <ul style="list-style-type: none"> As defined in recommendations 	F.2.9 <ul style="list-style-type: none"> Review of implementation records 	F.2.9 <ul style="list-style-type: none"> Public officials outside of the justice sector (e.g., police) remain cooperative
F.3 Human Rights Unit			
F.3.1. Consider the establishment of a unit within the Ministry of Justice responsible for coordinating GoA's implementation of its human rights obligations and monitoring human rights enforcement across the government	F.3.1 <ul style="list-style-type: none"> Concept note for establishment of unit has been developed and disseminated Concept note is finalized Approval by Cabinet/President, as agreed in consultative process, has been obtained Unit has been established Unit is operational Unit receives and reports data and information consistent with the obligations of the Human Rights Treaty 	F.3.1 <ul style="list-style-type: none"> Review of documents Institutional audit Review of Afghanistan's reports to international bodies 	F.3.1 <ul style="list-style-type: none"> Capacity exists
F.4: Enhance Legal Awareness			

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
<p>F.4.1</p> <p>Design legal awareness programs paying particular attention to:</p> <ul style="list-style-type: none"> • Successes and lessons learned from previous campaigns • Human rights and Islamic values • The rights of women and children • The needs of illiterate or semi-literate persons • Local elders involved in informal dispute resolution so as to raise their legal awareness • Transitional justice • The roles of each justice institution in promoting access to justice for all. 	<p>F.4.1</p> <ul style="list-style-type: none"> ▪ Working groups are established to review past programmes and design awareness programmes, tailoring messages to the intended audience, and incorporating use of all appropriate national and local media ▪ Mechanisms for the design and production of legal awareness materials are established and operational ▪ Distribution systems are identified 	<p>F.4.1</p> <ul style="list-style-type: none"> ▪ Review of meeting minutes ▪ Institutional audit ▪ Review of documents 	<p>F.4.1</p> <ul style="list-style-type: none"> ▪ Stakeholders are able to reach consensus on content of awareness campaigns
<p>F.4.2. Implement legal awareness programs, in coordination with activities expanding formal justice systems to provinces</p>	<p>F.4.2</p> <ul style="list-style-type: none"> ▪ Legal awareness campaigns have been launched, modified or expanded ▪ Increasing percent of population have been reached by legal awareness materials 	<p>F.4.2</p> <ul style="list-style-type: none"> ▪ Spot inspections ▪ Sample survey of targeted population 	<p>F.4.2</p> <ul style="list-style-type: none"> ▪ Political consensus exists to implement legal awareness campaigns
<p>F.5:</p> <p>Traditional Dispute Resolution</p> <p>F.5.1.</p> <p>Collect, record, analyse, and disseminate data on traditional dispute resolution practices. Bring stakeholders together to define a role for TDR and policies to ensure that TDR outcomes are compatible with</p>	<p>F.5.1</p> <ul style="list-style-type: none"> ▪ Baseline data are established and tracked ▪ For a to discuss TDR issues are functioning 	<p>F.5.1</p> <ul style="list-style-type: none"> ▪ Review of records 	<p>F.5.1</p> <ul style="list-style-type: none"> ▪ Security and social conditions permit data collection ▪ Political consensus exists

Narrative Summary	Performance Indicators	M&E	ASSUMPTIONS/RISKS
human rights standards, Islamic values, and the law of the land			
F.5.2 Design and implement system for monitoring outcomes of TDR decisions. Design a process for implementing policies in targeted areas so as to ensure compliance with human rights standards, Islamic values, and the law of the land	F.5.2 <ul style="list-style-type: none"> ■ Mechanisms are in place for monitoring outcomes of TDR decisions ■ Policy implementation is ongoing 	F.5.2 <ul style="list-style-type: none"> ■ Review of records ■ Process audit 	F.5.2 <ul style="list-style-type: none"> ■ Participants in matters subject to TDR agree to participate with research ■ Relevant elements of social culture are amenable to change
F.6: Transitional Justice			
F.6.1 Assemble a working group to make recommendations on the establishment of truth-seeking mechanisms	F.6.1 <ul style="list-style-type: none"> ■ Working group has been established ■ Working group has drafted recommendations in line with the Government's Action Plan for Peace, Reconciliation, and Justice ■ To the extent necessary to implement recommendations, laws are drafted and enacted 	F.6.1 <ul style="list-style-type: none"> ■ Review of meeting minutes ■ Review of recommendations ■ Review of draft legislation 	F.6.1 <ul style="list-style-type: none"> ■ Political consensus exists
F.6.2 Establish a system to record past human rights abuses and to preserve the rights of victims consistent with the Government's Action Plan for Peace, Reconciliation and Justice	F.6.2 <ul style="list-style-type: none"> ■ A system is in place and operational 	F.6.2 <ul style="list-style-type: none"> ■ Review of collected records 	F.6.2 <ul style="list-style-type: none"> ■ Adequate policy support for transitional justice exists
F.6.3 Enhance government capacity to assist investigations and prosecutions being conducted outside Afghanistan on abuses committed in Afghanistan or by Afghans	F.6.3 <ul style="list-style-type: none"> ■ Mechanisms to render assistance in investigations or prosecutions outside Afghanistan ■ Institutions have assisted in such investigations or prosecutions outside Afghanistan (if active) 	F.6.3 <ul style="list-style-type: none"> ■ Institutional audit ■ Review of prosecution records 	F.6.3 <ul style="list-style-type: none"> ■ Adequate policy support for transitional justice exists

ARTF PROJECT PROPOSAL

ARTF PROJECT PROPOSAL SECTOR REFORM PROJECT (PHASE 1)

Part 3 contains an application for ARTF funding for a justice project [“the ARTF Application”]. In this task the Government of Afghanistan will be assisted by the ARTF Administrator. It will consist of a log frame containing inter alia specific activities to be implemented and related outputs, outcomes and costs. All the activities contained in Part 3 will be funded through the ARTF investment and recurrent windows. Procurement, financing,

M&E and auditing related to these activities will be implemented through the NJP Programme Oversight Committee (acting as a steering committee) and the NJP Programme Support Unit, which will act in accordance with ARTF rules, procedures and mechanisms. The exact shape of the NJP implementation structure in relation to Part 3 activities will be specified in the start-up plan to be negotiated by the ARTF Administrator and the Government of Afghanistan

Applicant	The Islamic Republic of Afghanistan
Brief Description	A project to enhance the capacity of the Afghan justice institutions to deliver legal services. Investment and technical assistance provided under the project are intended to strengthen human capital and physical infrastructure management, augment the skills of justice sector professionals, and enhance the physical infrastructure used to deliver legal services. The project is also intended to empower the Afghan people through legal aid and education on legal rights and obligations. This is the first ARTF-funded project proposal intended to support the implementation of the National Justice Sector Strategy (NJSS) and the National Justice Program (NJP). The aim of this first project (Phase 1) is to implement a set of quick impact sub-projects, visible to the Afghan people, while also preparing a foundation for a subsequent more robust and longer term ARTF-supported project (Phase 2).
Project Development Objective	To strengthen the centralized state justice system in Afghanistan and increase access to justice for the Afghan people.
Performance Indicators	<ol style="list-style-type: none"> 1. The number of improved justice facilities. 2. The number of people who receive legal services. 3. The number of qualified and properly trained justice professionals. 4. The number of legal professionals with increased access to adequate legal reference materials. 5. The extent of legal advice and representation provided by the state’s legal aid program. 6. The number of community leaders and other Afghan people reached through the legal awareness initiatives. 7. Improved capacity of legal institutions to manage their human resources and assets. 8. Progress in human resource reforms to lay the foundations for increasing salaries.
Sector	Justice (BG)
Location	Kabul City, provinces and districts in Afghanistan, to be identified
Total Project Cost	\$27 million ARTF financing
Amount Requested for ARTF MC Approval	\$27 million

Applicant	The Islamic Republic of Afghanistan
Implementing Agencies	The Supreme Court of Afghanistan The Afghan Ministry of Justice The Afghan Attorney General's Office
Implementing Period	Two years
Implementation Arrangements	The project will be implemented by a Program Oversight Committee, Program Support Unit, and a Project Unit in each implementing agency.
Contact for further information	Dr. Abdul Kamawi, The Supreme Court of Afghanistan Mr. Mohammed Hashemi, The Afghan Ministry of Justice Dr. Samaadi, The Afghan Attorney General's Office
Reviewed and Cleared by the Administrator	Loan Department; Legal Department; Country Management

STRATEGIC CONTEXT AND RATIONALE

A. Key Development Issues

Afghanistan continues to struggle to overcome the legacy of almost three decades of war and civil strife. Its political context remains complex and dominated by the cross-border Taliban insurgency, increasing narcotics production, and weak governance and rule of law.

Its economy has continued to recover strongly in recent years, marked by strong fiscal discipline and declining inflation, but the political and economic situation remains very fragile, especially in view of the tense, and in some areas deteriorating, security situation. By the time the Taliban government fell in 2001, the Afghan political system had largely collapsed.

While many of the formal structures and some of the traditional practices of public administration remained in place, they lack human, financial and physical resources, as well as up to date know how. Since then, the Government of Afghanistan (GoA) has faced enormous challenges in restoring security, taking charge of running the country, building consensus across various political factions and rebuilding the capacity of the state.

In this challenging context, significant progress has been made in restoring institutions of govern-

ance, but more is urgently needed. Corruption continues to threaten the initial gains in government capacity and effectiveness, and encourages a culture of patronage and involvement in illegal activities, damaging the credibility of the state.

1. Justice Sector

In recent years, the GoA has taken bold steps, assisted by the international community, to rehabilitate the justice system and improve the delivery of legal services. Pursuant to initiatives supported by the international donor community, hundreds of judges, prosecutors, *Huqquq* officers and other officials have received substantive legal training; new courts and office facilities have been built; a new manual case management system has been tested for the courts; business operations, especially in the central justice institutions – the Supreme Court (SC), Ministry of Justice (MoJ) and Attorney General's Office (AGO) – continue to be more closely aligned with current needs; and a number of NGOs have worked to provide legal assistance to the poor and disadvantaged to deal with their day-to-day challenges.

Given its direct relationship to GoA priority interests such as security and economic development, justice sector initiatives initially focused on criminal justice, including the corrections system. In recent years, the focus of government and donor efforts has widened considerably to include

work on other aspects of the justice system. Donors such as USAID, for example, have provided significant support for court administration and for legislative drafting capacity. Italy, the US and Germany, among others, have supported legal education and training for legislative drafters, judges, prosecutors, public defenders, law professors and law students. Further examples include UNODC's provision of training on juvenile justice, and the EC's support for implementation of the Priority Reform and Restructuring (PRR) program, and other HRM reforms, at each of the justice institutions. There has also been research and training on aspects of Afghan law such as human rights, women's rights and matrimonial law. There is much ongoing work on the development of professional standards in the justice sector, on building a national legal aid system and on the promotion of legal awareness. Technical support, including office management, computer and database training, and the rehabilitation and construction of infrastructure has been provided to the justice institutions. Legal libraries have been established and new reference materials produced. There have also been a range of justice sector conferences, seminars, studies and assessments (see Annex 8 for a full list of justice sector project supported by donors).

One of the particular challenges in the Afghan legal system is the need to reconcile and connect state law, sharia law and customary law so as to establish a unified Islamic system that is consistent with Islamic standards, human rights standards and Afghan legal traditions. Currently, the state courts and the traditional community-based *jirgas* and *shuras* work largely in isolation of each other. The GoA aims to build a unified justice system that will rely on formal institutions, while integrating the functions of the traditional mechanisms of dispute resolution. At this early stage,

the priority is to strengthen the state justice institutions. At the same time, the GoA is, and the permanent justice institutions in particular are, developing policies toward embracing the potential of traditional justice systems.

Much work remains to be done in relation to the formal justice sector. Working conditions for those in the sector remain very poor. Judges, prosecutors, and civil servants working in the justice sector are paid less than a third of what is considered to be a living wage; they often do not have sufficient training or access to laws and other legal materials to advise on, apply or enforce state laws; and they often feel isolated from the central government and lacking the personal security necessary to reach independent decisions in local communities. All of these factors make them more susceptible to corruption, which according to popular perception is widespread in the justice sector. Court houses and offices are frequently either non-existent or badly dilapidated. Where they do exist, they often lack basic equipment such as desks, chairs, and often, even pens and paper. Many legal professionals also lack access to transportation to attend courts and offices in remote areas, of which there are many in Afghanistan. All these things undermine their efforts to deliver legal services to Afghan citizens.

Citizens themselves lack confidence in the formal justice institutions and regard them as slow, ineffective and often corrupt. Access to courts and legal assistance are rights enshrined in the Afghan constitution, but they are rights that are very difficult for the majority of Afghans, particularly women, to realize. Public awareness of legal rights is very low, legal information is very difficult to access, and the majority of people cannot afford court fees or the transportation costs for attending court. It follows that one of the biggest

challenges of building the Afghan state is to establish the legitimacy of the formal justice system.

2. National Justice Sector Development Program

In January 2006, the GoA and the international community agreed on specific development goals and deadlines for their achievement, including in the justice sector, in the *Afghanistan Compact*. These goals, along with others based on the strategies produced by the Supreme Court (SC), Ministry of Justice (MoJ) and Attorney General's Office (AGO) in April 2007, have now been incorporated into a *National Justice Sector Strategy* (NJSS). The NJSS is intended to be a statement of high level objectives, and is accompanied by a *National Justice Program* (NJP). The NJP is an implementation plan designed to achieve the objectives set out in the NJSS. The draft NJSS and NJP are currently at an advanced stage, and once finalized, will form part of the GoA's *Afghanistan National Development Strategy* (ANDS).

According to the NJSS, GoA's vision is "an Islamic society in which an impartial and independent justice system delivers safety and security for life, religion, property, family and reputation, with respect for liberty, equality before the law and access to justice for all." The NJSS aims to realize this vision by undertaking a range of activities unified under three goals: (i) improved quality of justice; (ii) improved integrity, performance and infrastructure; and (iii) improved coordination and integration within the justice system, with other government institutions and civil society.

The proposed project is fully consistent with the NJSS and the NJP objectives and priorities, and is designed to coordinate with and build on past and ongoing projects implemented by the GoA and international donors (see Annex 1 for more details).

B. Rationale for ARTF Involvement

As GoA and the international donor community agreed at the 2007 *Rome Conference on the Rule of Law in Afghanistan* (convened by Afghanistan and Italy and jointly chaired by the United Nations) there is an urgent need to improve the coordination, integration and funding of investments in the Afghan justice sector.

As part of their Joint Recommendations, the Rome conference participants agreed to elaborate a comprehensive National Justice Program and establish a pooled funding mechanism to support it. The Conference invited the World Bank to assist in the design of the pooled funding mechanism and noted that the ARTF showed the most potential.

The implementation of the NJSS and the NJP is a long term process which will require continuing support through a number of programs and projects, only some of which will be financed by the ARTF. It is hoped that the use of the ARTF, as a significant source of pooled funding, will facilitate a coordinated approach among international donors in the justice sector, reduce duplication, minimize transaction costs, and so significantly increase the development impact of donor contributions in this sector.

At the same time, some justice sector programs and projects will continue to be supported by bilateral donors or other multilateral trust funds, e.g. the Counter Narcotics Trust Fund and the Law and Order Trust Fund. The various programs and projects are drawn together under the objectives and priorities of the NJSS, and the NJP.

PROJECT DESCRIPTION

A. Project Development Objectives

In line with the ANDS and NJSS, the project's

development objective is to strengthen a centralized state justice system and to increase access to justice for the Afghan people. The project's immediate objective is to enhance the capacity of the justice sector institutions to deliver legal services. This will be achieved primarily through more strategic human capital and physical infrastructure management, increasing the skills of justice sector professionals, and enhancing the physical infrastructure used to deliver legal services.

The guiding principles which underlie this project are: (i) to facilitate a shift from *ad hoc* initiatives to more systemic, structural reforms owned by the Afghan justice sector institutions; (ii) to establish justice sector centers of excellence (strategically located justice sector facilities, serving as models for replication and enabling measurement of the cumulative effects of reforms); (iii) to meet infrastructure needs as part of a comprehensive program of institutional reform; (iv) to strengthen self-governing structures in the justice sector to promote professional competence and integrity and fight corruption; (v) to build sustainable institutional capacity and (vi) to promote the design and implementation of measures that recognize the additional challenges faced by the most vulnerable sections of the Afghan population including women, children and those with disabilities (including the promotion of gender equality and human rights).

The project's progress will be measured against: (i) the number of improved facilities; (ii) the number of people who receive legal services in these facilities; (iii) the number of qualified and properly trained justice professionals; (iv) the number of legal professionals with increased access to adequate legal reference materials; (v) the extent of legal advice and representation provided by the state's legal aid program; (vi) the number of

community leaders and ordinary Afghan people reached through the public awareness initiatives; (vii) the increase in the capacity of legal institutions to manage their human resources and assets; and (viii) progress in human resource reforms to lay the foundations for increasing salaries. See also the Monitoring & Evaluation Framework proposed in Annex 7.

The baseline data to measure project progress against the above indicators, and the project monitoring and evaluation arrangements, will be agreed at the beginning of project implementation. Measures to enhance the capacity of the justice institutions, and the project implementation structure, to establish baseline data and to conduct monitoring and evaluation will also be considered.

B. Strategic Choices

This is the first ARTF-funded project proposal intended to form part of the NJP. The aim of this first project (Phase 1) is to implement a set of quick impact sub-projects, visible to the Afghan people, while also preparing a foundation for a subsequent more robust and longer term ARTF-supported project (Phase 2). The scope of activities in Phase 1 is deliberately limited, in view of the need to establish the implementation structure, to build procurement capacity in the institutions, to assimilate baseline data and to operate in an uncertain security environment. Phase 2 activities will address more complex challenges under the same development objectives. This incremental approach is intended to enable the swift delivery of tangible benefits that will work to build trust and confidence in the GoA and the justice institutions, and capitalize on the political momentum, both domestically and internationally, for justice sector reform.

Preparation of Phase 2 will begin during or immediately after the implementation of Phase 1. Phase 2 will be designed to be consistent with, and where appropriate, to continue, Phase 1 activities. It is anticipated that Phase 2 will: continue to support initiatives instigated in Phase 1 such as HRM reforms and training; implement the construction of infrastructure, the designs of which will be reviewed and procurement undertaken as part of the Phase 1 project; continue to provide ICT support; continue to support legal aid and legal awareness initiatives and their roll out to additional provinces; and, additionally, address some more complex issues such as possibilities for integration of the informal justice system, the establishment of agreed standards for the recruitment, training and performance evaluation of justice sector professionals and the standardization of legal education. The GoA will prepare Phase 2 in close consultation with international donors, and the Bank will appraise the project design. Preparation work may start as early as September 2008.

C. Project Components

The project will have three components: (i) Enhancing Capacity of Justice Institutions; (ii) Empowering the People; and (iii) Strengthening Implementation Capacity.

1. Enhancing Capacity of Justice Institutions (USD 23.6 million)

The objective of this component is to enhance the basic operations of the justice institutions. The target group comprises judges, prosecutors and other justice sector officials, some of whom, by the end of the project, should be able to work under substantially better conditions and possess greater skills related to the resolution of legal disputes. The eventual beneficiaries of this component will be the people of Afghanistan who receive better

service in form of legal dispute resolution.

The component has three subcomponents: (a) human capital; (b) physical infrastructure; and (c) information and communication technology.

A. Human Capital

This subcomponent will finance technical assistance (TA) for the first stages of Human Resource Management (HRM) reforms for judges and prosecutors as well as the continuation of civil service reforms for support staff. These reforms are intended to form the basis for salary increases in the justice sector¹ and to be consistent with the steps taken under the Priority Reform and Restructuring (PRR) program in other ministries.

The specific reforms required as a basis for pay increases will be discussed and agreed with the justice institutions, in consultation with the donor community, early on in the project implementation period. This subcomponent will also support the development of legal libraries, a review of HRM procedures, legal forms, training courses and professional gatherings. A conference of international legal professionals, including those from countries with Islamic legal systems, and their Afghan counterparts will be organized to encourage an open discussion of the development of Afghanistan's domestic law.

HRM reforms and training initiatives will continue to be supported in follow up phases/projects (see Section II.E below). The reforms will target increased productivity (through increased workforce specialization and skill development), and more strategic and integrated court management. Follow up projects will also continue

¹ Salary increases are not funded under this project. They will be funded by donor contributions to the ARTF recurrent window, on successful implementation of the HRM and associated reforms under this and/or follow up projects.

supporting the development of legal documents, publications and other materials. They will aim to capitalize on the results of professional gatherings and strengthen self-governing elements (e.g. professional associations) of the justice sector. This should contribute to the independence of judges and legal professionals.

B. Physical Infrastructure

With the investment and TA provided under this subcomponent, the GoA will establish a Capital Investment Plan, other investment plans and facility design standards, including standards for model justice centers; prepare for and begin to implement construction and repair of court and office facilities and judges' residences; equip new and existing courts and offices; and provide transportation for justice sector officials. Capacity to manage physical assets will also be supported to sustain the progress achieved under this subcomponent.

The new facilities (with the exception of the AGO HQ) will be constructed during a second follow up project (see Section II.E below). Follow up projects will support the rehabilitation, construction and equipping of other facilities according to the plans and standards developed during the initial phase. An overriding objective will be to align assets, buildings and management to the business needs of the sector including, for example, geographical caseload and demand for services.

X. 13. Information and Communication Technology

The third subcomponent will finance an assessment of the need for ICT in the central legal and provincial justice institutions and provide for the networks and hardware needs identified. ICT support will continue under the follow up pro-

jects, in line with the assessments and plans developed during this first project.

2. Empowering the People (USD 2.4 million)

The objective of this component is to empower the Afghan people through legal aid and education. The target group for this component is community leaders as well as the wider population, especially those in the most economically vulnerable sections of the Afghan population, together with legal aid providers. Policy makers will also benefit from activities forming part of this component. The component is divided into two sub-components: (a) legal aid; and (b) legal awareness.

Legal Aid

1. Legal Awareness

This subcomponent will support public confidence in the state justice system, as well as knowledge and understanding of legal rights and obligations under civil (including family), commercial and criminal laws.

TA undertaken by a Legal Awareness unit, within the MoJ, will focus on awareness raising, first, among community leaders, and then, with the help of legal professionals, among the general public.

Nangarhar province, comprising 21 districts, has been selected by the MoJ to pilot this activity. The legal awareness campaign will, to the extent possible and appropriate, be coordinated with related programs, such as the Ministry of Interior's Focused District Development program, bilateral projects and with the legal aid subcomponent of this project. If successful, the project will be rolled out to other provinces as part of a follow up project (see Section II.E below).

2. Strengthening Implementation Capacity (USD 1.75 million)

The ultimate objective of this component is to build implementation capacity within the justice institutions so that they will, in time, be able to implement reforms and other activities without significant additional assistance. The immediate objective of this component is to facilitate effective implementation of the NJSS, NJP and the project. With TA provided under this component, the government will establish and operate NJP management infrastructure which will also be responsible for the management of the ARTF project. The management functions will be shared among: a Program Oversight Committee (POC), a Program Support Unit (PSU), and a project unit (PU) in each of the implementing agencies.

The POC will work closely with the Board of Donors (BoD) which will advise the POC on strategic direction and reform challenges. The project will finance local and international consultants to assist the PSU and PU. It will also finance the costs associated with operating the implementation units (see also Annex 2).

D. Project Costs by Component

E. Relationship to Other Programs

available on existing and proposed bilateral and other projects in the justice sector, the PSU will undertake a stock-taking and bench-marking exercise before launching new activities. This will ensure that activities proposed under this project will not duplicate work already done in the sector and will benefit from lessons learned and best practice information.

Activities under this project relate to the wider public administration reforms (PAR) being supported by international donors and the Bank. The PAR's objectives are to: build an effective civil service; improve local governance and service delivery; and make government accountable to the people. The PRR has been the principal vehicle for restructuring and rationalizing government agencies. The key elements of PRR are functional reviews, merit-based appointments, and pay and grading reforms that include significantly increased salaries. Within the PAR, the MoJ and seven of its regional offices underwent a functional review and redesign of job descriptions. In March 2007, the MoJ reached PRR stage two with 1,815 job positions approved and 850 merit-based appointments. The SC and AGO have not, until recently, sought to participate in PRR.

As a rule, even before comprehensive data is

		Project: Justice Sector Reform	US\$ million	
		Country: Afghanistan		
		Project Cost by Components		
A		Strengthening Capacity of Legal Institutions to Deliver Legal Services	23.60	
	1	Human Capital	5.25	
	2	Physical Infrastructure	16.9	
	3	Information and Communication Technology	1.45	
B		Empowering the People	2.40	
	1	Legal Aid	1.80	
	2	Legal Awareness Campaign	0.60	
C		Strengthening Implementation Capacity	1.75	
		Total Project Cost*	27.75	
* total including physical and price contingencies				

In December 2007, the SC and one court in Kabul launched their version of PRR for court staff. Early in 2008, the AGO decided to take a similar approach. Both the SC and AGO have expressed their commitment to initiate similar reforms for judges and prosecutors. The special case of judges and to a similar extent, prosecutors, whose independence from executive influence must be guaranteed, justifies a special reform track such as the SC and the AGO has proposed. Close coordination between these HRM reform processes in the justice institutions and with the Civil Service Commission is essential.

Justice sector reforms in Afghanistan have been supported by a wide range of programs and projects funded and implemented by various bilateral donors and multilateral trust funds, e.g. the Counter Narcotics Trust Fund (CNTF) and the Law and Order Trust Fund (LOTFA). The various projects are increasingly being drawn together under the objectives and priorities of the NJSS, and the NJP envisions that this multi-strand funding structure will continue in the future. Such an approach is required in the justice sector because significant funding sources are restricted in the scope of the activities they are authorized to support. The ARTF, given the restrictions in the Bank's Articles of Agreement, is not authorized to fund activities related to security and therefore, cannot fund activities directly related to prisons. LOTFA funds, on the other hand, are intended for activities directly related to police and other law enforcement agencies, and the CNTF is authorized to support activities directly related to the reduction of illegal drug production.

This project has been designed to capitalize on and complement the full range of projects that are active in the areas of HRM, education and train-

ing, physical infrastructure, ICT and legal aid and legal awareness. Examples include the Independent National Legal Training Centre (INLTC) project, whose major donors include Italy and the US; the development of legal libraries and training materials supported, for example, by USAID and UNODC; the Focused District Development (FDD) program, run by the Afghan Ministry of the Interior with the support of the US military (CSTC) and the US Department of State; the legal aid projects being pursued by CIDA and the EC; and the regional training programs for community leaders and prosecutors run under the auspices of the JSSP (supported by the US State Department) (see Annex 5 for further details of donor activities in the justice sector). The project will also explore possible collaboration with the National Solidarity Program (NSP), supported by the Bank and other donors and implemented by the Ministry of Rural Rehabilitation and Development. The aim would be to build links between legal empowerment and common needs of poor communities, including access to resources, markets and services. Legal awareness and legal aid initiatives have the potential to build on the effectiveness of the NSP by opening vertical pathways for the poor to effectively claim and protect their rights, and to resolve disputes both in terms of NSP-related disputes and broader local tensions. Possible linkages with other projects will also be explored early on in the project implementation period.

IMPLEMENTATION

A. Institutional Arrangements

The NJP implementation structure will assist the oA to manage this project and will over time, as the implementing institutions further develop their capacity, work to transition implementa-

tion functions to the institutions themselves. The structure includes a Program Oversight Committee (POC); Board of Donors (BoD); Program Support Unit (PSU); and Project Units (PU) in the implementing institutions – the SC, the MOJ, and the AGO. The POC is composed of the Afghan Chief Justice, Minister of Justice, Attorney General and Minister of Finance. The GoA¹ may select and appoint additional members of the POC and its chairman.

The POC is responsible for the overall policy, strategic planning and management of this project, and the coordination of the implementation of the project within the National Justice Program and other development programs. Responsibilities of the POC other than those directly related to this project are as set out in the NJP.² Specific responsibilities of the POC, which relate to this project, also include establishment of the PSU. From the time of project effectiveness until the PSU is created (by end June 2008), the POC will be responsible for project management. The POC will work closely with a Board of Donors and other stakeholders, supporting the justice sector reforms. The POC and the Board of Donors will meet on a quarterly basis to discuss project progress.

The PSU will be responsible for effective execution of the project in compliance with the ARTF Grant Agreement. It will serve as POC secretariat and will be responsible for the day-to-day management and implementation of this project including financial management, procurement, progress reporting and monitoring, and technical oversight of the implementation of activities under the Project. The PSU will also coordinate and monitor the implementation of the NJSS and NJP.

1 The authority in charge of appointing the chair of the POC will be determined by the time of project effectiveness.

2 The form and responsibilities of the implementation structure is set out in Chapter 4 C of NJP.

The PSU will include: (i) a director, appointed by and reporting to the POC; (ii) a program coordinator, responsible for the coordination and monitoring and evaluation of NJSS and NJP; and (iii) a staff of about four senior local and/or regional experts in fields such as construction and facilities management, HRM, education and training, ICT, legal aid and informal justice; and (iv) two or three junior assistants.

Two regional and/or international experts in procurement and financial management will further assist the director and the team. The program coordinator and other staff will be hired on a competitive basis by the POC, subject to World Bank clearance. They will report to the project director. The operating costs of the PSU, as well as the costs of the salaries of the PSU team, will be financed by the ARTF Grant.

The PSU will work closely with PUs established in the SC, the MOJ, and the AGO. Each PU will be led by each institution's head of administration, who will be supported by an assistant. The assistant will be funded by the ARTF. Each PU will further include a staff responsible for the tasks to be supported by the project such as physical infrastructure, HRM and training, legal aid and ICT.

The PU will be a key vehicle for the transfer of the know-how generated through the project from the PSU to the institutions. The role of each PU will be to facilitate smooth cooperation between its respective institution and the PSU. The PUs will meet on a regular basis with the PSU director to identify and resolve issues arising from the implementation of the program and the project.

Specific responsibilities of each PU will include cooperation on organizing procurement (e.g. assisting in setting technical specifications, terms

of reference and qualification requirements of prospective contractors) and securing provision of timely inputs to implement project activities (e.g. selection of pilot locations and construction sites). A detailed description of the implementation structure and operational procedures will be included in the project operational manual, which will be issued within four months of the appointment of the project director (see also Annex 4).

B. Procurement

35. Procurement for the proposed project will be carried out in accordance with the Bank's Guidelines: *Procurement under IBRD Loans and IDA Credits* May 2004, Revised October 1, 2006, Guidelines: *Selection and Employment of Consultants by World Bank Borrowers* May 2004 Revised October 1, 2006, and the provisions stipulated in the Grant Agreement. For contracts to be financed by the Grant, the different procurement methods or consultant selection methods, the need for pre-qualification, estimated costs, prior review requirements, and time frame are agreed between the Recipient and the Bank team and reflected in the Procurement Plan. The Procurement Plan will be updated at least every six months or based on actual project implementation needs and improvements in institutional capacity.

The International Development Association-led procurement team has found that procurement capacity in the implementing agencies is weak and that they have not implemented any donor-assisted project. Therefore, it is recommended to seek the assistance of the Afghanistan Reconstruction and Development Services (ARDS) – PU in the Ministry of Economy (MoE) as mandated by GoA. In addition the PSU will be supported by a procurement specialist. The detailed procurement plan is attached as Annex 6.

C. Financial Management

1. Financial Management, Disbursement and Audit Arrangements

A Public Finance Management (PFM) performance rating system has been recently developed for Afghanistan by the Public Expenditure and Financial Accountability (PEFA) multi-agency partnership program, which includes the Bank, International Monetary Fund, European Commission, and other agencies. Afghanistan's ratings against the PFM performance indicators portray a public sector where financial resources are, by and large, being used for their intended purposes as authorized by a budget that is processed with transparency and has contributed to aggregate fiscal discipline.

Financial management and audit functions for the proposed project will be undertaken through the agents contracted under the Public Administration Capacity Building project. This is the primary instrument for continuing to strengthen the fiduciary measures put in place for ensuring transparency and accountability of funds provided by the Bank and other donors. Under these contracts, two advisers—Financial Management and Audit—are responsible for working with the government and line ministries to carry out these core functions. The Financial Management Agent (FMA) is responsible for helping the MoF maintain the accounts for all public expenditures, including IDA-financed projects and for building capacity within the government offices for these functions.

At the project level, the PSU will perform the key financial management functions for the implementing entities – SC MoJ, and AGO. As an interim measure until the time the PSU is fully established and staffed, the project will use the

services of ARDS – PU in MoE to handle the initial activities for the project. The financial management capacity of MoE has been assessed for this purpose and found satisfactory by IDA. IDA will carry out an assessment subsequently of the PSU and its financial management arrangements once it is established.

The PSU will utilize an accounting system to maintain relevant accounting records and generate required periodic reports on the project activities. Quarterly Financial Monitoring Reports will be prepared by the PSU. Consolidated project reports will be prepared, reviewed, and approved by the MoF, supported by the FMA. A Designated Account (DA) will be opened at Da Afghanistan Bank (DAB, Central Bank) or in a local commercial bank in the name of the project on terms and conditions satisfactory to IDA. The DA will be maintained by the MoF. Withdrawal applications for replenishment will be submitted monthly. Financial management arrangements for the project are detailed in Annex 5.

2. Fund Flows

Fund management for the Project will follow existing procedures. As with all public expenditure, all payments under the project will be routed through MoF. The FMA will assist the MoF in executing and recording project payments. In keeping with current practices for other projects in Afghanistan, the DA will be operated by the Special Disbursement Unit (SDU) in the Treasury Department MoF. Requests for payments from DA funds will be made to the SDU by PSU. In addition to payments from DA funds, the PSU can also request the SDU to make direct payments to consultants, consulting firms or suppliers, and special commitments for contracts covered by letters of credit. Such requests will follow Bank procedures.

All withdrawal applications to IDA, including replenishment, reimbursement, and direct payment applications, will be prepared and submitted by MoF.

3. Accounting and Reporting

A Financial Management Manual will be prepared by the PSU, within three months of its establishment, documenting the financial management arrangements for the project. The manual will outline guidelines for project activities and establish a project financial management system in accordance with standard Afghan government policies and procedures.

This will include use of the Chart of Accounts developed by the FMA to record project expenditures. Project accounts will be consolidated centrally in MoF, through the SDU and supported by the FMA. Consolidated Project Financial Statements will be prepared for all sources and uses of project expenditures.

4. Disbursement Method

Disbursements from the grant will be transaction-based, with replenishment, reimbursement, direct payment, and payments under Special Commitments including full documentation or against statements of expenditures, as appropriate.

5. Audit of Project Funds

The Auditor General, supported by the Audit Agent, is responsible for auditing the accounts of all IDA-financed projects, it will also be responsible for this project's audit. Annual audited project financial statements will be submitted within six months of the close of GoA's fiscal year.

D. Monitoring and Reporting

The POC will report on the NJP to the Cabinet of Ministers, and to the ANDS Oversight Committee in accordance with the ANDS and NJP requirements. On a quarterly basis, the POC will discuss the NJP and project progress with the Board of Donors. Project progress will also be reported to the ARTF Management Committee at six monthly intervals.

The quarterly reports, including Financial Monitoring Reports, will form the basis of the project monitoring and supervision by the Bank. The reports will include sources and uses of funds, physical progress and the status of procurement activities. The compilation of the reports will be the responsibility of the PSU and PUs. The project will also be monitored through studies/surveys, expert assessment, and collection of empirical data.

The PSU under the POC, supported by the consultants, will be responsible for overall monitoring and reporting to ARTF (at six monthly intervals). The project will also be monitored through supervision, progress reports, studies/surveys, expert assessment, and empirical data.

In addition, each of the components aims at improving the GoA's capacity to manage particular functions based on empirical data. For instance, the Project will assist the GoA in establishing a performance monitoring and evaluation system that will enhance the human resources, asset management and legal aid program.

These systems will become an integral part of the project's monitoring and evaluation arrangements.

The Monitoring and Evaluation (M&E) frameworks have been developed to guide the progress assessments. The frameworks are annexed to the main program and project documents (see also Annex 7). Following the guidance of the NJP and the Grant Agreement, the PSU and PU will update the frameworks within four months of the appointment of the Project Director.

E. Sustainability and Risks

The factors that are critical to the sustainability (and/or attainability) of the project objectives are: (i) security; (ii) institutional capacity; (iii) commitment and support for HRM reforms; (iv) coordination; (v) the availability of empirical data to support the reform design and monitor its progress; and (vi) corruption. The overall implementation risk rating is “**Substantial**”.

1. RISKS AND RISK-MITIGATION MEASURES

Risks	Mitigation measures	Risk Rating with Mitigation
Security		
The political and security situation in Afghanistan remains volatile. This may interfere with development and reconstruction efforts.	The project design is flexible enough to be able to react and adjust to realities.	Substantial
Institutional Capacity		
1) Weak capacity of the implementing agencies (SC, MOJ, AGO) and their regional offices; 2) Weak capacity of the private sector to execute construction and ICT projects	The project will fill capacity gaps by using experienced international/regional/national consultants. In addition, the project supports capacity building in the implementing institutions. Close cooperation and coordination with other donors who rely heavily on international assistance should also help to address this weakness. Finally, with respect to procurement, the justice sector institutions, at least at the initial stage of the project will work closely with the Ministry of Economy.	Substantial
Commitment to Reforms		
Some of the reforms, e.g. HR reforms for judges and prosecutors, may disturb political alliances (in the long term) and might thus be perceived as a political threat. Recent withdrawal of two laws on civil service reform from the Parliament illustrates importance of the commitment to this reform.	Improved competence of workforce in justice sector is <i>conditio sine qua non</i> for strengthening the rule of law. A combination of “hard reforms” with reforms which have strong support from the leadership and its constituencies (such as building physical infrastructure and increase of salaries at the end of the reform process) should help to gain the support for and ownership of the full range of reforms.	High
Coordination		
<i>(i) Justice Sector</i>		
The justice sector is composed of three separate institutions whose interests sometimes compete. The need to preserve institutional independence of judicial and prosecutorial systems translates into a tendency to seek separation from mainstream sector reforms (e.g. seeking a separate facility, institution, and process from that used in the rest of the public and or justice sector). These trends reduce returns on the reform investments.	Through TA the project will increase the understanding of the concepts of independence and accountability. The TA provided under the project should result in more transparent and better informed managerial decisions.	Medium
<i>(ii) Donors</i>		
Justice sector reform has been supported by a large number of development partners with different priorities and approaches. Although donor coordination has improved in recent years, the legacy of patchy and inconsistent reform interventions will be hard to overcome.	The NJSS and NJP represent a consensus on the key reform directions and priorities. The implementation structure, mainly the PSU which will have dual responsibilities to implement this project and to coordinate all other reform efforts, will reduce the risks of overlaps and reform inconsistencies. In addition, there are other donors’ coordinating mechanisms (e.g. ICGJR, PJCM) in place to address the issue of insufficient coordination.	Medium
Design & Lack of Empirical Data		

Risks	Mitigation measures	Risk Rating with Mitigation
By any standard, existing information metrics about the Afghanistan JS are not yet sufficient to inform the management about decision-making, designing the project, and/or monitoring its progress during the execution phase. This may reflect on the adequacy of the project design.	The challenge will be addressed through the relative flexibility of the design which should allow for necessary adjustments. The project component includes collection of necessary data and analytical work which should help to make informed decisions about the project.	Substantial
Implementation Arrangement & Capacity		
Implementing agencies have very limited capacity for the procurement and financial management that will be necessary to implement the project activities. They do not have experience implementing the World Bank Procurement Guidelines and associated procedures.	The PSU will assist the implementing agencies with the procurement and financial management, and other aspects, involved in implementing the project. In the interim period before the PSU is established, MoE will assist the implementing agencies with procurement and financial management.	High
Corruption		
<p>1) <i>Judicial Corruption.</i></p> <p>Reportedly corruption is wide spread in the justice sector. Corruption erodes confidence in the system and undermines its already fragile legitimacy. A corrupt justice sector cannot deliver service (including its oversight over other branches of the government); nor can it prosecute corruption committed by others.</p>	<p>1) Through its activities, the project will increase transparency and accountability in the justice sector. For instance, by HRM management reform, the project will reduce corruption associated with hiring of judges, prosecutors and others. This reform is also a precondition for salary increases, which are themselves seen as one of the most important anticorruption measures. The project's legal empowerment component should also increase the ability of people to execute public control over officials, including judges and prosecutors.</p> <p>2) Strong management structure, transparent procedures, information sharing, and close cooperation with larger constituencies (especially with donors), and intensive supervision of the project should mitigate the risk. Additional financial controls and audits can help with the corruption issue. Further, onsite inspections by the PSU or government staff will be necessary.</p>	High
<p>2) <i>Corruption at the project level.</i></p> <p>The project management responsibilities will assist the institutions' implementation capacity. A lack of understanding of existing procurement and FM practices impose the risk. Corruption is inherent especially in construction component. Here, a lack of an overall framework for quality assurance, e.g., local municipality inspections and permitting requirements increase the risk of corruption.</p>		
Overall		

Risk rating: H=high risk; S=substantial risk; M=modest risk; L=low

G. SOCIAL AND ENVIRONMENTAL ISSUES

The physical infrastructure component of the project will trigger OP/BP 4.12, although the planned rehabilitation and construction activities of court and office facilities and judges' residences primarily will be on existing government land, and no major land acquisition is expected. The Environmental and Safeguards Management Framework, followed by other ongoing/planned projects in Afghanistan, specifies the procedures to be followed in case of Land Acquisition and will be adapted to the present project, where all sub-projects may not be identified at appraisal. An Integrated Safeguards Data Sheet (ISDS) is included at Annex 9. Annex 1

A. Sector Background

Afghanistan has undergone a political transformation since 2001, but notwithstanding a wide range of important achievements, the normalization of political culture still has a long way to go. The need for long-term engagement in Afghanistan has been recognized by the international community and was endorsed at a high-level conference held in London in January 2006 which provided a forum to launch the "post-Bonn" agenda. A significant feature of this agenda is the *Afghanistan Compact* which provides twenty-seven benchmarks to be achieved within the next five years. The benchmarks for the Compact were drawn from the Government's Interim Afghan National Development Strategy (IANDS). The IANDS, completed in January 2006, is built around three pillars: (i) security; (ii) governance, rule of law and human rights; and, (iii) economic and social development. The strategy provides a vision of development based on private-sector-led growth supported by a lean state, which uses the budget as its key policy instrument and aid coordination

tool. The development of the full ANDS is now at an advanced stage, and advanced drafts of the strategy are currently being reviewed by the GoA and the donor community.

Building institutions that can provide security and services to the Afghan people, while protecting their rights, has been at the heart of the reconstruction effort since 2001. The links between effective justice institutions – capable of delivering a range of legal services to the Afghan

people – and economic growth, private sector development, poverty reduction, reduced dependence on the drug economy and the delivery of public services, are widely recognized. In recent years, there have been several high profile achievements related to governance. In January 2004, Afghanistan adopted a new Constitution. Afghans participated in elections for the first democratically elected president in December of the same year. Elections for the *Wolesi Jirga* (the lower house of the National Assembly) and for provincial councils took place in September 2005.

Over the same period, Afghanistan's economy continued to recover strongly, marked by strong fiscal discipline and declining inflation. Despite these achievements, however, the situation remains very fragile, especially in view of the tense, and in some areas deteriorating, security situation. The country has not emerged fully from its state of conflict. At this point, there are great pressures on the justice institutions to deliver services requiring significant increases in their management and implementation capacity. In the context of enormous needs, weak capacity and increasing insecurity in many areas, a sense of frustration is emerging at the ability of the government to make these institutions relevant, and capable of delivering tangible benefits, to the Afghan people.

Currently, Afghanistan does not have a uniform legal system. In practice, justice institutions apply and enforce sharia law and customary rules irrespective of relevant state law. Informal institutions, such as *jirgas* or *shuras*, continue to play an important role in resolving disputes, prosecuting crimes, and enforcing contracts, but often without regard to the constitution or the internationally accepted human rights standards to which Afghanistan is bound. Women and children, in particular, are often unable to access appropriate protection within the informal justice enforcement system. The formal justice sector principally operates under the authority of three institutions: the Supreme Court, the Ministry of Justice and the Attorney General Office. Legal education, currently provided by state universities, in law and sharia faculties respectively, and in *madrasas*, is also an important influence on the operation of the justice sector.

1. The Supreme Court

The jurisdiction (criminal, civil, commercial and administrative) of the Afghan courts is governed by the 2004 Constitution and the 2005 Law of the Organization and Authority of the Courts of the Islamic Republic of Afghanistan. The Supreme Court (*Stera Mahkama*) is Afghanistan's highest judicial organ, and the judicial branch as a whole is, according to the constitution, "an independent organ of the state". The Supreme Court is the final court of appeal and has the authority to interpret the Constitution and review the constitutionality of legal instruments. It is also charged with the administration and oversight of the lower courts, the Appeal Courts and the Primary Courts (Urban and District Primary Courts). It is thus responsible for the administration of a court system which comprises 34 Appeal Courts (one in each Afghan

province) and some 408 Primary Courts. In total, it employs over 6,100 people, including around 1,700 judges (some of whom are administrators and do not hear cases), judicial advisors and court clerks.

The Supreme Court itself is comprised of the Chief Justice and eight associate justices who serve ten-year non renewable terms of office. By statute, the Supreme Court High Council is vested with the responsibility for judicial administrative policy development and dissemination, and for "taking appropriate measures for enhancing the knowledge and experiences of judges." The General Administrative Office of the Judiciary is responsible for the implementation of Supreme Court High Council policies and all other judicial administrative matters.

2. The Ministry of Justice

The MoJ has a broad mandate. Among the important functions it incorporates are: drafting and publication of legislation (the *Taqnin*), mediation and enforcement of judgments (the *Huququq*); legal protection of government assets (the Government Cases Department); overseeing the prisons (the Central Prisons Department); and the Juvenile Rehabilitation Department. It is also responsible for raising legal awareness and legal aid; providing legal advice to the government; registering political parties and social organizations; and licensing lawyers. Recently, the MOJ has become a focal point for promoting the enforcement of human rights. The MoJ has around 1,400 professional civilian staff, and offices and facilities in provincial centers and in all 365 districts. The Central Prisons Department, responsibility for which was transferred to the MoJ from the Ministry of the Interior in 2003, has about 3,600 personnel (95%

military personnel) and is the largest department of the MoJ. The Advocates Law requires the MoJ to assist with the establishment of an independent bar association and ensure the availability of legal aid to indigent defendants in criminal cases. Key challenges for the MoJ include human resource management reforms; instigating institutionalized and structured training; raising legal awareness and providing effective legal aid for indigent litigants, in particular defendants in criminal cases; and constructing or rehabilitating the office and transportation necessary for effective operations around the country.

3. The Attorney General's Office

The Attorney General's Office is part of the executive branch but is "independent" in its functions (Article 134, 2004 Constitution). It is charged with the investigation and prosecution of crime. The AGO comprises approximately 4,500 staff in total, including over 2,500 prosecutors. Prosecutors investigate crimes, and direct the police work involved in the investigation. The AGO's Judiciary Department is responsible for determining whether an indictment should be filed with the court so as to instigate a prosecution. The Attorney General is responsible for the administration of the AGO, which has offices in the 34 provinces and in more than 300 districts. The AGO has special divisions to investigate and prosecute particular crimes including national security, corruption and financial offences.

B. Key Challenges

The real challenge for the justice sector as a whole will be to build legitimacy and relevance in the eyes of the Afghan people. As described above, historically, the centralized justice system has

been no more than peripherally relevant to the lives of most Afghans. The GoA and donors agree that, to be successful, the reconstruction of the Afghanistan legal system has to proceed in an integrated and an all embracing manner. It is a reform necessity to bring the key justice institutions under the control of the state, and equip them so they can effectively function in their prescribed roles. This project therefore focuses on building the capacity of the centralized state justice institutions. The particular challenges in this regard are described below.

1. Human Capital

There remains a dearth of human capacity in the justice sector institutions. By GoA's own estimation, only 40% of judges and, in the provinces, only 20% of prosecutors, have a university education. Legal professionals often have neither sufficient training nor access to the basic reference materials required to apply state law or shariah law. Some 36% of judges report that they have no access to statutes; 55% say that they have no access to textbooks; and around 80% say that they have no access to Supreme Court decisions or to professional support from mentors. Judges, prosecutors and other justice officials earn an average of around \$80/month. This is less than a living wage and quite insufficient to attract, retain and motivate skilled professionals. Justice professionals also often feel isolated from the central government and lacking the personal security necessary to reach independent decisions in local communities. Independence and impartiality of legal professionals – judges, prosecutors and court personnel – is essential to the proper functioning of justice institutions, but as yet, the justice sector lacks a mechanism for ensuring the accountability, and the ethical conduct, of legal profession-

als. There is little sense of professional status or pride among Afghan legal professionals, and their individual loyalties are often based on patronage rather than a commitment to uphold the law or the integrity of their profession. Furthermore, HR management in the justice institutions fails to ensure merit-based recruitment, merit-based advancement, the promotion of ethical standards or the provision of training to judges and prosecutors necessary to address the system wide lack of fundamental legal competencies.

2. Physical Infrastructure and Information and Communication Technology

Lack of appropriate infrastructure and ICT continues to be a significant problem. In many parts of the country, court houses and prosecutors offices are either non-existent or badly dilapidated. Where they do exist, they often lack basic equipment such as desks and chairs, and often, even pens and paper. This should be considered against research studies which suggest that good physical working conditions are among the most powerful performance incentives for legal professionals. Proximity to court facilities is also one factor in assessing the public's access to justice. Many legal professionals lack access to transportation to attend courts and offices in remote areas, of which there are many in Afghanistan. All these things undermine the justice institutions' efforts to deliver legal services to citizens, and must be addressed in order to set the justice system on its feet.

3. Access to Justice and Legal Awareness

Citizens themselves lack confidence in the formal justice institutions and regard them as slow, ineffective and often corrupt.

Public awareness of legal rights is very low, legal information is very difficult to access, and the majority of people cannot afford court fees or the transportation costs for attending court. This should be set against a background of research which suggests the vast majority of civil disputes can normally be resolved simply by the provision of legal advice, long before they come before a court. Access to courts and legal assistance is a right protected by the Afghan constitution, but it is a right that is very difficult for the majority of Afghans, and particularly for women, to realize.

This is particularly critical in criminal matters, where the availability of representation makes it more likely that an individual's detention will be swiftly reviewed and his case heard before he or she has had to spend months on remand. Thus, the ability of Afghan people to help themselves by accessing legal advice and representation must be addressed.

4. National Justice Sector Strategy and Program

While donors and partners have been active in the justice sector, assistance has been characterized by poor coordination and inadequate funding. Greater coordination of development initiatives in the justice sector is thus sorely needed. In late 2006, donors established the International Coordination Group for Justice Reform (ICGJR) in Kabul. Currently, as agreed at the Rome Conference, the UNAMA Provincial Justice Coordination Mechanism (PJCM) is also being set up to rationalize internationally funded justice sector projects, but more needs to be done.

This project is designed to directly support the achievement of a range of the outcomes stated in Section VII of the NJP, the most prominent of

which include: (i) the organizational restructuring and design of the justice institutions; (ii) pay and grading reforms leading to improved salaries, benefits and work conditions; (iii) recruitment standards, including standards related to the academic and vocational qualifications of new staff; (iv) a functioning legal aid system; (v) the dissemination of laws to justice sector institutions and to the public; (vi) effective public awareness campaigns to improve victims', witnesses', defendants' and the public's knowledge of their rights and responsibilities, and access to justice; (vii) professional development opportunities for justice sector professionals; (viii) a prioritized and sequenced infrastructure development plan with standardized designs; and (ix) functioning institutions of justice in provinces, including the construction or rehabilitation of certain offices and courts.

ANNEX 2

A. Detailed Project Description

The project has two main components. First, "Enhancing Capacity of Legal Institutions" and second, "Empowering the People". The project also has a third Implementation Capacity component, which is designed to ensure smooth implementation of the project.

1. Enhancing Capacity of Justice Institutions (\$23.6 million)

The objective of this component is to enhance and/or enable the basic operations of justice institutions by investing in the skills of justice sector professionals and officials, and improving their working conditions. The component has three subcomponents: (a) human capital; (b) physical infrastructure; and (c) information and communication technology. These will, to a large extent,

build on, complement and/or expand on ongoing GoA and donor activities.

A. Human Capital (\$5.25 million)

The reforms under this subcomponent seek to: (i) increase strategic alignment of human resource management (HRM) functions, capacity, and processes with justice sector business needs; (ii) intensify learning and training of the workforce; (iii) encourage professional affiliations; and (iv) provide the decision-makers (legal professionals) with opportunities to exchange experiences and views on subjects relevant to the development of a legal system in Afghanistan. These reforms will also seek to increase the employment of, and/or the equal treatment of, women and those with physical disabilities.

I. Human Resource Management Reform (\$1.75 million)

This subcomponent will finance technical assistance (TA) in the form of consultant services; study tours; and training to the SC and AGO to carry out HRM reforms for judges, prosecutors and civil servants.¹ Specific project activities include:

- *Creation of independent decision-making bodies responsible for personnel management in the Supreme Court (SC) and Attorney General Office (AGO). (Judicial and Prosecutorial Councils).²*
- *Review of the selection and appointment policies and regulations for judges and prosecutors. The objective of the review is to develop recommendations for: strengthening competitive and merit-*

¹ This project activity does not include the MOJ which implements its civil service reform under the umbrella of PRR.

² This model is common in many countries in Europe, Latin America; but also in countries with Islamic Law such as Algeria; Egypt; Jordan; and Morocco.

based elements of the process; improve quality of the induction training and learning for the candidates for judgeship and prosecutorship; and to improve transparency of the allocation of judges and prosecutors to the courts and prosecutors' offices.

- *Evaluation of the skills of "sitting" judges and prosecutors. The purpose of the evaluation is to design and implement a requalification program.*
- *Implementation of the second phase of the Priority Reform and Restructuring (PRR) program which the SC and the AGO began in 2008. Support will be provided for two activities: (i) completion of the functional reviews and job descriptions for civil servants in the SC and AGO and pilot regional offices; and (ii) rolling out the program to around ten regional courts and offices. The pilot offices will be selected by the SC and AGO at the commencement of project implementation.*

II. Learning and Training (\$3.5 million)

This subcomponent will finance TA in the form of consultant services, training, and goods to enhance the skills of the justice sector workforce, with a particular focus on female staff, and to improve their access to legal information. Specific project activities include:

- *Strengthening training management capacity in the SC, Ministry of Justice (MoJ) and AGO. The activity aims to build the capacity of the training units in the Human Resources (HR) departments at the SC, MoJ, and AGO to develop, organize and coordinate education, learning and training programs for their staff. A stock-taking study of previous and ongoing training programs will form part of this activity.*
- *Providing training to judges, prosecutors, their support staff and MoJ officials and its regional*

staff. Under this activity, some 1,000 judges, prosecutors, and their support staff and MoJ officials will receive training. Whenever possible the project will continue with training programs which have been developed and implemented by the justice sector and involved donors. Programs to enhance new skills such as legal analysis, computer proficiency, library management, court administration, and financial management will also be added. When project implementation begins the SC, MoJ, and AGO will prepare the precise portfolio and timetable of training activities per each justice sub-sector (2 year-training plan).

- *Creating legal libraries. Three types of libraries will be supported through this activity. First, the project will finance the completion of the Central Legal Library in the MoJ, which the Taqin has started to assemble.³ In addition, mid-sized libraries will be created in four provincial MoJ offices. These libraries will be accessible to the staff of the provincial MoJ office of the MoJ, and to the regional and local administration, and if feasible, to the general public. The project will also finance the creation of a number of small libraries containing core legal materials in courts and prosecutor's offices. The list of courts and offices where the libraries will be established will be prepared by the SC, MoJ, and AGO (against specific criteria) at the commencement of project implementation.*
- *Dissemination of Laws. This activity will support continued publication of the State Gazette and a collection of statutes, and their distribution to all state agencies, including all courts, all prosecution agencies, all state university law schools, all law schools in Afghanistan and the Wolesi Jirga. It will also support development of an index to the legislation published in the State Gazette, and*

³ This will be coordinated with the INLTC law library management system. Possible additional support for the MoJ Translation and Publication Unit will also be considered.

distribution thereof to the same agencies. Finally the MOJ, under this component, will carry out a feasibility study for the creation of an internal print-shop to be used for the publication of laws and regulations. USAID is has been undertaking important work in this area for some time and the precise specifications of this project activity will be developed in close coordination with ongoing initiatives.

B. 16. Physical Infrastructure (\$16.9 million)

With the investment and technical assistance provided under the subcomponent, the GoA will prepare and partially implement construction and repair of court and office facilities and judges' residences; equip new and existing courts and offices; and provide transportation for justice sector officials. Capacity to manage physical assets will also be supported to sustain the progress achieved under this subcomponent. Specific activities to be implemented under this component include:

- *Design (or design review) of about 28 court and rehabilitation of about five buildings; design of about six regional offices of the MOJ; and design of and rehabilitation of three AGO offices. The specific (regional) facilities will be selected by the SC, MoJ, and AGO at the commencement of project implementation based on a set of indicators such as workload, size of population served, security, potential as a center of excellence and other factors which determine the ability to complete construction in the given timeframe. Design (or design review) will take account of the needs of female and disabled staff and clients. In most of these cases the actual construction of the new facilities will take place during the second phase of the reform. However, the implementation process will be organized such that (re)construction work on courts and other facilities can proceed as soon as appropriate*

conditions exist.

- *Design and extension of training facilities, administrative offices, and housing (dorm space) for trainees in the Independent National Legal Training Center.*
- *Design of a new headquarters facility for the SC, the MoJ, and the AGO (in case of AGO the project will also finance (re)construction work).*
- *Creation of operating investment funds in the SC, MoJ, and AGO to finance maintenance costs associated with the existing facilities.*
- *Preparation of an Investment Plan and Facility Standards. The Capital Investment Plan will be based on a assessment of the current condition of the facilities (part of which is being conducted by another donor), and will produce an inventory of necessary new construction and rehabilitation works; criteria for prioritizing the necessary works taking into account building conditions and staffing and workload estimates; and an estimate of costs for the necessary works, including maintenance and operations. The activity also includes funding to develop standards for model justice facilities, incorporating best international practices, lessons learned from bilateral work already undertaken by donors, and designs for new model provincial centers, to be built in the next phase of the ARTF project.*
- *Purchase of 220 vehicles and their operating and maintenance costs for use by judges, prosecutors and their staff, and MoJ officials, throughout the country on a prioritized basis. In addition to permitting staff to travel outside provincial cities, new vehicles will contribute to the security of the staff. Selection criteria will be agreed upon commencement of the project.*

- *Purchase of office equipment (including copiers, fax machines) and furniture for current and to-be-constructed facilities. The lack of such equipment, even in current facilities, is repeatedly cited as a major detriment to the functioning of staff of the Justice institutions throughout the country. It is anticipated that additional furniture and equipment will be purchased in the future phase of the ARTF project.*

1. Information and Communication Technology (\$1.45 million)

The subcomponent will finance an evaluation of the ICT needs and limited implementation of the ICT reform. The project focus will be on *case management, HRM, and performance monitoring and evaluation system*. First, an overall ICT plan for the justice sector and/or its sub-sectors (e.g. courts) with the basic data will be prepared by MoJ, and AGO with help from international experts.⁴ The plan will be the road map for the overall design. Second, a software solution will be modularized and implemented in a sequenced manner. For each subsequent module it will be ensured that it will be compatible with previously developed modules.

To reduce operation and maintenance costs, any systems should be prepared as web-based systems which initially “run” locally without a network connection. With progress in the country and a more stable and affordable ICT infrastructure, such a system could be operated from a central server. This will help to reduce the overall operation and maintenance costs.

The specific interventions include:

- *Purchasing a minimal amount of hardware to meet emergency needs of the SC, MoJ and AGO*
- *“Rapid Assessment” for the offices of the MoJ, and the AGO will be prepared. This rapid assessment will provide information on the current situation on the ground, possible interventions for the institutions and most of all an outline of the recurrent cost to make any intervention in the long run sustainable*
- *Under the project, MOJ and AGO will prepare a detailed network design for their respective buildings. These designs will be implemented during the 24-month project period. Hardware for the network will be purchased through the project.*

2. Empowering the People (\$2.4 million)

The objective of this component is to empower the Afghan people through legal aid and legal education. There will be two subcomponents: (i) legal aid and (ii) legal awareness.

A. Legal Aid (\$1.80 million)

This subcomponent will provide TA assistance in the form of consultant services, and training, and investment (under the physical infrastructure subcomponent) to implement the first phase of a national legal aid program. The MoJ has been working with international donors to draft a comprehensive set of policies for the legal aid system. The proposed system includes a Legal Aid Department in the MoJ, the National Legal Aid Council, liaison officers and legal aid offices, and identified service providers, in the regions. The proposed system of service providers includes employed lawyers and paralegals in legal aid offices, NGOs and legal clinics in law schools. The legal aid system will require the cooperation of these institutions with the police, prosecutors, and judges.

⁴ The SC will prepare its ICT plan under the USAID funded bilateral project

This subcomponent will finance the creation and operation of five to ten legal aid offices in the regions selected by the MOJ against criteria such as size of population served; specific problems posed; security; potential as a center of excellence; and presence of related projects. The support will include hiring and training staff, drafting operational manuals, and covering the operating costs of the offices. In addition to day-to-day service provision, with a focus on services related to women and children, and coordinating service provision with other service providers, the office will be responsible for close monitoring and evaluation of demand for and supply of services. This will include not only

service provided by the offices, but also service provided by other service providers. The data collected through the project will be used to prepare a report on legal aid provision which will serve to make recommendations for modifications of the system design and to prepare a plan for its roll out into other provinces and districts.

B. Legal Awareness (\$0.60 million)

This subcomponent will finance technical assistance in the form of consultant services and training to pilot a trust-building and legal awareness campaign in the Nangarhar province and its 21 districts. The MOJ will supervise the project. The specific activities to be financed include: (i) creation and staffing of a small office of two to four people which will be supported by local consultants (legal professionals); (ii) organizing initial consultations with the local community leaders and legal professionals to identify existing legal awareness initiatives and accordingly, define the priority themes for the trust-building and training activities; (iii) developing trust-building and training materials (the package will contain ma-

terial which has been developed under existing projects, as well as new materials); (iv) conducting training sessions with male and female community and civil society leaders (about 500 people); and (iv) reaching out, to the population in close cooperation with the community leaders.

The office will work in close cooperation with legal aid office and its experience will feed into the assessment of legal demand. The MOJ will, to the extent possible and appropriate, coordinate with related programs, such as the Ministry of Interior's Focused District Development program, the National Solidarity Program and the Provincial Justice Coordination Mechanism.

3. Strengthening Implementation Capacity (\$1.75 million)

The objective of this component is to ensure efficient implementation of the project. (see Annex 4 on Implementation Arrangement)

ANNEX 3

Table A.1: Project Cost by Component for ARTF Proposed Funding

Table 1: Summary Cost by Component

	Component 1:	Amount in million USD		
	Strengthening Capacity of Justice Institutions	23.600		
	<i>Human Capital</i>	<i>5.250</i>		
	<i>Infrastructure</i>	<i>16.900</i>		
	<i>Information and Communication Technology</i>	<i>1.450</i>		
A	Human Capital	5.250		
1	<i>Supreme Court</i>	<i>2.050</i>		
	Human Resource Management	1.450	CS	
	Legal Education - Training	0.600	CS	
2	Ministry of Justice	1.800		
	Legal Education and Training	1.050	CS	
	Dissemination of Laws	0.750	CS/Goods	
3	Attorney General's Office (AGO)	1.400		
	Human Resource Management	0.300	CS	
	Legal Education and Training	1.100	CS	
B	Physical Infrastructure (Facilities and Vehicles)	16.90		
1	Design, and Rehabilitation	2.95	CS/Works	
	SC (buildings under the SC in provinces)	1.30	CS/Works	
	MOJ (buildings under MOJ in provinces)	0.15	CS/Works	
	AGO (buildings under AGO in provinces)	1.50		
2	Operating Investment Fund	1.50		
	Buildings SC	0.50	O&M Fund	
	Buildings MOJ	0.50	O&M Fund	
	Buildings AGO	0.50	O&M Fund	
3	Design and Construction in Kabul	4.40		
	Design of complementary housing and training facility	0.30	CS	
	Design of MOJ Headquarters	0.40	CS	
	Design and Construction of AGO Building	3.00	CS/Works	
	Design of SC Building	0.70	CS	
4	Vehicles	5.80	Goods	
	Vehicles SC	2.00		
	Vehicles MOJ	0.70		
	Vehicles AGO	2.00		
	Operating Cost of new vehicles	1.10	O&M	
5	Equipment and Furniture	1.30	Goods	

	Component 1:	Amount in million USD		
6	Investment Plan and Facility Standards	0.95		
	Staff and support cost	0.15	CS	
	Design standards for Courts	0.20	CS	
	Design Provincial Centers	0.20	CS	
	Infra Investment Sector Plan	0.40	CS	
A	ICT Technology	1.450	CS / Goods	

Table 3: Project Cost for Component 2 by Expenditure Category

	Component 2:	Amount in million USD	Expenditure Category	
	Empowering the People	2.400		
1	Legal Aid	1.800		
	Establishing/Equipping MOJ & regional offices	0.685	CS/Goods/Work	
	Designing Policies and Regulations	0.200	CS	
	Training	0.015	CS	
	Legal Fund	1.000	Fund	
2	Legal Awareness Campaign	0.600	TA/Goods	

Table 4: Project Cost for Component 3 by Expenditure Category

	Component 3:	Amount in million	Expenditure Category	
	Strengthening Implementation Capacity	1.750		
	Program Oversight Committee	0.050		
	Program Support Unit (PSU)	1.298		
	Director	0.070	CS	
	Coordinator and M& Expert	0.060		
	Senior Staff (4)	0.272	CS	
	Junior Staff (3)	0.097	CS	
	International/regional Consultants (2)	0.800	CS	
	Project Unit (PU) in SC, MOJ and AGO	0.130		
	Project Assistants/Coordinators	0.130	CS	
	Project Support Facility	0.272		
	Car (2)	0.060	GOODS	
	Office Rent for project duration	0.094	O & M	
	Operating cost	0.048	O & M	
	Equipment	0.050	GOODS	
	Furniture and supplies	0.020	GOODS	

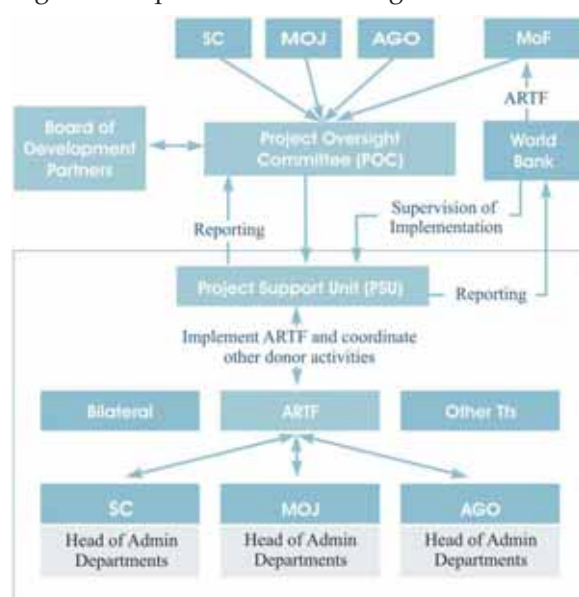
Annex 4

A. Implementation Arrangements

The project is estimated to require 30 months for implementation, including the estimated six months needed for closing the contracts.

1. Institutional

Figure 1: Implementation Arrangements



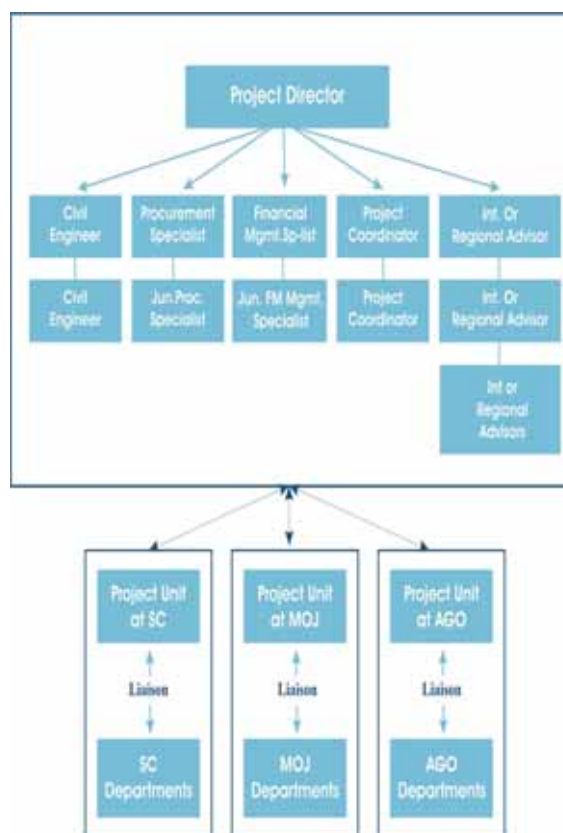
2. Timeline for Initial Implementation Steps

A. Component A - Strengthening Capacity of Legal Institutions to Deliver Legal Services

Milestone	Date (timeframe)
Purchase Emergency ICT Packages	June 15, 2008
Process small works procurement packages for SC and AGO	August 1, 2008
Process small works procurement packages for SC and AGO	September 1, 2008
Procure Equipment for SC, MOJ and AGO (multiple packages)	June 1, 2008
Purchase Vehicles through authorized agency	July 15, 2008
Assessment "Printing in-house vs outsourcing of print work"	August 15, 2008
ICT Assessments procured (for MOJ, SC and AGO)	September 15, 2008
Procurement of larger CS contracts (management and HR issues)	September to December, 2008
Updating procurement plan	October 2008
Closing of contracts	30 months after effectiveness

Arrangements

Figure 2: PSU Interaction with PUs



B. Component B - Empowering the Poor

Milestone	Date (timeframe)
Establishment of MOJ and regional offices	August 1 2008
Purchase Equipment for Offices	September 2008
Designing Policies and regulations	October 1, 2008
Staff training	October 1, 2008

C. Component C - Strengthening Implementation Capacity

Milestone	Date (or timeframe)
Establishment of Oversight Committee	April 2008
Hiring of Project Director for PSU	May 2008
Establish PSU Office	May 15, 2008
Hiring of Project Support Staff	June 1, 2008
Hiring of Int. Consultant(s)	Jun 1, 2008
PSU fully operational	June 1, 2008
Start procurement process for project implementation (see procurement plan; first three months)	June 1. 2008
Procurement of larger CS contracts	September 15, 2008
Updating procurement plan	October 2008
Closing of contracts	30 months after effectiveness

*For further details see the initial procurement plan

ANNEX 5

A. Financial Management

1. Country Issues

The World Bank has gained substantial experience and understanding of the financial management environment in Afghanistan through the large number of projects under implementation over the past four years. The Public Administration Capacity Building Project (PACBP) is the primary instrument to continue and enhance the fiduciary measures put in place during the past years to help ensure transparency and accountability for the funding provided by the Bank and other donors.

A Public Finance Management (PFM) performance rating system using 28 high-level indicators that was developed by the Public Expenditure and Financial Accountability (PEFA) multi-agency partnership program was applied in Afghanistan in June 2005. PEFA is comprised of the Bank, IMF, EC, and several other agencies. The system is structured around six core dimensions of PFM performance: i) budget credibility, ii) comprehensiveness and transparency, iii) policy-based budgeting, iv) predictability and control in budget execution, v) accounting, recording, and reporting, and vi) external scrutiny and audit. Afghanistan's ratings against the PFM performance indicators generally portray a public sector where financial resources are, by and large, being used for their intended purposes. This has been accomplished with very high levels of support from international firms; this assistance will continue to be needed over the medium term if these ratings are to be maintained. There is also much room for improvement.

In spite of undeniable progress the policy framework benchmarks have not yet been fully costed so various priorities are funded through the annual budgeting process. The rising costs of the security sector constitute the major constraint on attainment of fiscal sustainability. With regard to executive oversight, the national assembly will play an increasingly active role. All in all, the new national strategy has created high expectations of the executive which could prove to be quite difficult to meet.

The public sector, in spite of considerable efforts to reform its core functions, remains extremely weak outside of Kabul. The lack of qualified staff in the civil service and the absence of qualified counterparts in the government after 30 years of war and conflicts is a binding constraint. Delays in reforming the pay structure and grading of civil servants have crippled the public administration of the country. Domestic revenues lag behind expenditures by a factor of ten to one. Large-scale corruption could emerge to undermine the government's efforts to enhance aid flows through national accounts. Capacities to track expenditures and monitor expenditure outcomes have improved, but they need rapid and substantial strengthening if progress toward the attainment of national development targets is to be monitored. Currently, 75% of external revenues bypass government appropriation systems.

The Bank is financing a Financial Management Advisor to assist the Ministry of Finance (MoF), an Audit Advisor to assist the Control and Audit Office, and a Procurement Advisor to assist in Procurement-related activities. Also an Internal Audit function is being developed within the MoF with Bank financing. USAID, and earlier the Indian Aid Assistance Program, is financing a team of consultants and advisors to assist the Da

Afghanistan Bank in local as well as foreign currency operations. The activities carried out under the existing Public Administration projects have helped the GoA to ensure that appropriate fiduciary standards are maintained for public expenditures, including those supported by the Bank and the donor community.

Progress has been slower than expected in shifting from operations support provided by the three Advisors to capacity development and knowledge transfer to the civil servants. Given that, is expected that the Advisors will continue to be required for the medium term. Challenges still remain in attaining the agreed upon fiduciary standards and also to further enhance them.

And to make matters more complex, the regulatory environment in Afghanistan has advanced significantly in the past three years.

Unfortunately, even mastery of basic skills in the early environment does not fully qualify the civil servants to work effectively in the new emerging environment.

2. Risk Assessment and Mitigation

The table below identifies the key risks that the project may face and indicates how these risks are to be addressed.

The overall financial management risk rating is “**High**” but the residual risk rating after application of the mitigating measures is “**Substantial**”.

<i>Risk</i>	<i>Risk Rating</i>	<i>Risk Mitigation Measures</i>	<i>Residual Risk</i>	<i>Condition of Negotiations Board or Effectiveness (Y/N)</i>
Country Inherent Risk	M	Source - PFM study	M	N
Project Financial Management Risk	H	Minimize use of Designated Account and maximize direct payments to consultants, and contractors. Financial management and procurement functions to be performed by PSU with qualified staff	S	N
Perceived Corruption	H	Government commitment, internal controls and new internal audit will help to reduce the high level of perceived corruption	S	N
<i>Overall Inherent Risk</i>	H		S	
Control Risk				
1. Weak Implementing Entity	S	<p>Oversight functions to be performed by a POC comprised of the Chief Justice,, Minister of Justice, Attorney General, and Minister of Finance. The PSU will handle financial management functions in addition to other relevant functions. This unit will be staffed by international and national consultants. PSU will also be responsible for overall control and coordination with the implementing entities.</p> <p>As an interim measure until the PSU is established and staffed, MoE will assist by handling the initial project activities. To facilitate this, there will be a MoU between MoE, MoF and the implementing entities. MoE’s FM arrangements were assessed by the Bank for this purpose and were found to be satisfactory.</p>	M	N

<i>Risk</i>	<i>Risk Rating</i>	<i>Risk Mitigation Measures</i>	<i>Residual Risk</i>	<i>Condition of Negotiations Board or Effectiveness (Y/N)</i>
2. Funds Flow	S	Payments will be made to contractors, consultants, and suppliers from the DA by SDU-MoF. In addition to payments out of DA funds, the implementing entities can also request the SDU to make i) direct payments from the Grant Account to contractors, consultants or consulting firms, and ii) special commitments for contracts covered by letters of credit. These payments would only be made by SDU after due processes and proper authorization from the respective component implementing entities.	M	N
3. Budgeting	S	Ensure that project funds are allocated in the annual government development budget. The implementing entities are responsible for the preparation of annual work plans and the derivation of annual budget there from for the specific components to be implemented by them. The PSU will coordinate with the focal points in the implementing entities to facilitate this process and to consolidate the overall budget for the project. A Budget Committee comprised of representatives from the PSU and the implementing entities will coordinate the budget process. This Committee will report to the POC. The composition of the Budget Committee will be detailed in the FM Manual.	M	N
4. Accounting Policies and Procedures	S	Will follow international standards. Project accounting procedures and details of the FM arrangements will be documented in an FM Manual to be prepared by the PSU and approved by the Bank	M	N
5. Internal Audit	H	The internal audit units of the respective implementing entities and the MoF internal audit department will review project internal control systems	S	N
6. External Audit	H	Will be audited by CAO with support from Audit Advisor	S	N
7. Reporting and Monitoring	H	Strengthening the SDU is a priority under the FM Advisor contract, to provide information that will comply with agreed format of financial reports. This will be facilitated by the excel-based accounting system that will be utilized by the PSU to maintain records and generate required reports.	S	N
Overall Control Risk	H		S	
Detection Risk	S	Adequate accounting, recording, and oversight will be provided in project procedures. Accounting/Recording/oversight by SDU – MoF of all advances/M-16 supported by Financial Management Advisor.	M	N
Overall Fm Risk Rating	H		S	

Risk rating: H=high risk; S=substantial risk; M=modest risk; L-low risk

3. Strengths and Weaknesses

α. Strengths

The GoA provides assurance to the Bank and other donors that the measures in place to ensure appropriate utilization of funds will not be circumvented. The GoA strongly supports reforms through the Public Administration Capacity Building Project to enhance financial management in Treasury operations, public procurement, internal audit in the public sector, and external audit by the Auditor General. Suitable interim arrangements

4. Action Plan – To be reviewed at ‘Initial Supervision’

5. Implementing Entities

The project will be implemented by three

entities: the SC, MoJ, and AGO. A Project Support Unit (PSU) will be established to coordinate and supervise the implementation of the project and perform the key financial management and procurement functions. There will be a Project Unit (PU) in each of the three implementing enti-

Significant Weaknesses	Action	Responsible Agent	Completion Date
Shortage of qualified and experienced FM staff	MoE to handle the initial project activities till the establishment of the PSU. To facilitate this arrangement, there will be an MoU between MoE, MoF and the implementing entities Establishment of P2SU and staffing of the unit with consultants	MoF, MoE, MoJ, SC and AGO MoJ, SC and AGO	Within three months of project effectiveness
Project internal controls and procedures need to be defined	Financial Management Manual developed, reviewed, and approved by the Bank	PSU	Within three months after the establishment of PSU
Interim reports need to include required information	Sample pro forma report formats will be provided at negotiations Un-audited interim financial report formats for the project confirmed	IDA/MOF/PSU	Negotiations After PSU is established

have been put into place to fast track this project and to enable a smooth transition to the PSU.

β. Weaknesses and Action Plan

The main weakness in this project, as in many others in Afghanistan, is the ability to attract suitably qualified and experienced counterpart staff especially for Financial Management. The establishment of the PSU and the staffing of the PSU with consultants to be funded by the project are expected to strengthen the fiduciary arrangements.

ties; the PSU and three PUs will work closely with each other to carry out the project activities. The respective PUs will coordinate with the relevant departments within the implementing entities as necessary to facilitate the day-to-day operations between the PSU and the entities.

The PSU will be staffed with qualified and experienced financial management staff to carry out day-to-day financial management operations of the project including preparation of: M-16 forms (payment orders), project coding sheets, and B27 allotment forms as well as overall contract and project management. Detailed working relationships between the PSU, the PUs, and implementing entities, FM reporting requirements, staffing, systems, internal control procedures, and other financial management arrangements will be included in the Financial Management Manual (FMM).

Until the PSU is established and appropriately staffed, the project will use the services of the Ministry of Economy (MoE) to carry out the initial activities under an interim arrangement. The Bank has assessed the financial management capacity of MoE for this purpose and found it to be satisfactory. To formalize this arrangement, there will be an MoU between MoE, MoF, SC, MoJ,, and AGO. A financial management assessment of the updated implementation arrangements will be carried out after the PSU is fully established. Additional financial management procedures and controls may be warranted at that time.

Project oversight

A Project Oversight Committee (POC) chaired by the Chief Justice, and including the Minister of Justice, the Attorney General, and the Minister of Finance will be responsible for overall policy, strategic planning and project oversight and also for integration with other justice sector programs. Observers such as local authorities, donors, financing agencies representatives, and other experts would be invited to attend the POC meetings as required. The POC will meet regularly, at least once per quarter and on an ad hoc basis when required.

Project coordination and monitoring

The PSU has the responsibility for overall project implementation, coordination, and monitoring. The PSU will work closely with the PUs in the respective implementing entities to facilitate this function. The PSU will report to the Project Oversight Committee on the consolidated progress of the project. The PSU is also responsible for: (a) assuring steady progress of execution in accordance to an implementation schedule reviewed and approved by the World Bank, (b) reporting regularly to the POC, (c) ensuring adequate and smooth transfer of skills to the national staff, and (d) ensuring that transparency and high ethical standards are maintained throughout the process.

Budgeting

A budget committee will be appointed to coordinate preparation of the annual work plan and formulation of the annual project budget. This committee will be comprised of representatives from the PSU and the implementing entities, and shall report to the POC. The Budget Committee shall also coordinate quarterly budget reviews to ensure adequate budget discipline and control. The committee will be responsible for ensuring that project expenditures for each fiscal year are captured in the Governmental Development budget of that fiscal year. The budgeting process and the key role of periodic budget reviews will also be detailed in the FMM.

Funds Flow

The standard funds flow mechanism in Afghanistan will be followed in this project. Project funds will be deposited in the Designated Account (DA) to be opened and maintained at the Da Afghanistan Bank (DaB) or in a local commercial bank, if

approved. The DA, in keeping with current practices for other projects in Afghanistan, will be operated by the Special Disbursement Unit (SDU) in the Treasury Department of MoF.

Requests for payments from the DA will be made to the SDU by the project when needed, and after due approval from the head of the respective component implementing entity.

In addition to payments out of DA funds, the project can also request the SDU to make i) direct payments from the Grant Account to consultants, consulting firms or suppliers, and ii) special commitments for contracts covered by letters of credit. These payments will follow World Bank procedures.

All project payments will be made to either international firms or local firms that have bank accounts in DAB, a local commercial bank, or an overseas bank.

All payments will be made either through bank transfers into the account of such firms or by check. Expenditures for each component will be paid after relevant approvals from the component implementing entity and in accordance with the approval mechanisms documented in the project FMM.

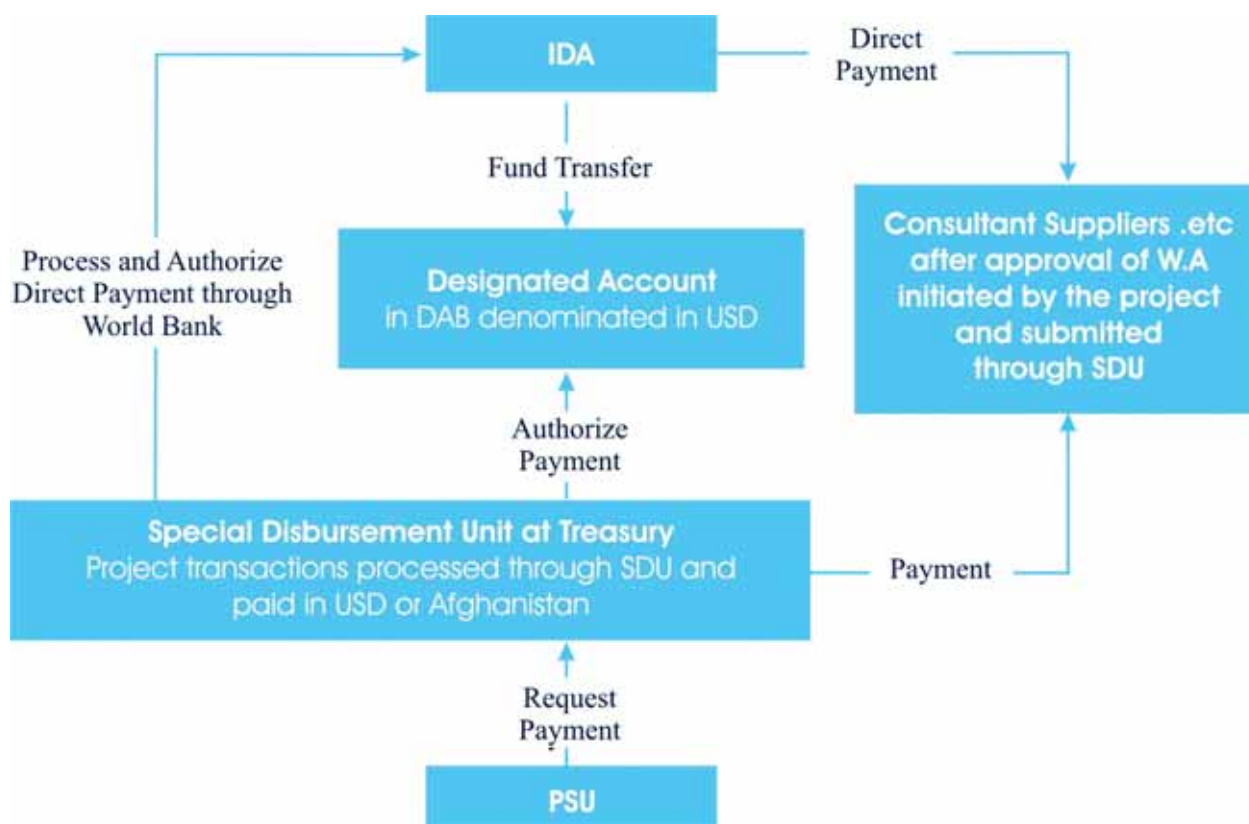
Legal requirements for authorized signature

MoF has authorization to disburse funds from the Grant. Specimen signatures of authorized signatories in MoF will be submitted to the

Bank prior to commencing disbursements.

Accounting

The SDU will maintain a proper accounting system of all expenditures incurred along with supporting documents to enable IDA to verify



these expenditures. The FM staff of the PSU will:

i) supervise preparation of supporting documents for expenditures, ii) prepare payment orders (Form M16), iii) obtain approval for M-16s from the relevant authority depending on the payment amount, and iv) submit them to the Treasury Department in MoF for verification and payment. Whilst original copies of required supporting documents are attached to the Form M16, the project is required to make and keep photocopies of these documents for records retention purposes. The FM Advisor in the MoF/SDU will use the government's computerized accounting system, AFMIS, for reporting, generating relevant financial statements, and exercising controls. The PSU FM staff will maintain essential project transaction records using accounting system/Excel spreadsheets and generate required monthly, quarterly, and annual reports.

The FM Manual, to be prepared by the PSU within three months of establishment, and to be approved by the Bank, will include: i) roles and responsibilities for all FM staff, ii) documentation and approval procedures for payments, iii) project reporting requirements, and iv) quality assurance measures to help ensure that adequate internal controls and procedures are in place and are being followed.

The FM Manual will also establish project financial management in accordance with standard Afghan government policies and procedures including use of the government Chart of Accounts to record project expenditures. The use of these procedures will enable adequate and timely recording and reporting of project expenditures. Overall project accounts will be maintained centrally in SDU, which will be ultimately responsible for recording all project expenditures and receipts in

the Government's accounting system. Reconciliation of project expenditure records with MoF records will be carried out monthly by the PSU.

Internal Control & Internal Auditing

The PSU will be responsible for coordinating FM activities for the project with the SDU. Project-specific internal control procedures for requests and approval of funds will be described in the FM Manual including segregation of duties, documentation reviews, physical asset control, asset verification, and cash handling and management.

Annual project financial statements will be prepared by SDU/MoF detailing activities pertaining to the project as separate line items with adequate details to reflect the details of expenditures within each component.

The project financial management systems will be subject to review by the internal audit departments of the three implementing entities and the internal audit directorate of the MoF, according to programs to be determined by the Director of Internal Audit using a risk-based approach. The Bank also reserves the right to conduct an external review of the project activities and financial flows.

External Audit

The project accounts will be audited by the Auditor General, with the support of the Audit Advisor, with terms of reference satisfactory to the Association. The audit of project accounts will include an assessment of the: (a) adequacy of the accounting and internal control systems; (b) ability to maintain adequate documentation for transactions; and (c) eligibility of incurred expenditures for Association financing. The audited annual project financial statements will be submitted

within six months of the close of fiscal year. All agencies involved in implementation and maintaining records of expenditures would need to retain these as per the IDA records retention policy.

The following audit reports will be monitored each year in the Audit Reports Compliance System (ARCS):

Responsible Agency	Audit	Auditors	Date
MoF, supported by Special Disbursement Unit	SOE, Project Accounts and Designated Account	Auditor General	Sep 22

Financial Reporting

Financial Statements and Project Reports will be used for project monitoring and supervision. Based upon the financial management arrangements of this project, Financial Statements and Project Reports will be prepared monthly, quarterly, and annually by the PSU. These reports will be produced based on records from three sources: i) PSU's accounting system ii) expenditure statements from SDU (as recorded in AFMIS) and reconciled with the PSU, and iii) bank statements from DAB.

The quarterly Project Reports will show: (i) sources and uses of funds by project component, and (ii) expenditures consolidated and compared to governmental budget heads of accounts. The project will forward the relevant details to SDU/DBER with a copy to IDA within 45 days of the end of each quarter. The government and IDA have agreed on a pro forma report format for all Bank projects; a final customized format for JSRP reports will be provided after project effectiveness. The annual project accounts to be prepared by SDU from AFMIS after due reconciliation to re-

cords maintained at the PSU, will form part of the consolidated Afghanistan Government Accounts for all development projects. This is done centrally in the MoF Treasury Department, supported by the Financial Management Advisor.

Disbursement Arrangements

Disbursements procedures will follow the Bank procedures described in the World Bank Disbursement Guidelines and the Disbursement Handbook for World Bank Clients (May 2006) and allow for use of advances, reimbursements, direct payments and Special Commitments. Table 1 shows the allocation of IDA proceeds in a single, simplified expenditure category and Table 2 presents the expected co-financing. The single category for "goods, works, consultancy services, training and operating costs" is defined in the financing agreement to facilitate preparation of withdrawal applications and record-keeping. The final disbursement deadline will be four months after the closing date. During this additional 4-month grace period, project-related expenditures incurred prior to the closing date are eligible for disbursement. There are no disbursement conditions. There is no provision for retroactive financing.

Table 1: IDA Financing by Category of Expenditure (US\$ million)

Expenditure Category	Amount of the Grant Allocations	Financing Percentage
Goods, works, consultants' services, training, and Incremental Operating Costs ¹		100 %
Total		-

Table 2: Estimated Co-financing (US\$ million)

<i>IDA</i>	<i>ARTF</i>	<i>JSDF</i>	<i>Beneficiaries</i>	<i>Total</i>
<i>XX</i>				

Summary Reports. Summary reports in the form of Statements of Expenditure will be used for expenditures on contracts above US\$20,000; all training programs and operating costs.

Designated Account. A single designated account will be opened at DAB in US dollars for a maximum amount of US\$ 400,000 . The SDU in MOF will manage payments from and new advances/replenishments to this account. The designated account will be replenished on a monthly basis.

Direct Payments. Third-party payments (direct) and Special Commitments will be permitted for amounts exceeding US\$ 80,000. All such payments require supporting documentation in the form of records (copies of invoices, bills, purchase orders, etc.).

Preparation of Withdrawal Applications. PSU will prepare Summary Reports and forward those reports to the SDU for further processing as a reimbursement application. The SDU will review withdrawal applications for quality and conformity to Treasury procedures, and then obtain signature. Selected PSU and SDU finance staff will be registered as users of the World Bank Web-based Client Connection system, and take an active hand in managing the flow of disbursements.

Financial Management Covenants

MoF shall submit audited financial statements for the project within six months of the end of each fiscal year. The Project's audit report will cover the financial statements, the Designated Account, and SOEs, in accordance with terms of reference agreed with the Association.

Un-audited project interim financial reports will be submitted by PSU on a quarterly basis to the World Bank and a copy to SDU-MoF within 45 days after the end of each quarter.

Special Financial Management Covenant

The implementing entities will ensure that key FM staff of the PSU is retained throughout the duration of the project in order to ensure smooth project implementation.

Regular Supervision Plan. During project implementation, the Bank will supervise the project's financial management arrangements. The team will:

Review the project's quarterly un-audited interim financial reports as well as the project's annual audited financial statements and auditor's management letter.

Review the project's financial management and disbursement arrangements (including a review of a sample of SOEs and movements on the Designated Account and bank reconciliations) to ensure compliance with the Bank's minimum requirements.

Review agencies' performance in managing project funds to ensure that it is timely, accurate, and accountable. Review Internal Audit reports. Particular supervision emphasis will be placed on asset management and supplies.

Review of financial management risk rating, compliance with all covenants, and follow up on the action plan.

k. Conclusion

The interim financial arrangements, including the systems, processes, procedures, and staffing are

adequate to support this project. The updated implementation arrangements will be assessed after they are in place.

Annex 6

A. Procurement Arrangements (Including Procurement Plan)

1. Country Context

The Bank has gained substantial experience and understanding of the procurement environment in Afghanistan through its involvement in the interim procurement arrangements put in place through Emergency Public Administration Project (EPAP) as well as with the institutions such as Afghanistan Reconstruction and Development Services (ARDS) that is holding the current responsibility for government's procurement administration. As part of the broader review of Afghanistan's Public Finance Management (PFM) system, the Bank recently carried out an assessment of the procurement environment in the country based on the baseline and performance indicators developed by a group of institutions led by the Bank and Organization for Economic Co-operation and Development (OECD)/Development Assistance Committee (DAC).

The first key issue identified through the procurement assessment was the need for ownership and a champion in the GoA for procurement reform, deepening of capacity, ensuring integrity in the operation of procurement systems, and promoting sound procurement among ministries. A new Procurement Law has been adopted in November 2005 which radically transforms the legal and regulatory framework for the procurement administration of Afghanistan. While it provides a very modern legal framework for procurement,

effective implementation of the law encounters difficulties in the current weak institutional structure and capacity of the Government. A Procurement Policy Unit (PPU) has now been established under Ministry of Finance (MoF) to ensure the implementation through the creation of secondary legislation, standard bidding documents, provision of advice and creation of the necessary information systems for advertising and data collection. "Rules of Procedure for Public Procurement" which details the better implementation of the Procurement Law has been issued by MOF as circular number PPU/C005/1386 dated April, 12 2007. The Procurement Appeal and Review mechanism is in place and the Manual of Procedures for "Procurement Appeal and Review" has been issued by MoF as circular number PPU/N001/1385 on March 18, 2007.

In the absence of adequate capacity to manage procurement activities effectively, some interim arrangements have been put in place to improve the procurement management of the country. A central procurement facilitation service, ARDS-PPU has been established under the supervision of Ministry of Economy (MoE). The Bank and the GoA has agreed on a program for country wide procurement reform and capacity building, leading to the transition from centralized to decentralized procurement services. The Bank funded Public Administration Capacity Building project (PACBP) and Public Financial Management Reform Project (PFMRP) are the primary instruments for implementing the program to strengthen capacity of the line ministries to manage public procurement in an effective, transparent and accountable manner. However, the implementation of the procurement capacity building strategy has not made any significant progress yet due to lack of coordination and delays in decision making within the Government. The envisaged radical

changes to the procurement management environment expected from the new Law also require the urgent implementation of a comprehensive human resources and capacity development program. The implementation of the procurement reform component of the PACBP and PFMRP should be considered with due priority to ensure that fiduciary standards are further enhanced and that capacity is developed in the Government to maintain these standards.

The Consultant has now been mobilized under the PPU/MOF to carry out the capacity Building which focuses on systematic training of staff of ministries in public procurement. The assignment includes conduct of training programs to private sector. The consultant has completed the training needs assessment and the program for training of trainers has begun. The first training program is planned to commence on December 1, 2007

2. General

The proposed program covers assistance to three key agencies Supreme Court (SC), Ministry of Justice (MOJ) and Attorney General Office (AGO). The proposed implementation structure will include a Program Oversight Committee (POC) composed of the Afghan Chief Justice, Minister of Justice,

Attorney General and Minister of Finance. Day to day management will be the responsibility of the Program Support Unit (PSU) which will closely work with the directors of administration at the Supreme Court, the MOJ and AGO. PSU will be staffed by procurement and financial specialists to assist the implementing agencies

Procurement administration of the project would be carried out in accordance with the World Bank's "Guidelines: Procurement under IBRD

Loans and IDA Credits" dated May 2004, "Guidelines: Selection and Employment of Consultants by World Bank Borrowers" dated May 2004, and the provisions stipulated in the Grant Agreement.

The general description of various procurements under different expenditure categories are described below. For each contract to be financed by the Grant the different procurement methods or consultant selection methods, the need for prequalification, estimated costs, prior review requirements, and time frame are agreed between the Grant Recipient and the Bank project team are described in the Procurement Plan agreed with the Government at appraisal. This Procurement Plan will be updated at least annually or at lesser time intervals as required to reflect the actual project implementation needs and improvements in the institutional capacity.

3. Procurement of Works

Works procured under this project, would include: (i) rehabilitation of court houses, and office facilities; (ii) extension of training facilities, including administrative offices and dorm space; and (iii) construction/rehabilitation/refurbishment of AGO office in Kabul. The procurement will be done using the Bank's Standard Bidding Documents (SBD) for all ICB and Afghanistan specific SBD agreed with (or satisfactory to) the Bank. Threshold for ICB civil works will be equivalent or more than USD 5,000,000 per contract; threshold for NCB works will be less than USD 5,000,000 per contract and threshold for Procurement through shopping will be equivalent or less than USD 100,000 per contract.

4. Procurement of Goods

Goods procured under this project would include: cars, office furniture and office and IT equipment. The procurement will be done using Bank's SBD for all ICB and Afghanistan specific SBD agreed with (or satisfactory to) the Bank. Threshold for ICB will be equivalent or more than USD 200,000 per contract and threshold for NCB goods will be equivalent or less than USD 200,000 per contract and shopping threshold per contract will be USD 100,000.

5. Selection of Consultants

Under the project both, firms & individual consultants will be hired to provide consultancy services.

Technical Assistance to be provided by Consultancy firms

The Grant will finance: (i) HR reform for judges and prosecutors (creation of Councils, review of HR policies, and evaluation of skills; (ii) PRR for administration staff of the SC and AGO and pilot regional courts and offices;(iii) building training management capacity in the SC, MoJ, and AGO; (iv) training for judges, prosecutors and civil servants (v) support for publication and dissemination of laws ; (vi) creation of libraries (in the courts, AGO offices, the MOJ and its regional offices); (viii) design of legal forms (AGO) ; (viii) international conference; (ix) review of designs, designs and/or construction supervision for rehabilitation and construction of courthouses (including houses for judges) and office facilities; for the MoJ and AGO regional offices (x) design of new headquarters for SC; and MoJ (x) design, and construction supervision of AGO's headquarters in Kabul; (xi) ICT assessments for MoJ, and AGO; (xii) network

design and implementation fro MoJ, SC, and AGO offices;; (xiii) creation of legal aid offices; and legal awareness campaign in one province.

Technical Assistance to be provided by individual consultants

The Grant will finance: (i) Project Director, (ii) Procurement Specialist, (iii) Financial Management Specialist, (iv) Program Coordinator and M&E Specialist, (v) Architect & Engineer, (vi) ICT Specialist; (vii) HRM and

Training Specialist; (vii) two Junior Assistants; (viii) 3 Project Coordinators for SC, AGO and MOJ

Short lists of consultants for services estimated to cost less than \$100,000 equivalent per contract may be composed entirely of national consultants in accordance with the provisions of paragraph 2.7 of the Consultant Guidelines.

The grant will finance several training activities in country and outside the country for judges, MOJ staff and AGO staff. These will include study visits and participation at seminars etc.

Operational Costs: which would be financed by the project would be procured using the implementing agency's administrative procedures which were reviewed and found acceptable to the Bank.

6. Assessment of the Agency's Capacity to Implement Procurement

The Supreme SC, MOJ, and AGO will implement the project with support of the PSU which will be staffed by procurement and financial management specialists to assist the implementing agencies. The PSU will be staffed by June 2008, including

one procurement and one financial management specialist. Until the PSU is established and appropriately staffed, the project will use the services of the Ministry of Economy (MoE) to carry out the initial activities under an interim arrangement. To formalize this arrangement, there will be an MoU between MoE, MoF, SC, MoJ, and AGO.

An assessment of the capacity of the implementing agencies to implement procurement actions for the project has been carried out by Deepal Fernando Senior Procurement Specialist and Rahimullah Wardak Procurement Analyst in February, 2008. Below are the findings of the assessments.

Procurement Capacity of Supreme Court

The assessment reviewed the organizational structure of the implementing agency and the interaction between the project's staff responsible for procurement and the SC relevant central unit for administration and finance. The assessment reveals that the SC procurement staff is familiar and involved in small procurement of goods following shopping procedure. The procurement staff has limited experience in the procurement of the high value goods, and civil works following open tendering. The procurement staff is not familiar with Bank procurement Guidelines and has no experience hiring consultant services. The staff does not have English skill as well to understand the bidding document and RFP to be used for procurement of high value of goods, civil works, and consultant contracts under the project.

Procurement Capacity of Ministry of Justice

The assessment reviewed the organizational structure of the implementing agency and the interaction between the project's staff responsible

for procurement and the SC relevant central unit for administration and finance. The assessment reveals that the MoJ procurement staff is familiar and involved in small procurement of goods following shopping procedure. The procurement staff has limited experience in the procurement of the high value goods, and civil works following open tendering. The procurement staff is not familiar with Bank procurement Guidelines and has no experience hiring consultant services. The staff does not have English skill as well to understand the bidding document and RFP to be used for procurement of high value of goods, civil works, and consultant contracts under the project.

Procurement Capacity of Attorney General Office

The assessment reviewed the organizational structure of the implementing agency and the interaction between the project's staff responsible for procurement and the AGO relevant central unit for administration and finance. The assessment reveals that the AGO procurement staff is familiar and involved in small procurement of goods following shopping procedure. The procurement staff has limited experience in the procurement of the high value goods, and civil works following open tendering. The procurement staff is not familiar with Bank procurement Guidelines and has no experience hiring consultant services. The staff does not have English skill as well to understand the bidding document and RFP to be used for procurement of high value of goods, civil works, and consultant contracts under the project.

As indicated above the procurement officers

working under the three implementing agencies has a very limited experience in procurement of

high values of goods and works and does not have any experience in hiring consultant services. The staff is not familiar with the Bank procurement guidelines. Therefore, the overall project risk for procurement is high.

To mitigate the risk the following measure has been agreed with implementing agencies.

To ensure compliance with the Bank policy and procedure, procurement documentation for complex and large value of goods, works and consultancy contracts will be carried out with consultation of the ARDS.

A Procurement Specialist will be hired to do the day-to-day management of procurement action and be contact person among the three implementing agencies and ARDS for procurement of high value contracts and do small procurement of goods, works and consultant.

The Bank procurement specialists will provide short term training to the procurement staff of the three implementing agencies to explain World Bank procurement and consultant guidelines. Also the procurement staff will be trained how to procure goods, works under Bank finance project following shopping procedure.

In the long run the procurement specialist to be hired under the project will also train the procurement staff of the three implementing agencies in procurement of goods, works and consultancy services following World Bank

procurement and consultant guidelines.

7. Procurement Plan

The Borrower, at appraisal, developed a Procurement Plan for project implementation which pro-

vides the basis for the procurement methods. This plan has been agreed between the Borrower and the Project Team on [date....] and is available at [provide the office name and location] It will also be available in the Project's database and in the Bank's external website. The Procurement Plan will be updated in agreement with the Project Team annually or as required to reflect the actual project implementation needs and improvements in institutional capacity.

Frequency of Procurement Supervision

In addition to the prior review supervision to be carried out from Bank offices, the capacity assessment of the Implementing Agency has recommended one supervision missions to visit the field to carry out post review of procurement actions. As the overall project risk for procurement is high, therefore, the percentage of contracts to be post reviewed will be 10%.

Procurement Audit

In addition to the prior review and post review supervisions to be carried out from Bank offices, an independent procurement audit will also take place during the project life.

ATTACHMENT 1

A. Details of the Procurement Arrangement Involving International Competition

1. Goods and Works and non consulting services.

List of contract Packages which will be procured following ICB and Direct contracting:

List of contract Packages which will be procured following ICB and Direct Contracting:

1	2	3	4	5	6	7	8	9
Ref. No.	Contract (Description)	Estimated Cost	Procurement Method	P-Q	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected Bid-Opening Date	Comments
G20/08	Vehicles for SC, MOJ and AGO	4,700,000	ICB/DC	yes	Yes	Prior	Jul 1, 2008	
G 21/08	Books and Journals	95,000	DC	no	no	Prior	Jul 1, 2008	SC
G 26/08	Books and Journals	80,000	DC	no	no	prior	Sep 1, 2008	Technical literature
G 27/08	Books and Journals	80,000	DC	no	no	prior	Nov 1, 2008	Technical literature
G 28/08	Books and Journals	85,000	DC	no	no	prior	Jan 1, 2008	Technical literature

Works contracts estimated to cost equivalent USD 300,000 or more per contract, Goods contracts estimated to cost equivalent USD 200,000 or more per contract and all Direct contracting will be subject to prior review by the Bank.

2. Consulting Services.

List of Consulting Assignments with short-list of international firms:

Ref. No.	Description of Assignment	Estimated Cost in USD	Selection Method	Review by Bank (Prior / Post)	Expected Proposals Submission Date	Comments
CS 14/08	ICT assessment for Ministry of Justice	190,000	CQS	Prior	June 15, 2008	Firm specialized in preparation of assessments and functional specifications
CS 16/08	ICT assessment for AGO office	190,000	CQS	Prior	September 15, 2008	Firm specialized in preparation of assessments and functional specifications

Ref. No.	Description of Assignment	Estimated Cost in USD	Selection Method	Review by Bank (Prior / Post)	Expected Proposals Submission Date	Comments
CS 17/08	Building design work for SC	1,000,000	QCBS	Prior	August 1, 2008	Design of complementary housing for training facility and design of new SC building
CS 19/08	Design and supervision of construction for AGO building	380,000	QCBS	Prior	August 1, 2008	AGO Building and design review of existing building (USD 80,000)
CS 20/08	Human Resource Management for Judges and development of HR framework	600,000	QCBS	Prior	Jun 1, 08	SC
CS 21/08	PPR for Admin staff in Supreme Court	300,000	QCBS	Prior	June 15, 08	SC
CS 22/08	Training for Judges	450,000	QCBS	Prior	Aug 1, 08	SC
CS 23/08	Training for MOJ staff	150,000	CQS	Prior	Jun 15, 08	MOJ
CS 25/08	Preparation of Law Index	180,000	CQS	Prior	Nov 1, 08	Preparation of law index
CS 26/08	Standardization of legal forms	190,000	CQS	Prior	Sep 15, 2008	AGO – preparation of standardized legal forms for AGO's operations
CS 27/08	Training contract for AGO staff	180,000	CQS	Prior	Oct 1, 08	AGO
CS 28/08	Design and supervision of construction for building for Ministry of Justice	550,000	QCBS	Prior	Dec 15, 2008	Building and design / review of existing building

Short lists composed entirely of national consultants: Short lists of consultants for services estimated to cost less than \$100,000 equivalent per contract may be composed entirely of national consultants in accordance with the provisions of paragraph 2.7 of the Consultant Guidelines.

B. Procurement Plan

1. Project Information

Country: Afghanistan

Borrower: Islamic Republic of Afghanistan

Project Name: Justice Sector Reform Project

Grant No.:

Project Implementing Agency: (i) Supreme Court, (ii) Ministry of Justice, and (iii) Attorney General's Office

Bank's Approval Date of the Procurement Plan
Original

Date of General Procurement Notice: March 2, 2008

Period Covered by this Procurement Plan: March 08 – February 2009 (12 months)

Goods and Works and Non-Consulting Services

Prior Review Threshold: Procurement Decisions subject to Prior Review by the Bank as stated in

Appendix 1 to the Guidelines for Procurement: [Thresholds for applicable procurement methods

(not limited to the list below) will be determined by the Procurement Specialist /Procurement Accredited Staff based on the assessment of the implementing agency's capacity.]

	Procurement Method	Prior Review Threshold	Comment
1.	Civil Works	USD 300,000	First three contracts following NCB
2.	Goods	USD 200,000	First three contracts following NCB
3.	Direct Contracting	All	Regardless of value

	Procurement Method	Threshold for Methods	Comment
1.	ICB Civil Works	USD5,000,000	Equivalent or more
2.	NCB Civil Works	USD5,000,000	Equivalent or less
3.	ICB Goods	USD200,000	Equivalent or more
4.	NCB Goods	USD200,000	Equivalent or less
5.	Shopping Goods	USD100,000	Equivalent or less

Prequalification. Bidders for NIL shall be pre-qualified in accordance with the provisions of paragraphs 2.9 and 2.10 of the Guidelines.

Reference to (if any) Project Operational Manual Any Other Special Procurement Arrangements

C. Curement Packages with Methods and Time Schedule

Procurement Packages with Methods and Time Schedule

Ref. No.	Contract (Description)	Estimated Cost	Procurement Method	Prequalification (yes/no)	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected Bid-Opening Date	Comments
WORKS								
W 1/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: Site selection based on priority needs tbd -- SC
W 2/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: Site selection based on priority needs tbd -- SC
W 3/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: Site selection based on priority needs tbd -- SC
W 4/08	Rehabilitation of facility with small extension	50,000	NCB	no	no	Post	Sept 1, 2008	Comp 1: Site selection based on priority needs tbd -- SC
W 5/08	Rehabilitation of facility with small extension	50,000	NCB	no	no	Post	Sept 1, 2008	Comp 1: Site selection based on priority needs tbd -- SC
W 6/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: Site selection based on priority needs tbd -- AGO
W 7/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: site selection based on priority needs tbd -- AGO
W 8/08	Rehabilitation of facility with small extension	100,000	NCB	no	no	Post	August 1, 2008	Comp 1: Site selection based on priority needs tbd -- AGO
GOODS								
G 1/08	Equipment for PSU Office	50,000	Shopping	no	no	no	June 1, 2008	Comp 3
G 2/08	Furniture for PSU	15,000	Shopping	no	no	no	June 1, 2008	Comp 3
G 3/08	Equipment for SC	95,000	Shopping	no	no	no	June 1, 2008	Comp 1
G 4/08	Equipment for SC	20,000	Shopping	no	no	no	September 1, 2008	Comp 1

Ref. No.	Contract (Description)	Estimated Cost	Procurement Method	Prequalification (yes/no)	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected Bid-Opening Date	Comments
G 5/08	Equipment for SC	90,000	Shopping	no	no	no	Dec 2008 1,	Comp 1
G 6/08	Equipment for SC	90,000	Shopping	no	no	no	Feb 2009 1,	Comp 1
G7/08	Computer Equipment for SC	95,000	Shopping	no	no	no	Aug 2009 1,	Comp 1 – emergency hardware
G8/08	Equipment for SC	80,000	Shopping	no	no	no	May 2008 1,	Comp 1
G 9/08	Equipment and Furniture for MOJ	95,000	Shopping	no	no	no	June 2008 1,	Comp 1
G10/08	Equipment and Furniture for MOJ	80,000	Shopping	no	no	no	Aug, 2008	Comp 1
G 11/08	Equipment for MOJ	90,000	Shopping	no	no	no	Nov 2008 1,	Comp 1
G 12/08	Equipment for MOJ	80,000	Shopping	no	no	no	Feb 2009 1,	Comp 1
G 13/08	Computer Equipment for MOJ	95,000	Shopping	no	no	no	Jun 2009 1,	Comp 1 – emergency hardware
G14/08	Network Equipment for MOJ	70,000	Shopping	no	no	no	Nov 2009 1,	Equipment list based on network design for MOJ
G15/08	Equipment and Furniture for AGO	80,000	Shopping	no	no	no	Aug, 2008	Comp 1
G 16/08	Equipment for AGO	90,000	Shopping	no	no	no	Nov 2008 1,	Comp 1
G 17/08	Equipment for AGO	90,000	Shopping	no	no	no	Feb 2009 1,	Comp 1
G 18/08	Computer Equipment for AGO	90,000	Shopping	no	no	no	Jun 2009 1,	Comp 1 – emergency hardware
G19/08	Network Equipment for AGO	65,000	Shopping	no	no	no	Nov 2009 1,	Equipment list based on network design for MOJ

Ref. No.	Contract (Description)	Estimated Cost	Procurement Method	Prequalification (yes/no)	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected Bid-Opening Date	Comments
G20/08	Vehicles for SC, MOJ and AGO	4,700,000	ICB/DC	yes	no	yes	Jul 1, 2008	Comp 1 –procurement through IAP-SO (if double cab vehicles included contract will be split and these double cabs will be procured through ICB)
G 21/08	Books and Journals	95,000	DC	no	no	no	Jul 1, 2008	SC
G 22/08	Library furniture	50,000	Shopping	no	no	no	Jul 1, 08	SC
G 23/08	L i b r a r y equipment	90,000	Shopping	no	no	post	Jul 15, 08	MOJ
G 24/08	Library furniture	90,000	Shopping	no	no	post	Jul 15, 08	MOJ, central lib
G25/08	Library furniture	85,000	Shopping	no	no	post	Nov 15, 2008	4 small libraries
G 26/08	Books and Journals	80,000	DC	no	no	post	Sep 1, 2008	Technical literature
G 27/08	Books and Journals	80,000	DC	no	no	post	Nov 1, 2008	Technical literature
G 28/08	Books and Journals	85,000	DC	no	no	post	Jan 1, 2008	Technical literature
G29/08	Printing of State Gazette	500,000	N C B / Shopping	no	no	post	Oct 15, 08	Printing of state Gazette incl. proof reading

III. Selection of Consultants

subject to Prior Review by Bank as stated in Appendix 1 to the Guidelines Selection and Employment of Consultants:

Prior Review Threshold: Selection decisions

	Selection Method	Prior Review Threshold	Comment
1.	Competitive Methods (Firms)	USD 100,000	Equivalent or more
2.	Individual Consultant	USD 50,000	Equivalent or more
3.	Single Source (Firms and Individual)	All	Regardless of value

	Selection Method	Threshold for Methods USD	Comment
1.	CQS	200,000 equivalent or less	

Short List Composed Entirely of National Consultants: Short list of consultants for services, estimated to cost less than **\$100,000** equivalent per contract, may be composed entirely of national consultants in accordance with the provisions of paragraph 2.7 of the Consultant Guidelines.

Any Other Special Selection Arrangements: [including advance procurement and retroactive financing, if applicable] NA

Consultancy Assignments with Selection Methods and Time Schedule

Ref. No.	Description of Assignment	Estimated	Selection Method	Review by Bank (Prior / Post)	Expected Proposals Submission Date	Comments
Individual Consultants						
CS 1/08	Project Director	70,000	IC	Post	April 15, 08	for two years
CS 2/08	Project Coordinator	60,000	IC	Post	April 15, 08	for two years
CS 3/08	Procurement Specialist	48,000	IC	Post	April 15, 08	for two years
CS 4/08	Financial Mgmt Specialist	48,000	IC	Post	May 1, 2008	for two years
CS 5/08	International Expert	100,000	IC	Prior	May 15, 2008	for two years
CS 6/08	Legal Advisor	48,000	IC	Post	June 1, 2008	for two years
CS 7/08	Junior Expert for PSU	32,300	IC	Post	June 1, 2008	for two years
CS 8/08	Junior Expert for PSU	32,000	IC	Post	June 1, 2008	for two years
CS 9/08	Junior Expert for PSU	32,000	IC	Post	June 1, 2008	for two years
CS 10/08	PU Coordinator (MOJ	25,000	IC	Post	Jun15, 2008	Liaison between MOJ, SC, AGO and the PSU office
CS 11/08	PU Coordinator SC	25,000	IC	Post	Jun 15, 2008	Liaison between MOJ, SC, AGO and the PSU office
CS 12/08	PU Coordinator AGO	25,000	IC	Post	June 15, 2008	Liaison between MOJ, SC, AGO and the PSU office
CS 13/08	Assessment "Printing in-house vs. outsourcing of print work"	50,000	IC	Prior	Aug 15, 08	Rapid assessment to determine the best solution for printing the state gazette
Consulting Firm						
CS 14/08	ICT assessment for Ministry of Justice	190,000	CQS	Prior	June 15, 2008	Firm specialized in preparation of assessments and functional specifications
CS 15/08	Network design and implementation services for MOJ and AGO office	170,000	CQS	Prior	August 20, 2008	Local firm for network design and physical installation of cables in MOJ and AGO building
CS 16/08	ICT assessment for AGO office	190,000	CQS	Prior	September 15, 2008	Firm specialized in preparation of assessments and functional specifications
CS 17/08	ICT assessment for SC	190,000	CQS	Prior	September 15, 2008	Firm specialized in preparation of assessments and functional specifications
CS 18/08	Building design work for SC	1,000,000	QCBS	Prior	August 1, 2008	Design of complementary housing for training facility and design of new SC building

Ref. No.	Description of Assignment	Estimated	Selection Method	Review by Bank (Prior / Post)	Expected Proposals Submission Date	Comments
CS 19/08	Review of court building design for 8 buildings and limited supervision	90,000	CQS	Post	June 15, 08	SC and AGO
CS 20/08	Design and supervision of construction for AGO building	380,000	QCBS	Prior	August 1, 2008	AGO Building and design review of existing building (USD 80,000)
CS 21/08	Human Resource Management for Judges and development of HR framework	600,000	QCBS	Prior	Jun 1, 08	SC
CS 22/08	PPR for Admin staff in Supreme Court	300,000	QCBS	Prior	June 15, 08	SC
CS 23/08	Training for Judges	450,000	QCBS	Prior	Aug 1, 08	SC
CS 24/08	Training for MOJ staff	150,000	CQS	Prior	Jun 15, 08	MOJ
CS 25/08	Library staff training	70,000	CQS	Post	Sept 15, 08	MOJ and AGO -- Training for librarians 30
CS 26/08	Preparation of Law Index	180,000	CQS	Prior	Nov 1, 08	Preparation of law index
CS 27/08	Standardization of legal forms	190,000	CQS	Prior	Sep 15, 2008	AGO -- preparation of standardized legal forms for AGO's operations
CS 28/08	Training contract for AGO staff	180,000	CQS	Prior	Oct 1, 08	AGO
CS 29/08	Design and supervision of construction for building for Ministry of Justice	550,000	QCBS	Prior	Dec 15, 2008	Building and design /review of existing building

IV. Implementing Agency Capacity Building Activities with Time Schedule

In this section the agreed Capacity Building Activities (some items could be from CPAR recommendation)

No.	Expected outcome /Activity Description	Estimated Cost	Estimated Duration	Start Date	Comments
11	Training of the procurement staff of SC, MOJ and AGO in procurement of small value goods and works under shopping procedure.		One days	As soon as the project is approved	

*National Competitive bidding procedures shall be subject to the following additional

Procedures:

- Standard bidding documents approved by IDA shall be used.
- Invitations to bid shall be advertised in at least one (1) widely circulated national daily newspaper and bidding documents shall be made available to prospective bidders, at least twenty-eight (28) days prior to the deadline for the submission of bids.
- Bids shall not be invited on the basis of percentage premium or discount over the estimated cost.
- Bidding documents shall be made available, by mail or in person, to all who are willing to pay the required fee.
- Foreign bidders shall not be precluded from bidding.
- Qualification criteria (in case pre-qualifications were not carried out) shall be stated on the bidding documents, and if a registration process is required, a foreign firm determined to be the lowest evaluated bidder shall be given reasonable opportunity of registering, without any hindrance.
- Bidders may deliver bids, at their option, either in person or by courier service or by mail.
- All bidders shall provide bid security or a bid security declaration form as indicated in the bidding documents. A bidder's bid security or the declaration form shall apply only to a specific bid.
- Bids shall be opened in public in one place preferably immediately, but no later than one (1) hour, after the deadline for submission of bids.
- Evaluation of bids shall be made in strict adherence to the criteria disclosed in the bidding documents, in a format, and within the specified period, agreed with the IDA.
- Bids shall not be rejected merely on the basis of a comparison with an official estimate without the prior concurrence of the Association.
- Split award or lottery in award of contracts shall not be carried out. When two (2) or more bidders quote the same price, an investigation shall be made to determine any evidence of collusion, following which: (A) if collusion is determined, the parties involved shall be disqualified and the award shall then be made to the next lowest evaluated and qualified bidder; and (B) if no evidence of collusion can be confirmed, then fresh bids shall be invited after receiving the concurrence of the IDA;
- Contracts shall be awarded to the lowest evaluated bidders within the initial period of bid validity so that extensions are not necessary. Extension of bid validity may be sought only under exceptional circumstances.
- Extension of bid validity shall not be allowed without the prior concurrence of the IDA: (A) for the first request for extension if it is longer than eight (4) weeks; and (B) for all subsequent requests for extensions irrespective of the period.
- Negotiations shall not be allowed with the lowest evaluated or any other bidders.
- Re-bidding shall not be carried out without the IDA's prior concurrence; and
- All contractors or suppliers shall provide performance security as indicated in the contract documents. A contractor's or a supplier's performance security shall apply to a specific contract under which it was furnished.

A. Monitoring and Evaluation

At the level of the NJP, monitoring and evaluation will be the responsibility of the POC and PSU. At the level of the project, monitoring and evaluation will be the joint responsibility of the PSU, PU and the Bank. This annex comprises a draft framework for M&E of the project using key outcome and result indicators. A similar framework forms part of the NJP. The NJP, in addition describes the institutional structure and the principles according to which its progress will be monitored and assessed.

The PSU will update both M&E systems within four months from the appointment of the Project Director following the guidance of the NJP and the Grant Agreement.

The future M&E system will include a more detailed description of indicators for final and intermediate outcomes and outputs that contribute to their achievement; as well as strategies for (baseline) data existing inventories and their collection.

ANNEX 9

A. Social and Environmental Safeguards 1. INTEGRATED SAFEGUARDS DATA SHEET

CONCEPT STAGE

Report No.:

Date ISDS Prepared/Updated:

I. BASIC INFORMATION

A. Basic Project Data

Country: Afghanistan	Project ID:	
	Additional Project ID (if any):	
Project Name: Afghanistan Justice Sector Reform Project		
Task Team Leader: Lubomira Beardsley		
Estimated Appraisal Date:	Estimated Board Date:	
Managing Unit: LEGES	Lending Instrument:	
Sector: Justice		
Theme:		
IBRD Amount (US\$m.):		
IDA Amount (US\$m.):		
GEF Amount (US\$m.):		
PCF Amount (US\$m.):		
Other financing amounts by source:		
Environmental Category: B (partial assessment)		
Simplified Processing	Simple <input checked="" type="checkbox"/>	Repeater <input type="checkbox"/>
Is this a transferred project	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

2. Project Objectives [from section 2 of PCN]:

The project's development objective is to support a centralized state justice system and to increase access to justice for the Afghan people. The project's immediate objective is to enhance the capacity of the justice sector institutions to deliver legal services.

This will be achieved primarily through more strategic human capital and physical infrastructure management, increasing the skills of justice sector professionals, and enhancing the physical infrastructure used to deliver legal services.

1. Project Description [from section 3 of PCN]:

The project will have three components: (i)

Enhancing Capacity of Justice Institutions; (ii) Empowering the People; and (iii) Strengthening Implementation Capacity.

A. Enhancing Capacity of Justice Institutions (USD 23.6 million)

The objective of this component is to enhance (and in some cases, enable) the basic operations of the justice institutions. The target group comprises the judges, prosecutors and other justice sector officials, some of whom, by the end of the project,

will work under substantially better conditions and possess greater skills related to the resolution of legal disputes. The eventual beneficiaries of this component will be the people of Afghanistan who will receive better service in form of legal counseling, representation, and dispute resolution.

The component has three subcomponents: (a) human capital; (b) physical infrastructure; and

(c) information and communication technology.

- (a) Human Capital. This subcomponent, will finance the first stages of Human Resource Management (HRM) reforms for judges and prosecutors as well as the continuation of similar civil service reforms for support staff. These reforms are intended to form the basis for salary increases in the justice sector. This subcomponent will also support the development of legal libraries, the review of procedural designs, training courses and professional gatherings. An international conference with legal professionals from other countries, including countries with Islamic legal systems, will be organized to encourage an open discussion of the development of Afghanistan's domestic law.
- (b) Physical Infrastructure. With the investment and technical assistance provided under this subcomponent, the GoA will design investment plans and facility standards, prepare and begin to implement construction and repair of court and office facilities and judges' residences; equip new and existing courts and offices; and provide transportation for justice sector officials. Capacity to manage physical assets will also be supported to sustain the progress achieved under this subcomponent.

- (c) Information and Communication Technology. The third subcomponent will finance an assessment of the need for ICT in the central legal and provincial justice institutions and provide for the hardware needs identified.

A. (ii) Empowering the People (USD 1.8 million)

The objective of this component is to empower the Afghan people through legal aid and education. The target group for this component is community leaders as well as the Afghan people more generally, especially those people in the most economically vulnerable sections of the Afghan population, together with legal aid providers. Policy makers will also benefit from activities forming part of this component. The component is divided into two subcomponents: (a) legal aid; and (b) legal awareness.

- (a) Legal Aid. This component will support basic legal aid for eligible individuals in five to ten legal aid offices around the country. In addition to providing services to eligible clients, the legal aid offices will collect and analyze data about the demand for and supply of legal services. Using these analyses, the legal offices will assist the MoJ and the Legal Aid Council in developing national legal aid policy and the associated regulations.
- (b) Legal Awareness. This subcomponent will support knowledge and understanding of legal rights and obligations under civil, commercial and criminal laws, first, among community leaders, and then, with the help of legal professionals, among the wider community. The Nangarhar province, comprising 21 districts, was selected by the MoJ to pilot

this activity. The legal awareness campaign will be coordinated with the Ministry of Interior's Focused District Development program and with the legal aid subcomponent of this project.

B. (iii Strengthening Implementation Capacity (USD 1.60 million)

The objective of this component is to ensure efficient implementation of the project. With technical assistance provided under this component, the government will establish and operate project management infrastructure under the NJP and in the relevant central agencies. The project management functions will be shared among: a Program Oversight Committee; a Program Support Unit, and a small project unit in each of the implementing agencies. The project will finance local and international consultants to work as managers of the project, and as procurement and financial management specialists. It will also finance the costs associated with operating the implementation units

4. Project location and salient physical characteristics relevant to the safeguard analysis (if known):

Kabul City, provinces and districts in Afghanistan, to be identified

5. Borrower's Institutional Capacity for Safeguard Policies:

As a result of more than two decades of conflict, exodus of trained personnel, low salaries, and the lack of exposure to new approaches, the Borrower's institutional capacity for management of environment and social issues is generally weak,

especially in such specialized areas as safeguard policies.

While there are no direct environmental assessment regulations by the GOA applicable to this project, it has been agreed that the environmental safeguard policies of the World Bank, will be adhered to.

The project would assist the implementing agency in improving its capacity for safeguard management including site selection, design, contracting and monitoring of environmental and social impact mitigation plan.

6. Environmental and Social Safeguards Specialists on the Team:

Asta Olesen: Sen. Social Development Specialist
Mohammad Arif Rasuli: Environmental Specialist

7. Safeguard Policies That Might Apply

Although the planned rehabilitation and construction activities of court and office facilities and judges' residences primarily will be on existing government land, OP/BP 4.12 will be triggered as land acquisition can not be ruled out in later stages of the project. However, no involuntary resettlement will take place under the project and land acquisition will be kept at a minimum. For government land, documentation would be needed that the land is free of encroachments, squatters or other encumbrances, and has been transferred for the project by the authorities.

A generic Environmental and Safeguards Management Framework developed for Afghanistan and currently followed by many ongoing projects, will be used for this project as well. The ESMF speci-

fies the procedures to be followed in case of Land Acquisition and will be adapted to the present project, where all sub-projects may not be identified at appraisal. An Abbreviated Resettlement Framework has been developed containing procedures for restoring of housing, compensation for loss of land and livelihood of project affected families in a consultative and mutually agreeable manner, compliant with OP 4.12. A satisfactory settlement of the land issues is a precondition for sub-project implementation.

The project proposes to support limited physical infrastructures, which is unlikely to result in significant or irreversible environmental impacts. However, the guidance under the ESMF would be used to prepare specific EMPs to mitigate the adverse environmental impacts of the proposed construction works

Safeguard Policies Triggered	Yes	No	TBD
Environmental Assessment (OP/BP 4.01) This project includes a component on building physical infrastructure that is likely to have temporary and manageable environmental impacts during construction. Most siting and construction related adverse environmental impacts would be addressed through good engineering practices and specific actions to mitigate occupation, health and safety concerns of workers. The environmental category for project is proposed to be B requiring preparation of specific EMP.	X		
Natural Habitats (OP/BP 4.04) The project is not expected to impact natural habitats		X	
Forests (OP/BP 4.36)			
Pest Management (OP 4.09)		X	
Physical Cultural Resources (OP/BP 4.11)		X	
Indigenous Peoples (OP/BP 4.10)		X	
Involuntary Resettlement (OP/BP 4.12) The planned construction activities of court and office facilities and judges' residences are expected to be on existing government land. However OP/BP 4.12 is triggered as land acquisition can not be ruled out in later stages of the project.	x		
Safety of Dams (OP/BP 4.37)			
Projects on International Waterways (OP/BP 7.50)			
Projects in Disputed Areas (OP/BP 7.60)			
Piloting the Use of Borrower Systems to Address Environmental and Social Safeguard Issues in Bank-Supported Projects (OP/BP 4.00)		x	

8. SAFEGUARD PREPARATION PLAN

Target date for the Quality Enhancement Review (QER), at which time the PAD-stage ISDS would be prepared: For simple projects that will not require a QER,

the target date for preparing the PAD-stage ISDS: Time frame for launching and completing the safeguard-related studies that may be needed. The specific studies and their timing¹ should be specified in the PAD-stage ISDS:

9. APPROVALS

<i>Signed and submitted by:</i>		
Task Team Leader:	Name Lubomira Beardsley	Date
<i>Approved by:</i>		
Regional Safeguards Coordinator:	Name Frederick Edmund Brusberg	Date
Comments:		
Sector Manager:	Name	Date
Comments:		

¹ *Reminder: The Bank's Disclosure Policy requires that safeguard-related documents be disclosed before appraisal (i) at the InfoShop and (ii) in-country, at publicly accessible locations and in a form and language that are accessible to potentially affected persons.*

ANNEX 10

A. LETTERS OF ENDORSEMENT BY SECTOR MINISTRIES AND MINISTRY OF FINANCE

Part 4 contains information on programmes implemented largely through bilateral mechanisms. These programmes are subject to prioritization and implementation in direct consultation with the donor and the government. The planning and implementation of these programmes are contingent upon donor funding cycles in conjunction with the NJSS priorities and the areas of activities identified in part 2. The time scale for planning and implementing programmes in Part 4 may differ from multilateral programmes. However, it is inevitable that some programmatic overlap will

occur. In these instances the programme management has a consultancy function to address such overlaps or potential duplications in consultation with donor coordination mechanisms, including in particular the PJCM. part 4 is a robust and dynamic tracking mechanism. It envisages bilateral programmes to be added during the life span of the NJP. It also provides considerable flexibility in addressing programmatic gaps arising during the implementation of either existing Part 2 or Part 3 programmes.

A. Pipeline Projects for Afghan Fiscal Year 1387

UNAMA Rule of Law Unit

18-Mar-08

No	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/ partners	Imple- menting Agency	Location	Expected Date of project
Italy								
1	C.3	Italy - IDLO	Afghanistan Justice System Trust Fund contribution	Capacity building and training activities to prosecutors, judges and lawyers in Kabul and in the provinces	MoJ, SC, AGO	IDLO	Undefined Provinces ???	2010
2	C.2	Italy - IDLO	Increasing Afghanistan capacity for sustainable legal reform	Technical assistance in the development of the Independent National Legal Training Centre. Training for officials in government ministers. Support to the Faculty of Sharia at Kabul University	MoJ, SC, AGO, INLC, Kabul University	IDLO	Kabul	2009
3	C.1.5	Italy - IDLO	Higher Educa- tion Justice Training	Implementation of university training for legal professionals in Italy	MoJ, SC, AGO, INLC, Kabul University	IDLO - Perugia Univer- sity	Italy	2009
4	B.1, B.2	Italy - IMG	Infrastructures and equipment for Justice Institutions	Construction of provincial facilities and procurement of vehicles for judicial institutions in Afghanistan	Gov. of Afg.	IMG	Kabul and provinces	2009
5	F.2	Italy - UNDP - ISISC	Access to jus- tice at district level	Contribution of the reconstruction of afghan judicial system in the provinces	MoJ, SC, AGO, Ministry of Women	ISISC	3 Prov- inces to be defined	2009
8	B.1.1, C.3, E.6	Italy - UNO- DC	Prison system reform - exten- sion to the provinces	Revision of the penitentiary regulations. Enhance of profes- sionalism of the penitentiary staff. Enhance detention infra- structures	MoJ	UNODC	Kabul and provinces	2009

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1	B.1, F.4, F.5	Euro- pean Com- mission	A2J at the Dis- trict Level	This project aims to support access to justice at the district level. The action is taken around four main activities: reassessment of districts within the national strategy framework on strengthening the justice system; refurbishment of judicial centres at district level including facilities for judicial execution, training main judicial actors (including religious authorities and members of traditional mechanisms involved in administering justice process); public awareness campaigns specifically targeted to disadvantaged categories.	District Courts	UNDP	Herat, Mazar, Samangan, Kunduz, Jawzjan, Baghlan	
2	A.2	Euro- pean Com- mission	Justice Sector Reform Porject in Afghanistan	Support the three Justice institutions in undertaking Priority Reform and Restructuring and Human Resource Management functions such as merit based recruitment, and transparent and objective evaluations and appointments.	SC,AGO,MoJ	Adam Smith Interna- tional	Afghanistan	
2	A.1, A.5	Euro- pean Com- mission	Justice Sector Reform Porject in Afghanistan	Support capacity and capacity building of the three institutions to develop and execute budgets.	SC,AGO,MoJ	Adam Smith Interna- tional	Afghanistan	
2	F.2	Euro- pean Com- mission	Justice Sector Reform Porject in Afghanistan	Supporting the Ministry of Justice in the determination of its preferred model for the provision of legal aid, the design for a new legal aid department and implementation	MOJ	Adam Smith Interna- tional	Afghanistan	

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1	B.1, F.4, F.5	UNDP	Access to Justice at the District Level	Support to justice providers at the district level through rehabilitation of facilities and human rights awareness training Training and awareness on human rights issues for community representatives, religious leaders, teachers and the general public.	Ministry of Justice / Supreme Court / Attorney Generals Dept	various NGOs	Districts in Provinces of Balkh, Herat, Baghlan, Jawzjan, Kunduz, Samangan + additional provinces to be selected	
1	A.3.4	US/INL	Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	AGO, Supreme Court, MOJ, local defense attorneys, NGOs, provincial council	JSSP	Paktia	
2	A.1	US/INL	AGO Support	Build capacity of the Attorney General's Office and prosecutors	AGO provincial prosecutor, Ministry of Interior/local police headquarters	JSSP	Paktia	
3	E.1	US/INL	Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	AGO provincial prosecutor, Ministry of Interior/local police headquarters	JSSP	Paktia	

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4	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office, to include pilot programs in victim/witness protection	AGO, and coordination with other justice institu- tions including Supreme Court, MOJ	JSSP	Kabul East- ern Zone	
5	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office (with future roll- out of successful pilot programs from Kabul Eastern Zone)	AGO	JSSP	Balkh	
6	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office (with future roll- out of successful pilot programs from Kabul Eastern Zone)	AGO	JSSP	Herat	
7	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office (with future roll- out of successful pilot programs from Kabul Eastern Zone)	AGO	JSSP	Kunduz	
8	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office (with future roll- out of successful pilot programs from Kabul Eastern Zone)	AGO	JSSP	Nangarhar	

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9	A.1, E.3.2	US/INL	AGO Orga- nizational Reform and Restructuring	Assist AGO in implementing organizational reform and re- structuring of provincial prosecutor's office (with future roll- out of successful pilot programs from Kabul Eastern Zone)	AGO	JSSP	Paktia	
10	C.3. E.1	US/INL	Provincial Jus- tice Training	Provide requested trainings to provincial justice actors as a follow-up to previously held Provincial Justice Conference	Provincial Governor's office and local justice actors	JSSP	Kunduz	
11	C.3. E.1	US/INL	Provincial Jus- tice Training	Provide requested trainings to provincial justice actors as a follow-up to previously held Provincial Justice Conference	Provincial Governor's office and local justice actors	JSSP	Ghazni	
12	C.3. E.1	US/INL	Provincial Jus- tice Training	Provide requested trainings to provincial justice actors as a follow-up to previously held Provincial Justice Conference	Provincial Governor's office and local justice actors	JSSP	Logar	
13	C.3. E.1	US/INL	Provincial Jus- tice Training	Provide requested trainings to provincial justice actors as a follow-up to previously held Provincial Justice Conference	Provincial Governor's office and local justice actors	JSSP	Panjshir	
14	C.3. E.1	US/INL	Provincial Jus- tice Training	Provide requested trainings to provincial justice actors as a follow-up to previously held Provincial Justice Conference	Provincial Governor's office and local justice actors	JSSP	Kapisa	
15	C.3. E.1	US/INL	Provincial Justice Confer- ences	Facilitate 5 provincial justice conferences in provinces outside Kabul	Provincial Governor's office and local justice actors	JSSP	TBD	

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16	C.3. E.1	US/INL	Provincial Jus- tice Trainings	Provide requested trainings to provincial justice actors as a follow-up to planned Provincial Justice Conferences in 5 provinces	Provincial Governor's office and local justice actors	JSSP	TBD	
17	C.3	US/INL	NAME? (FDD training)	In coordination with Focused District Development training efforts for police, provide four week criminal justice trainings for district level prosecutors in 55 districts.	AGO, Provincial Governor's office	JSSP	TBD	
18	C.2	US/INL	AGO Stage Support	Work with AGO Stage instructors to develop formal and comprehensive written stage curriculum. Coordinate efforts with other related educational/vocational/training programs	AGO, INLTC	JSSP	Kabul HQ	
19	A.1	US/INL	AGO Support	Implement personnel database for AGO	AGO	JSSP	Kabul HQ and nation-ally	
20	E.1.7 thru E.1.10	US/INL	AGO Support	Implement case management/case tracking system for AGO in coordination with case tracking systems of other justice institutions	AGO, MOI/ CPD, Supreme Court	JSSP	Begin in Kabul East-ern Zone and then expanding nationally	
21	E.2.7, E.2.8	US/INL	AGO Support	Implement plans for a specialized anti-corruption unit within the AGO	AGO	JSSP	Kabul HQ and nation-ally	
22	A.2	US/INL	AGO/PRR	Support efforts to implement PRR in AGO offices nation-wide (including front office reorganization)	AGO	JSSP	Kabul HQ and nation-ally	

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23	F.4	US/INL	MOJ Support	Assist MOJ in planning and broadcasting/disseminating public service announcements regarding the Advocates Law	MOJ	JSSP	Kabul HQ and nation- ally	
24	A.1.5	US/INL	MOJ Support	Build translation capacity of MOJ and provide translation support	MOJ	JSSP	Kabul HQ	
25	A.1	US/INL	MOJ Support	Provide information technology training and classes for select staff of MOJ	MOJ	JSSP	Kabul HQ	
26	A.6.2	US/INL	MOJ Support	Provide security-related improvements to MOJ headquarters	MOJ	JSSP	Kabul HQ	
27	A.3	US/INL	MOJ Support/ Policy and Strategy Unit	Build capacity of the MOJ for project development and donor coordination in coordination with National Justice Programme implementation	MOJ	JSSP	Kabul HQ	
28	A.1	US/INL	AGO Support	Develop and implement project management and planning office in AGO	AGO	JSSP	Kabul HQ	

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29	C.1	US/INL	Defense capac- ity building	Work with regional universities and local defense NGOs to establish clinical law programs for law students	Universi- ties, Defense providers	JSSP	TBD	
30	A.1	US/INL	MOJ Reorga- nization and Reform	Work with MOJ to implement reform and restructuring of provincial MOJ offices, including Huquq and Government Cases	MOJ	JSSP	TBD	
US - ARoLP - National								
1	E.3, E.4	US/US- AID	ARoLP/Court Administration	Improve overall admin and case management	MOJ, SC	ARoLP	National	Thru 30 September 2008

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2	A.1	US/US- AID	ARoLP/ Court Man- agement	Improve Supreme Court management capacity	MOJ, SC	ARoLP	Kabul	Thru 30 Septem- ber 2008	
3	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	Balkh, Herat, Kabul, Kapisa, Nangar- har	Thru 30 Septem- ber 2008	
4	A.1.5	US/US- AID	ARoLP/Le- gal English Training	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	Balkh, Herat, Kabul, Kapisa, Nangar- har	Thru 30 Septem- ber 2008	
5	C.2	US/US- AID	ARoLP/ Judicial Training ARoLP/ Commer- cial Court Reform ARoLP/Law Reform and Legislative Drafting	Curriculum Develop- ment, Training, Train- ing Infrastructure Develop capacity, training programs, advisory support Compile Laws, Trans- lation, Legislative Drafting Training	SC MOJ, SC MOJ, SC	ARoLP ARoLP ARoLP	National Herat, Kabul, Nangar- har National	Thru 30 Septem- ber 2008 Thru 30 Septem- ber 2008 Thru 30 Septem- ber 2008	
6	F4.1, E.4.3	US/US- AID							
7	D.2.1	US/US- AID							

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8	F4, F.5	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice ARoLP/ Women's Rights Un- der Islam	Educational Materi- als, Cultural Centers, Informal Justice Policy Statement	MoWA, Cultural Centers	ARoLP	National	Thru 30 Septem- ber 2008	
9	F2.4 thru F2.6	US/US- AID	ARoLP/ Women's Rights Un- der Islam	National dialogues, provincial dialogues	MoWA, Cultural Centers	ARoLP	National	Thru 30 Septem- ber 2008	
10	F.2	US/US- AID	ARoLP/Le- gal Aid	Support Legal Aid Activities	ILF	ARoLP	Badghis, Baghlan, Farah, Paktya, Sar-i-Pul	Thru 30 Septem- ber 2008	
US - ARoLP - Provincial									
1	A.1	US/US- AID	ARoLP/ Court Ad- ministration	Improve Supreme Court management capacity	MOJ, SC	ARoLP	KABUL	Thru 30 Septem- ber 2008	
2	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	BADA- KH- SHAN	Thru 30 Septem- ber 2008	
3	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	BADGHIS	Thru 30 Septem- ber 2008	
4	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	BAGH- LAN	Thru 30 Septem- ber 2008	

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5	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	BALKH	Thru 30 Septem- ber 2008	
6	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	BAMY- AN	Thru 30 Septem- ber 2008	
7	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	DAI- KUNDI	Thru 30 Septem- ber 2008	
8	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	FARAH	Thru 30 Septem- ber 2008	
9	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	FARYAB	Thru 30 Septem- ber 2008	
10	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	GHAZNI	Thru 30 Septem- ber 2008	
11	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	GHOR	Thru 30 Septem- ber 2008	

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12	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	HEL- MAND	Thru 30 Septem- ber 2008	
13	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	HEART	Thru 30 Septem- ber 2008	
14	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	JOWZ- JAN	Thru 30 Septem- ber 2008	
15	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KABUL	Thru 30 Septem- ber 2008	
16	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KANDA- HAR	Thru 30 Septem- ber 2008	
17	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KAPISA	Thru 30 Septem- ber 2008	
18	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KHOST	Thru 30 Septem- ber 2008	

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19	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KUNAR	Thru 30 Septem- ber 2008	
20	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	KUN- DUZ	Thru 30 Septem- ber 2008	
21	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	LAGH- MAN	Thru 30 Septem- ber 2008	
22	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	LOGAR	Thru 30 Septem- ber 2008	
23	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
24	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	NIMRUZ	Thru 30 Septem- ber 2008	
25	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	NURES- TAN	Thru 30 Septem- ber 2008	

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26	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	PAKTYA	Thru 30 Septem- ber 2008	
27	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	PAK- TIKA	Thru 30 Septem- ber 2008	
28	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	PAN- JSHIR	Thru 30 Septem- ber 2008	
29	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	PARWAN	Thru 30 Septem- ber 2008	
30	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	SAMAN- GAN	Thru 30 Septem- ber 2008	
31	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	SAR-I- PUL	Thru 30 Septem- ber 2008	
32	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	TAKHAR	Thru 30 Septem- ber 2008	

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33	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	URUZ- GAN	Thru 30 Septem- ber 2008
34	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	WAR- DAK	Thru 30 Septem- ber 2008
35	E.1.7 thru E.1.10	US/US- AID	ARoLP/ Court Ad- ministration	Improve overall admin and case manage- ment by implementing new Afghan Court Administration System (ACAS)	MOJ, SC	ARoLP	ZABUL	Thru 30 Septem- ber 2008
36	A.3.4, F.2.4 thru F.2.6 A.3.4,	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	Assessment of Wom- en's Access to Justice	MoWA, Cultural Centers	ARoLP	KABUL	Thru 30 Septem- ber 2008
37	F.2.4 thru F.2.6 A.3.4,	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	Assessment of Wom- en's Access to Justice	MoWA, Cultural Centers	ARoLP	BALKH	Thru 30 Septem- ber 2008
38	F.2.4 thru F.2.6 A.3.4,	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	Assessment of Wom- en's Access to Justice	MoWA, Cultural Centers	ARoLP	HERAT	Thru 30 Septem- ber 2008
39	F.2.4 thru F.2.6	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	Assessment of Wom- en's Access to Justice	MoWA, Cultural Centers	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008
40	F.4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	BADA- KH- SHAN	Thru 30 Septem- ber 2008
41	F.4.1	US/US- AID	ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	BADGHIS	Thru 30 Septem- ber 2008

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42	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	BAGH- LAN	Thru 30 Septem- ber 2008	
43	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	BALKH	Thru 30 Septem- ber 2008	
44	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	BAMY- AN	Thru 30 Septem- ber 2008	
45	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	DAI- KUNDI	Thru 30 Septem- ber 2008	
46	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	FARAH	Thru 30 Septem- ber 2008	
47	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	FARYAB	Thru 30 Septem- ber 2008	
48	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	GHAZNI	Thru 30 Septem- ber 2008	
49	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	GHOR	Thru 30 Septem- ber 2008	
50	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	HERAT	Thru 30 Septem- ber 2008	
51	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	KANDA- HAR	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
52	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	KAPISA	Thru 30 Septem- ber 2008	
53	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	KUN- DUZ	Thru 30 Septem- ber 2008	
54	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	LAGH- MAN	Thru 30 Septem- ber 2008	
55	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	LOGAR	Thru 30 Septem- ber 2008	
56	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
57	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	PAKTYA	Thru 30 Septem- ber 2008	
58	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	PAN- JSHIR	Thru 30 Septem- ber 2008	
59	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	PARWAN	Thru 30 Septem- ber 2008	
60	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	SAMAN- GAN	Thru 30 Septem- ber 2008	
61	F4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/ Women's Rights under Islam	National and provin- cial women's rights awareness dialogues and workshops National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	SAR-I- PUL	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
62	F.4.1	US/US- AID	ARoLP/ Women's Rights under Islam ARoLP/In- formal Jus- tice Sector and Access to Justice	National and provin- cial women's rights awareness dialogues and workshops	MoWA, Cultural Centers	ARoLP	TAKHAR	Thru 30 Septem- ber 2008	
63	F.2	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Support Legal Aid Activities	MoWA, Cultural Centers	ARoLP	BADGHIS	Thru 30 Septem- ber 2008	
64	F.2	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Support Legal Aid Activities	MoWA, Cultural Centers	ARoLP	BAGH- LAN	Thru 30 Septem- ber 2008	
65	F.2	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Support Legal Aid Activities	MoWA, Cultural Centers	ARoLP	FARAH	Thru 30 Septem- ber 2008	
66	F.2	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Support Legal Aid Activities	MoWA, Cultural Centers	ARoLP	PAKTYA	Thru 30 Septem- ber 2008	
67	F.2	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Support Legal Aid Activities	MoWA, Cultural Centers	ARoLP	SAR-I- PUL	Thru 30 Septem- ber 2008	
68	E.4.1, E.4.2	US/US- AID	ARoLP/ Commer- cial Court Reform ARoLP/ Commer- cial Court Reform	Develop capacity, training programs, advisory support for commercial courts Develop capacity, training programs, advisory support for commercial courts	MOJ, SC	ARoLP	HERAT	Thru 30 Septem- ber 2008	
69	E.4.1, E.4.2	US/US- AID	ARoLP/ Commer- cial Court Reform	Develop capacity, training programs, advisory support for commercial courts	MOJ, SC	ARoLP	KABUL	Thru 30 Septem- ber 2008	
70	D.2.1	US/US- AID	ARoLP/ Law Reform and Legal Drafting	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	BAGH- LAN	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
71	D.2.1	US/US- AID	ARoLP/ Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	BALKH	Thru 30 Septem- ber 2008	
72	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	FARAH	Thru 30 Septem- ber 2008	
73	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	HEL- MAND	Thru 30 Septem- ber 2008	
74	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	HERAT	Thru 30 Septem- ber 2008	
75	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	JAWZ- JAN	Thru 30 Septem- ber 2008	
76	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	KABUL	Thru 30 Septem- ber 2008	
77	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	KANDA- HAR	Thru 30 Septem- ber 2008	
78	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	KUNAR	Thru 30 Septem- ber 2008	
79	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	KUN- DUZ	Thru 30 Septem- ber 2008	
80	D.2.1	US/US- AID	Law Reform and Legal Drafting	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	LAGH- MAN	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
81	D.2.1	US/US- AID	ARoLP/ Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
82	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	NIMRUZ	Thru 30 Septem- ber 2008	
83	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	NURISTAN	Thru 30 Septem- ber 2008	
84	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	PARWAN	Thru 30 Septem- ber 2008	
85	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	SAMAN- GAN	Thru 30 Septem- ber 2008	
86	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	SAR-I- PUL	Thru 30 Septem- ber 2008	
87	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	URUZ- GAN	Thru 30 Septem- ber 2008	
88	D.2.1	US/US- AID	Law Reform and Legal Drafting ARoLP/	Compiled Laws, Trans- lation, Legislative Drafting Training	MOJ, SC	ARoLP	ZABUL	Thru 30 Septem- ber 2008	
89	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, Al Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	BALKH	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
90	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	HERAT	Thru 30 Septem- ber 2008	
91	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	KABUL	Thru 30 Septem- ber 2008	
92	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	KAPISA	Thru 30 Septem- ber 2008	
93	A.2.5, C.1.1, C.1.5, C.1.6	US/US- AID	ARoLP/ Legal Edu- cation	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
94	A.1.5	US/US- AID	ARoLP/ Legal Edu- cation	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	BALKH	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
95	A.1.5	US/US- AID	ARoLP/ Legal Edu- cation	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	HERAT	Thru 30 Septem- ber 2008	
96	A.1.5	US/US- AID	ARoLP/ Legal Edu- cation	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	KABUL	Thru 30 Septem- ber 2008	
97	A.1.5	US/US- AID	ARoLP/ Legal Edu- cation	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	KAPISA	Thru 30 Septem- ber 2008	
98	A.1.5	US/US- AID	ARoLP/ Legal Edu- cation	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
99	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	BADA- KH- SHAN	Thru 30 Septem- ber 2008	
100	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	BADGHIS	Thru 30 Septem- ber 2008	
101	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	BAGH- LAN	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Implementing Agency	Location	Expected Date of project
102	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	BALKH	Thru 30 September 2008
103	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	BAMY-AN	Thru 30 September 2008
104	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	DAI-KONDI	Thru 30 September 2008
105	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	GHAZNI	Thru 30 September 2008
106	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	GHOR	Thru 30 September 2008
107	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	HERAT	Thru 30 September 2008
108	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	JOWZ-JAN	Thru 30 September 2008
109	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	KABUL	Thru 30 September 2008
110	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	KAPISA	Thru 30 September 2008
111	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	KHOST	Thru 30 September 2008
112	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	KUNAR	Thru 30 September 2008
113	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	KUN-DUZ	Thru 30 September 2008
114	C.2	US/US-AID	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SC	ARoLP	LAGH-MAN	Thru 30 September 2008

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
115	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	LOGAR	Thru 30 Septem- ber 2008	
116	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	NAN- GAR- HAR	Thru 30 Septem- ber 2008	
117	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	NIMROZ	Thru 30 Septem- ber 2008	
118	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	NURI- STAN	Thru 30 Septem- ber 2008	
119	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	PAKTIA	Thru 30 Septem- ber 2008	
120	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	PAK- TIKA	Thru 30 Septem- ber 2008	
121	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	PAN- JSHER	Thru 30 Septem- ber 2008	
122	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	PARWAN	Thru 30 Septem- ber 2008	
123	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	SAMAN- GAN	Thru 30 Septem- ber 2008	
124	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	SAR-I- PUL	Thru 30 Septem- ber 2008	
125	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	TAKHAR	Thru 30 Septem- ber 2008	
126	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	WAR- DAK	Thru 30 Septem- ber 2008	
127	C.2	US/US- AID	ARoLP/ Judicial Training	Curriculum Develop- ment, Training, Train- ing Infrastructure	SC	ARoLP	ZABUL	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
128	F.5	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Informal Justice Policy Statement	MOJ, SC	ARoLP	KABUL	Thru 30 Septem- ber 2008	
129	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	BADA- KH- SHAN	Thru 30 Septem- ber 2008	
130	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	KABUL	Thru 30 Septem- ber 2008	
131	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	KANDA- HAR	Thru 30 Septem- ber 2008	
132	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	KAPISA	Thru 30 Septem- ber 2008	
133	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	KUN- DUZ	Thru 30 Septem- ber 2008	
134	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	PAN- JSHIR	Thru 30 Septem- ber 2008	
135	F.4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	PARWAN	Thru 30 Septem- ber 2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
136	F4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	TAKHAR	Thru 30 Septem- ber 2008	
137	F4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	URUZ- GAN	Thru 30 Septem- ber 2008	
138	F4	US/US- AID	ARoLP/In- formal Jus- tice Sector and Access to Justice	Educational Materials and Cultural Centers	MoWA, Cultural Centers	ARoLP	WAR- DAK	Thru 30 Septem- ber 2008	
US - CSSP									
1	E.6	US/INL	CSSP MOJ/ Central Prisons Department Executive Leadership	Provide evaluation, mentoring, policy development, and training for CPD Senior Leadership (Nationwide)	MOJ/CPD	CSSP	Kabul, Jalalabad, Mazar, Heart	3/1/2008	
2	E.6.1	US/INL	CSSP MOJ/ Central Prisons Department Women In Corrections	Provide evaluation, mentoring, training, equipment to CPD for the Women Prison Staff and Female Prisoners requirements (Nationwide)	MOJ/CPD	CSSP	Kabul	3/15/2008	
3	E.6, F.2.7 thru F.2.9	US/INL	CSSP MOJ/ Central Pris- ons Depart- ment Afgan Literacy Program	Provide evaluation, mentoring, training, equipment to MOJ- CPD for the enhance- ment of basic literacy of Prison Staff and Prisoners (Nationwide)	MOJ/CPD/MOE	CSSP	Kabul	4/1/2008	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project	
4	E.6	US/INL	CSSP MOJ/ Central Prisons Department Policy De- velopment	Provide evaluation, mentoring, and training for the development of national operating procedures (Nation- wide)	MOJ/CPD/UNODC/ UNAMA	CSSP	Kabul	5/30/2008	
5	E.6	US/INL	CSSP MOJ/ Central Prisons Department Support Emergency Response Team	Provide evaluation, mentoring, training, equipment to CPD for the Emergency Response requirements (Nationwide)	MOJ/CPD	CSSP	Kabul	6/1/2008	
Germany/GTZ									
1	A.3	GTZ	National Justice Monitoring and Evalu- ation System	collaborate with the Afghan government to support efforts of key reforms within the judicial system. Activi- ties in this area include supporting the develop- ment and implemen- tation of the national justice monitoring and evaluation system, and training key justice personnel at the su- preme court.	MoJ. SC.AGO	GTZ	Kabul	Ongoing	

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
2	N/A	GTZ	Police Training	<p>Policemen and women are being instructed to better observe the principles of rule of law and to apply them in their daily work. As one part of this cooperation, the police academy is being advised on the shaping of its curriculum, and GTZ is has produced Dari and Pashto legal materials on prin- ciples of Afghan law, including the con- stitution, police law, criminal procedures, penal code, juvenile law, human rights. GTZ is undertaking this work through a ToTwitw instruction being carried out in both the capital and the provinces. GTZ is do- ing a training in Mazar for 25 Police Officer of the Police Manual and going to do the same training in 5 zones in Afghanistan.</p>	MoI. GPPT. EUPOL	GTZ	Kabul, Mazar, Kunduz, Faizabad	Ongoing

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
3	F.4	GTZ	Civil society	Social dialogue, public information and education through promotion the local NGOs working at the provincial and district levels. Support efforts to spur social dialogue and organizational development so that local partners are enabled to develop their own independent positions on the basic themes of democracy and rule of law and to open their views to discussion. Assistance to the Training Commission of the Supreme Court in the education of judicial candidates and advisory services and financing for national NGOs that seek to improve the quality and range of the legal advice they provide to vulnerable population groups such as poor women, persons in custody pending trial, and prison inmates. GTZ also supports the Ministry of Justice as it assumes its legal aid responsibilities, especially at the provincial level.	GTZ and national NGOs such as AHRO, AWJA, LCSAWC, WHSRO and Radio Zohra	GTZ and national NGOs such as AHRO, AWJA, LC-SAWC, WHSRO and Radio Zohra	Kabul, Mazar, Kunduz, Herat, Ghazni, Parwan, Faizabad	Ongoing
4	F.2	GTZ	Access to Justice		GTZ and national NGOs such as AHRO, AWJA, LCSAWC, WHSRO and Radio Zohra	GTZ and national NGOs such as AHRO, AWJA, LC-SAWC, WHSRO and Radio Zohra	Kabul, Mazar, Kunduz, Herat, Kan-dahar, Ghazni, Parwan, Faizabad	Ongoing

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
5	F.4	GTZ	Confidence Building	Increase trust, under- standing and collabora- tion between police, civil society, and formal justice officials. Activities include facilitated discussions, workshops, visits to schools, integrated trainings and social discourse.	MoI, EUPOL, GPPT, National NGO's and rep- resentatives from Afghan civil society	MoI, EUPOL, GPPT, National NGO's and repre- sentatives from Af- ghan civil society	Kabul, Mazar, Kunduz, Faizabad	Ongoing
1	A.3	Italy, USA, Canada, Germany and UNAMA	Support to Provincial Justice Co- ordination Mechanism (PJCM)	The Provincial Justice Coordination Mechanism (PJCM) will help improve the delivery of justice assistance in the prov- inces consistent with the National Justice Sector Strategy and the National Justice Programme of Af- ghanistan.	MoI, SC, AGO	UNAMA/ UNDP	Kabul HQ Rule of Law Unit, Kunduz, Heart, Jalalabad, Gardez/ Khost, Kan- dahar, Bamyan Mazar- e-Sharif and Kabul Central Field Of- fice	1 May 2008 – 30 April 2009
Norway								
1	A.6	Norway	Anti-corrup- tion	Anticorruption program for Min of Finance and Min of Justice	Italy	UNDP	Kabul	Sep-07

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
2	E.2.4	Norway	CNPA/ Counter Narcotic Police	3 Police advisors training and mentoring (Norwegians police)	CNPA	NORAF (Norwe- gian proj- ect for support to police in Afghani- stan)	Kabul	2004
3	E.2.4	Norway	CJTF/Crim- inal Justice Task Force	Training and monitoring CJTF by 2 judges, 1 prosecutor, 1 lawyer and 1 police(all Norwegians)	CJTF, UK, USA	Nor- wegian Advisors	Kabul	2005
4	N/A	Norway	Police reform	Training at the police academy by 2 police advisors (Norwegian police)	Police- acad- emy	NORAF	Kabul	2007
5	N/A	Norway	Police reform	Training female police (separate program) by 3 police advisors (Norwegian police)	Police- acad- emy	NORAF	Kabul	2005
6	N/A	Norway	Police reform	Secretariat International Police Coordination Board (1 Norwe- gian Police advisor)	IPCB	NORAF	Kabul	2007
7	N/A	Norway	Police reform	Training and mentoring local police by 8 police advisors (Nor- wegian police)	Faryab police	NORAF	Faryab	2007
8	E.6	Norway	Norwegian Advisors	Training and mentoring head of prison facilities (Norwegian prison advisors)	Faryab prison author- ities	Nor- wegian Advisors	Faryab	2007
9	F.2.4 thru F.2.6	Norway	Gender and Justice	Gender and Justice Program		UNIFEM	Kabul	2007
UNODC								
1	A.6	Canada	Anti-corrup- tion	Anticorruption program for MoJ, SC and AGO	UNICRI	UNODC	Kabul, selected provinces (TBC)	ongoing

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
2	D.2, D.3, E.3	Canada	Criminal Justice	Legislative Reform, Training of Judges and Prosecutors	UNICRI, ISISC	UNODC	Kabul, Kan- dahar, Kunduz, Heart, Bamyan Kabul,	ongoing
3	D.2, D.3, E.3	Italy/ Ireland	Criminal Justice	Legislative Reform, Training of Judges and Prosecutors	ISISC	UNODC	Herat, Bamyan,	ongoing
4	B.1, E.6	Italy	Penitentiray Reform	Training of penitentiray staff, Construction of prisons in Paktya and Balkh provinces	UN- OPS	UNODC	Kabul, Paktya, Balkh	ongoing
5	E.6, F.2.4 thru F.2.6	Austria	Penitentiary Reform	Training female penitentiray staff, Vocational and Educational programs for female inmates		UNODC	Kabul, Kan- dahar, Herat, Balkh, Nangar- har	ongoing
6	C.3	EC/ Lithu- ania	Criminal Justice	Criminal Justice programme in Ghor province	ISISC	UNODC	Ghor	ongoing
UK								
1	See Part 2 Over- view	UK	Justice Sec- tor Reform Project	£2.5m Contribution to ARTF Justice Sector Reform Programme - infrastructure, HR management, training/professional development, access to justice.	MoJ, AGO, SC	World Bank/ ARTF	Kabul, provinces (tbc)	
2	E.2.4	UK (with US, Nor- way)	Criminal Justice Task Force	To deliver a CN justice system able to deal with serious narcotics offenders in Afghanistan. The CJTF brings together investigators, prosecutors and judiciary to work towards successful narcotics prosecutions.	MoJ, AGO, SC	British Embassy, Kabul	Kabul	ongoing

No.	NJP Part 2 Log Frame Row #	Int. A gency/ Donor	Title of project/ category*	Description and pur- pose (specify: activi- ties/beneficiaries)	Institutional Counterpart/partners	Imple- menting Agency	Location	Expected Date of project
3	B.1	UK (Hel- mand PRT/ British Em- bassy, Kabul)	Rebuilding prisons in Helmand	In accordance with MOJ 5-year strategic plan construct prisons in accordance with international standards that include facilities for women and juveniles. Construct new MOJ prison in Lashkar Gah and detention centers in Gerseshk, Sangin and Musa Qala.	MoJ Hel- mand		Lashkar Gar, Sangin, Gerseshk	ongoing
4	C.3	UK (British Em- bassy)	Prison/ detention trainers	To provide a more effective and professional workforce, the central prison department and National Security Directorate needs extensive support, including professional training	MoJ Central Prison Dept, NDS	UK Prison Service	Kabul	ongoing
5	E.6	UK (For- eign Office, Lon- don)	Alternatives to Custody Study	To identify viable alternatives to custodial sentences in Afghanistan and explore the options for decreasing the use of pre-trial custody.	MoJ	Interna- tional Centre for Prison Studies	UK	Apr-08
6	A.3	UK (Hel- mand PRT)	Helmand Justice Sec- tor Advice	Facilitate the development and implementation of programmes aimed at strengthening the rule of law and the criminal justice system in Helmand, in line with the National Justice Strategy.	Hel- mand justice institu- tions		Lashkar Gar	ongoing

ATTACHMENT 1

Attachment 1 aims to identify all current and recently completed programmes related to the justice sector, and organizes them according to the sub-programmes in the NJSS. Attachment 1 provides details about such programmes, including the location of programmatic activities, project descriptions, implementing partners, and project timeframes. Data in Attachment 1 have been provided by donors and their implementing agencies. The information may not be comprehensive, and has not been compiled in the manner and

form used in the JCMB monitoring matrix. Nevertheless, Attachment 1 gives a reasonable indication of the scope of ongoing justice sector activities, thereby facilitating the identification of gaps between existing programmes and the priorities set forth in the NJSS. The NJP envisages that Attachment 1 will be continuously updated and improved by the Programme Support Unit described further below, with the cooperation and assistance of all justice sector actors.

A. DONOR ACTIVITY MATRIX - NATIONAL LEVEL

UNAMA Rule of Law Unit

Update 13/03/2008

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
Italy						
bis	E.7.4	Italy - OIM	A Brighter Childhood: Tackling Child Trafficking in Afghanistan	Study tour, judges and prosecutors trainings, support to the civil society on the fight against trafficking of minors. Support to the victims of trafficking.	MoL, MoI, MoF, MoW, AGO, SC, MoE, NGOs	12/2006 - 04/2008
1	C.3	Italy - IDLO	Interim training for the afghan judiciary	Training of 250 prosecutors, training of 50 head of jurisdiction and officials from MoJ. 2 Study tour for 20 participants in Egypt and Italy	MoJ, SC, AGO	7/2003 - 12/2004
2	C.3	Italy - ISISC	Training the trainers: Course on the Interim Criminal Procedure Code	Training of 120 judges, prosecutors, police officers, lawyers and MoJ officials	MoJ, SC, AGO	5/2004 - 6/2004
3	C.3	Italy - ISISC	Provincial justice Initiative	Courses on the interim Procedure Criminal Code, training of central authorities, support to the establishment of a network to monitor judicial system	MoJ, SC, AGO	8/2005 - 9/2007
3 bis	N/A	Italy - ISISC	Rehabilitation and support of the Afghan judicial and penitentiary system	Secondment of a ISISC legal expert to the Italian embassy	Italian Embassy	8/2007 - 12/2007
4	C.2, C.3	Italy - UNOPS	National Legal Training Centre	Building of the NLTC centre	NLTC - MoJ	2005 - 05/2007
5	C.2, C.3	Italy	Higher education programme in judicial	Development of curricula for training of judges, prosecutors	MoE, Kabul University	Dec-06

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
			disciplines	and lawyers		
7	E.7.1	Italy - LAOA - UNICEF	Legal Assistance to minors and indigents	Survey on detained children in conflict with the law. Implement an assistance program on indigent detainees	MoJ	3/2007 - 12/2007
8	B.1	Italy - NBCC	National Security Court	Provide infrastructures to the National Security Court	NSC	09/2005 - 02/2006
11	C.3	Italy - IDLO	Afghanistan Justice System Trust Fund contribution	Capacity building and training activities to prosecutors, judges and lawyers in Kabul and in the provinces	MoJ, SC, AGO	2002 - 2008
12	D.3.2	Italy - IDLO	Enhancing the capacity of legal professionals in Afghanistan - first phase	Training of judiciary officials; training on legal drafting, capacity building activities within the National Legal Training Centre	MoJ, SC, AGO, INLC	2005 - 2007
13	C.2	Italy - IDLO	Increasing Afghanistan capacity for sustainable legal reform	Technical assistance in the development of the Independent National Legal Training Centre. Training for officials in government ministers. Support to the Faculty of Sharia at Kabul University	MoJ, SC, AGO, INLC, Kabul University	3/2007 - 8/2008
14	C.1	Italy - UNIFEM	Gender justice programme	Support to the implementation of CEDAW within the Afghan legal system	Gov. of Afgh.	2003 - 2005
14 bis	E.2.6	Italy - UNIFM	Violence against women	Legal services for women, Training, Provision of shelter,	Afghan Women	2007 - 2008

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
15	B.1, C.2, C.3	Italy - UNDP	Rebuilding the justice sector of Afghanistan	Organisation of referral centres Provide infrastructures and training to the justice institutions	MoJ, SC, AGO	2003 - 2005
16	F.2	Italy - UNDP	Afghan Interim Authority Fund	Contribution of the reconstruction of afghan judicial system	MoJ, SC, AGO	2002 - 2007
17	F.2	Italy - UNDP - ISISC	Access to justice at district level	Contribution of the reconstruction of afghan judicial system in the provinces	MoJ, SC, AGO, Ministry of Women	2006 - 2009
18	E.7, E.6.3	Italy - UNODC	Reform of the juvenile justice system	construction of a department of minor affaires within the MoJ. Construction of court of minors, in Kabul. Construction of detention centre for minors.	MoJ, Juvenile Justice of Kabul	2003
19	B.1.1, E.3.6, E.3.7	Italy - UNODC	Reform of the penitentiary system in Afghanistan	Revision of penitentiary legislation. Construction of the Central Prison Department. Construction of detention centres for women and children	MoJ, Central Prison department	2003 - on going
20	B.1.1, E.3.6, E.3.7	Italy - UNODC	Criminal law and criminal justice capacity building in Afghanistan	Revision of legislation on drug trafficking, terrorism, extradition. Start up of Justice Support centres in selected provinces	MoJ, AGO	2003 - on going
21	B.1.1, E.3.6,	Italy - UNODC	Prison system reform - extension to the	Revision of the penitentiary regulations. Enhance of professionalism of the	MoJ	2004 - on going

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
	E.3.7		provinces	penitentiary staff. Enhance detention infrastructures		
22	E.6.3	Italy - UNICEF	Support the Reform of the Juvenile Justice sector and the development of a child-right based legislative framework in Afghanistan	Establishment of a rehabilitation centre for minors in Kabul	MoJ	2003 - 2007
23	B.3	Italy - IMG	Infrastructures and equipment for Justice Institutions	Construction of provincial facilities and procurement of vehicles for judicial institutions in Afghanistan	Gov. of Afg.	2007 - 2008
US						
1	C.2.1	US/INL	JSSP Legal Education and Training	Build the capacity of the Afghan legal community to provide legal education and training through its legal institutions. Advise and mentor the Board of Directors of the Independent National Legal Training Center.	MOJ, AGO, INLTC	
1	A.4, E.1.2	US/INL	JSSP Legal Reform	Assist in reforming criminal justice laws and develop ethical and professional standards and performance.	AGO	
1	A.1, E.1.8	US/INL	JSSP Reorganization of the AGO	Propose reforms and restructuring of the AGO to include a case tracking system and a personnel database.	AGO	

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
1	C.2, C.3	US/INL	JSSP Prosecutor Training	Support and conduct short, mid and long term prosecutor trainings with standard lesson plans and curriculums.	AGO	
1	A.1	US/INL	JSSP AGO Strategy and Advice	Advise the Attorney General and his staff develop strategies for reforming the AGO, including an effective front office.	AGO	
1	E.1.2	US/INL	JSSP Police/Prosecutor Coordination	Support, mentor and advise police/prosecutors. Develop standard operating procedures and organize the MOI-AGO Commission.	AGO, MOI	
1	A.6, E.2.7, E.2.8	US/INL	JSSP Anti-Corruption	Assist the AGO in developing an anti-corruption strategy and mentor prosecutors to target, investigate, and prosecute corruption cases.	AGO	
1	A.4	US/INL	JSSP Afghan Prosecutors Association	Assist the Afghan Prosecutors Association (APA) to organize and establish itself in the AGO. Advise the APA on structure, priorities, activities, and goals.	AGO	
1	E.2	US/INL	JSSP Gender Justice	Improve the capacity and effectiveness of the AGO and MOI to detect and prosecute gender crimes.	AGO, MOI	
1	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system	MOI, SC, AGO, MOI	

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				assessment including customary law in Herat, Balkh, Kunduz, and Nangarhar provinces.		
3	F.2.1	US/INL	JSSP Legal Aid and Defense	Improve legal aid and criminal defense capacities. Completed a criminal defense capacity assessment in Herat, Balkh, Kunduz, and Nangarhar provinces along with a plan to develop or improve defense capacity and competency in those provinces.	MOJ, Legal Aid Organization of Afghanistan	
4	A.1	US/INL	JSSP MOJ Support	Strengthen MOJ planning, coordination, policy capacity, and administration to select departments (Huquq, Taqin, Government Case, and Administration).	MOJ	
4	B.1, B.3	US/INL	JSSP MOJ Support	Provide infrastructure rental, equipment, and supplies for the MOJ.	MOJ	
6	B.1, B.3	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, and security support for AG.	AGO	
1	N/A	US/CSTC-A	ANA International Military Legal Training	Provide training in military justice, utilizing international experts.	MOD	
1	E.2.4	US/Treasury	Anti-Money Laundering Advisor to DAB	Improve anti-money laundering capacity and financial intel.	Central Bank	

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1	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	MOJ, SC, AGO, MOI	
2	E.1	US/USAID	Court Administration	Improve overall admin and case management	MOJ, SC	
2	E.4.1	US/USAID	Commercial Court Reform	Develop capacity, training programs, advisory support	MOJ, SC	
3	A.2.4	US/INL	Afghan women judges judicial education program	Study tour for 4 judges (2006), distribution of legal texts, legal awareness training, capacity-building of Afghan Women Judges Association (2007)	SC, AWJA	
3	F.2.2, F.2.3	US/INL	JSSP Legal Aid and Defense	Improve legal aid and criminal defense capacities	SC, MOJ	
3	F.2.4, F.2.5, F.2.6	US/USAID	Women's Rights Under Islam	National dialogs, provincial dialogs	MoWA, Cultural Centers	
3	F.2.1, F.2.2, F.2.3	US/CFC-A	CERP-Public Defense Development	Provide access to criminal defense services for indigents	Defense Lawyers	
4	E.3.6, E.3.7, E.6	US/INL	CSSP MOJ/Central Prisons Department Advisor	Capacity building and technical advice to MOJ/CPD	MOJ	
4	A.1	US/INL	JSSP MOJ Support	Strengthen MOJ planning, coordination, policy capacity	MOJ	
4	A.3.4	US/CFC-A	Justice Sector Assessment	Evaluation & Assessment of Justice sector(nationwide) through civilian mentors, PRTs	MOJ, AGO, MOI, SC,	

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				civil affairs personnel		
4	N/A	US/CSTC-A	Afghan National Army--General Staff Legal Mentors	Provide mentoring, training, equipment to ANA justice officials (Nationwide)	MOD	
4	A.3	US/CFC-A	Support to ANDS Consultative Groups	Provide support/coordination, as appropriate, to CG process	ANDS, MOJ, AGO, MOI, SC	
4	N/A	US/CSTC-A	KMTC Legal Advisors	Provide mentoring and training at the ANA's recruit and training commands.	MOD	
4	N/A	US/CSTC-A	Corps-Level ANA Legal Advisors	Provide embedded mentoring and training to Corps-level Staff Judge Advocates	MOD	
4	N/A	US/CSTC-A	ANA Court of Military Appeals	Provide mentoring and training to ANA's appellate court.	MOD	
4	A.3	US/CFC-A	Coordination of US military ROL initiatives	Provide coordination of US military ROL initiatives as directed by US Embassy ROL Coordinator	MOJ, MOI, SC, AGO,	
5	A.4	US/CSTC-A	Ethics	Provide mentoring and training on ethics laws and regulations.	MOD, MOI	
5	N/A	US/CSTC-A	Ministry of Interior & Afghan National Police Mentoring	Mentor ANP Legal Affairs Chief and his staff; assist other MOI and ANP directorate heads with anti-corruption initiatives, written policies and draft legislation; advise on major cases.	MOI	

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5	N/A	US/CSTC-A	ANP Legal Monitoring and Evaluation	Evaluate quality of Afghan legal support rendered within MOI and ANP. Monitor and evaluate observance by MOI and ANP leadership to Rule of Law.	MOI	
5	N/A	US/CSTC-A	ANP Internal Monitoring Mentoring	Provide advice to ANP Internal Affairs, Human Rights and Inspections staff on probes of matters under their cognizance.	MOI	
6	B.1	US/USAID	Infrastructure	Court, Administration, Prison, and Other Construction	MOJ, SC, AGO, MOI	
6	B.1.2	US/CFC-A	CFC-A Prison Survey	Survey of all CPD prison facilities (Nationwide)	MOJ	
6	B.1, B.3	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	AGO	
6	N/A	US/CSTC-A;	Afghan National Police (ANP) Legal Mentoring	Assist ANP Legal Affairs Chief with resource needs such as equipment and manning ("tashkil" process for additional billets)	MOI	
6	N/A	US/CSTC-A	ANP Procurement Law Mentoring	Advise on contact and procurement law and policy.	MOI	
6	B.1	US/CFC-A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	MOJ, SC, AGO	
6	N/A	US/CSTC-A	ANA Military Court	Build court houses at each	MOD	

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
			Houses (New Construction)	Corps/Basic Court location.		
7	N/A	US/CSTC-A	ANA Legislative Drafting Assistance	Assist in Drafting Laws and Regulations Affecting Military Justice	MOD	
8	A.2.5, C.1.1, C.1.5, C.1.6	US/USAID	Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	MOJ, SC, Kabul University, NLTC	
8	D.1.2, D.2.1	US/USAID	Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	MOJ, SC	
8	E.6.2	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, National Training Center	MOJ, NCTC	
8	B.1	US/INL	CSSP Prison Engineering Development	Supports and develops capacity from design to renovation	MOJ	
2	E.3, E.4	US/USAID	ARoLP/Court Administration	Improve overall admin and case management	MOJ, SC	Thru 30 September 2008
	A.1	US/USAID	ARoLP/Court Management	Improve Supreme Court management capacity	MOJ, SC	Thru 30 September 2008
2	E.4	US/USAID	ARoLP/Commercial Court Reform	Develop capacity, training programs, advisory support	MOJ, SC	Thru 30 September 2008
3	F.2.4, F.2.5, F.2.6	US/USAID	ARoLP/Women's Rights Under Islam	National dialogues, provincial dialogues	MoWA, Cultural Centers	Thru 30 September 2008
8	A.2.5, C.1.1, C.1.5,	US/USAID	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training,	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat	Thru 30 September 2008

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
	C.1.6			Curriculum	University, Kabul University, Nangarhar University	
	A.1.5	US/USAID	ARoLP/Legal English Training	Legal English Training Programs and Testing	MOJ, SC, INLTC, AI Biruni University, Balkh University, Herat University, Kabul University, Nangarhar University	Thru 30 September 2008
8	D.2.1	US/USAID	ARoLP/Law Reform and Legislative Drafting	Compile Laws, Translation, Legislative Drafting Training	MOJ, SC	Thru 30 September 2008
8	C.2	US/USAID	ARoLP/Judicial Training	Curriculum Development, Training Infrastructure	SC	Thru 30 September 2008
9	F.4, F.5	US/USAID	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials, Cultural Centers, Informal Justice Policy Statement	MoWA, Cultural Centers	Thru 30 September 2008
	E.2.4	US/INL	CSSP MOJ/Central Prisons Department Advisor	Counter Narcotics Justice Center coordination and Corrections staff training	MOJ	
	A.1	US/INL	CSSP MOJ/Central Prisons Department Administrative Support	Strengthen CPD planning, coordination, policy capacity	MOJ	
	B.3	US/INL	CSSP MOJ/Central Prisons Department Transportation Program	Provide evaluation, mentoring, training, equipment to CPD for the prisoner transportation requirements (Nationwide)	MOJ	

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	E.6	US/INL	CSSP MOJ/Central Prisons Department Industries Program	Provide evaluation, mentoring, training, equipment to CPD for Industrial Program improvements (Nationwide)	MOJ	
	E.6	US/INL	CSSP MOJ/Central Prisons Department Re-integration Program	Provide evaluation, mentoring, policy development, and training for re-integration of incarcerated persons (Nationwide)	MOJ	
4	A.1 thru A.6	NL	Strengthening the Justice System of Afghanistan	capacity building and reform of justice institutions, provide technical assistance and training	UNDP	2006-2007
8	D.3	NL	Training members of parliament	Exchange and training programme of members of parliament	Netherlands Institute for Multiparty Democracy	2006-2007
NL						
1	F.6	NL	Promoting Transitional Justice	Promote Transitional Justice support the Action Plan in all its facets provide support staff for GoA focal point on Transitional Justice	ICTJ (in partnership with AIHRC and UNAMA)	2006-2007
1	F.6	NL	Transitional Justice - support staff	Provide support staff for GoA focal point on Transitional Justice	Presidential Palace, MoFA, AIHRC	2006-2007
1	F.6	NL	Open up archives on war crimes	Open up archives on Dutch investigations and sources on Afghan	Afghanistan Center Kabul University	2006-2007

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				war crimes		
4	A.1 thru A.6	NL	Strengthening the Justice System of Afghanistan	capacity building and reform of justice institutions, provide technical assistance and training	UNDP	2006-2007
8	D.3	NL	Training members of parliament	Exchange and training programme of members of parliament	Netherlands Institute for Multiparty Democracy	2006-2007
Egyptian Embassy/EFTC						
1	E.2.4	Egyptian Embassy/ EFTC	Law enforcement	Advanced field training seminar for Anti-Narcotics Officers	Egyptian Police Academy , MOCN	current year
8	C.1.5	Egyptian Embassy/ EFTC	Building Capacity	500 fellowships for Afghan students to study Sharia and Law at Al-Azhar University for for years, with an average of 80 scholarship per year	Al-Azhar university,	current year
8	C.1.5	Egyptian Embassy/ EFTC	Building Capacity	Visiting Scholars Program:30 Egyptian Professors specialized in Sharia, Islamic Jurisprudence, Gender issues, Criminal Law and Human Rights	Al-Azhar university	current year
Canada						

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
4	E.6	Canada	Corrections Advisor to UNAMA	Deploying Corrections Advisor to UNAMA to help establish professional correctional service that respects rule of law and international human rights standards and practices. Duties include advising UNAMA and Ministry of Justice and liaising with donors.	UNAMA	2003-2009
1	E.2.4	Canada	Counter Narcotics Trust Fund	Contributed to CNTF to assist GoA in fighting illicit drug production and implementing National Drug Control Strategy. Contribution was earmarked for Alternative Livelihoods	UNDP	2006-2008
1	E.2.4	Canada	Canada-UNODC Afghanistan Counter Narcotics Program	Supporting various UNODC programs targeting counter narcotics.	United Nations Office on Drugs and Crime	2005-2009
1	F.2.4 thru F.2.6	Canada	Gender Advisor to the Ministry of the Interior	Supporting gender advisor within MOI to foster more gender-	CANADEM	2005-2008 (2007-2008 funding awaiting final

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				balanced police organisation that operates under rule of law and human rights principles and actively protects women and girls. Activities include training and mentoring Afghan policewomen		approval)
3	A.1, F.2.1 thru F.2.3	Canada	Strengthening the Rule of Law	Supporting IDLO to improve access to justice through legal aid, training of prosecutors, judges, and public defenders, and enhancing court administration.	International Development and Law Organization	2004-2007
3	F.2.1 thru F.2.3	Canada	Support to Legal Aid Afghanistan (LAA) Project	Supporting International Legal Foundation (ILF) and International Criminal Defence Attorneys Associate (ICDAA) to build infrastructure for public defence system (legal aid) throughout Afghanistan through International Legal Foundation-Afghanistan.	CANADEM, International Legal Foundation (ILF), and International Criminal Defense Attorneys Association (ICDAA)	2005-2010

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				Activities include setting up offices, training and mentoring lawyers delivering defence services to the poor and conducting workshops for all stakeholders. Now supporting ICDA and ILF to consolidate institutional capacity of their five legal aid offices under ILF-A as a single national service provider. These legal aid offices will be overseen by new Afghan Board of Directors, that will also engage Afghan Government in formulating viable national legal aid policy framework.		
5	N/A	Canada	Disbandment of Illegal Armed Groups	Assisting GoA to disband and disarm illegal armed groups to set conditions for good governance and rule-of-law	UNDP/Afghanistan New Beginnings Program (ANBP)	2005-2009

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
	A.1.5	Canada	Translation and Publication Unit in the Supreme Court	Supporting priority project identified by the Afghanistan Supreme Court at the Rome Rule of Law Conference for the creation of a translation and publication unit at the Court.	UNDP	2008-2009
	F.4	Canada	Public Legal Awareness Project in the Ministry of Justice	Supporting priority project identified by the Afghanistan Ministry of Justice at the Rome Rule of Law Conference to address the need for public legal awareness via (a) delivering a nationwide public legal awareness campaign; and (b) strengthening the capacity of the Ministry of Justice to conduct on-going public legal awareness initiatives.	UNDP	2008-2009
	D.3	Canada	Capacity Building Project in the Ministry of Justice Legislative Drafting Unit	Supporting deployment of Justice Canada lawyer and reach-back capacity of	DFAIT/Justice Canada	2008-2009

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				Department of Justice, to help standardise legislative drafting process and improve legislative drafting capacity within the MoJ. Some emphasis will also be placed on improving access to legislative and policy development. Legal texts, information technology and other resources will be provided to Ministry as required.		
	F.2.4 thru F.2.6	Canada	Rights in Practice: Women's Rights and Family Law Reform	Supporting Rights and Democracy to launch debate and activities around women's rights and family law reform in Afghanistan. Activities include working with Afghan civil society to conduct research and design advocacy strategies in favour of family law reform, including engaging mullahs and community leaders on more progressive	International Centre for Human Rights and Democratic Development (Rights and Democracy)	2007-2011

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				forms of family law in which women's rights are protected.		
	F.6	Canada	Broadening the Constituency of Transitional Justice in Afghanistan	Supporting broadcast radio programs aimed at providing forum for: (1) victims of human rights abuses to tell their stories; and (2) transitional justice experts to educate public with regard to transitional justice action plan.	Afghanistan National Participation Association	2007-2008
	F.6.2	Canada	Towards a Just Peace: Transitional Justice Programs in Afghanistan	Supporting victim networks, local civil society initiatives, and the Afghanistan Independent Human Rights Commission (AIHRC) in documenting and addressing human rights violations.	International Centre for Transitional Justice	2007-2008
	N/A	Canada	Afghanistan Independent Human Rights Commission (AIHRC)	Providing core budget support to AIHRC. This builds on 2002-2003 funding to AIHRC to advance women's rights, human rights	AIHRC	2007

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				education and transitional justice.		
CIDA						
1	E.2.4	CIDA	Counter Narcotics Trust Fund	Contributed to CNTF to assist GoA in fighting illicit drug production and implementing National Drug Control Strategy. Contribution was earmarked for Alternative Livelihoods	UNDP	2006
1	E.2.4	CIDA	Counter-Narcotics Capacity Building Project	Working with UK and Belgium to support UNODC to increase capacity of justice professionals to prosecute high-profile drug traffickers. Project objectives include: building capacity of judges, prosecutors and investigation unit officers; improving physical	United Nations Office on Drugs and Crime	2005-2007
1	N/A	CIDA	Gender Advisor to the Ministry of the Interior	Supporting gender advisor within MOI to foster more gender-balanced police	CANADEM	2005-2008 (2007-2008 funding awaiting final

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				organisation that operates under rule of law and human rights principles and actively protects women and girls. Activities include training and mentoring Afghan policewomen		approval)
3	C.3, F.2	CIDA	Strengthening the Rule of Law	Supporting IDLO to improve access to justice through legal aid, training of prosecutors, judges, and public defenders, and enhancing court administration.	International Development and Law Organization	2004-2007
3	N/A	CIDA	Women's Rights Fund	Supporting Rights and Democracy to promote human rights for women among Afghan women, to help build space for women's voices in political, judicial and civil processes, and to promote capacity-building among local Afghan women's groups. Activities include	International Centre for Human Rights and Democratic Development	2003-2006 (follow-up project under review)

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
3	F.2	CIDA	Support to Legal Aid Afghanistan (LAA) Project	Supporting International Legal Foundation (ILF) to build infrastructure for public defence system (legal aid) throughout Afghanistan through International Legal Foundation-Afghanistan. Activities include setting up offices, training and mentoring lawyers	International Criminal Defence Attorneys Association & International Legal Foundation	2005-2006 (new funding under review)
5	N/A	CIDA	Alternative Livelihoods Program in North-eastern Afghanistan	Supporting Aga Khan Foundation Canada to provide effective alternative livelihood options through community-based, integrated rural development in Bamyán, Baghlan, Parwan, and Samangan. Project supports increased range of licit income generating opportunities	Aga Khan Foundation Canada	2005-2009
5	N/A	CIDA	Disbandment of Illegal Armed Groups	Assisting GoA to disarm and disarm illegal armed groups	UNDP/Afghanistan New Beginnings Program (ANBP)	2005-2009

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				to set conditions for good governance and rule-of-law		
Germany						
2	E.4.7	Max-Planck-Institute for Comparative and Private International Law, Hamburg/Germany	The matrimonial laws of Afghanistan	survey of current legal situation as regards matrimonial law, experts workshop on matrimonial law, publication of a family law textbook	legal community in Afghanistan	2006 - 2007
	A.3	GTZ- Rule of Law Project	National Justice Monitoring and Evaluation System	GTZ works with the Afghan government to support efforts of key reforms within the judicial system. Activities in this area include supporting the development and implementation of the national justice monitoring and evaluation system, and training key justice personnel at the supreme court	Supreme Court and Ministry of Justice	2006-2008
	N/A	GTZ- Rule of Law Project	Police Training	In close consultation with MoI, GPPT and EUPOL policemen and women are being	MoI, GPPT, EUPOL	2006-2008

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				<p>instructed to better observe the principles of rule of law and to apply them in their daily work. As one part of this cooperation, the police academy is being advised on the shaping of its curriculum, and GTZ is has produced Dari and Pashto legal materials on principles of Afghan law, including the constitution, police law, criminal procedures, penal code, juvenile law, human rights. GTZ is undertaking this work through a ToT with instruction being carried out in both the capital and the provinces. GTZ is doing a training in Mazar for 25 Police Officer of the Police Manual and going to do the same training in</p>		

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				5 zones in Afghanistan		
	F.4	GTZ- Rule of Law Project	Civil society	Social dialogue, public information and education through promotion the local NGOs working at the provincial and district levels. GTZ supports Afghanistan's efforts to spur social dialogue and organizational development so that local partners are enabled to develop their own independent positions on the basic themes of democracy and rule of law and to open their views to discussion.	different NGOs such as AHRO, AWJA, LCSAWC, WHSRO and Radio Zohra	2006-2008
4	F.2	GTZ- Rule of Law Project	Access to Justice	Assistance to the Training Commission of the Supreme Court in the education of judicial candidates and advisory services and financing for national NGOs that seek to improve the quality and range of the legal advice they provide to	different NGOs such as AHRO, AWJA, LCSAWC, WHSRO	2006-2008

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				vulnerable population groups such as poor women, persons in custody pending trial, and prison inmates. GTZ also supports the Ministry of Justice as it assumes its legal aid responsibilities, especially at the provincial level. GTZ also is also exploring ways to improve relationships between police and society in Afghanistan through trust building/confidence building initiatives. The results of these activities will form the basis for best practices in confidence building.		
8	C.2	Max-Planck-Institute for Comparative Public Law and International Law, Heidelberg/	Assistance to the Training Commission of the Supreme Court in the education of judicial candidates	Assistance to the SC-Trainings Commission in the education of judicial candidates ("stage"), teaching Constitutional Law, Human Rights, Court Organization Law, General Criminal Law,	SC, IPLD (France), (coordination of the training modules with USAID and IDLO)	2006-2007

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
EC		Germany		Judicial Ethics and Fair Trial Principles		
	3	Medica Mondiale/E C	Family Violence	<p>Legal Support for Women and Girls affected by family violence in Kabul, Herat, Mazar-i-Sharif and Kandahar:</p> <p>The legal situation of women and girls affected by family violence is improved through direct legal services for survivors, awareness raising and education on their legal rights and by building capacity of different key actors providing effective prevention and response mechanisms. This will be achieved for example through: providing fair access to justice in Kabul, Herat, Mazar-i-Sharif, and Kandahar; skills and capacity building for direct service</p>	Penitentiary Institutions	<u>12/05 --01/2008</u>

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				providers like defence lawyers, prison wardens, police and through legal education on women's rights as human rights is provided with particular emphasis on amending, implementing and enforcing legislation to protect women and girls against family violence.		
9	B.1, F.4, F.5	UNDP/EC	A2J at the District Level	This project aims to support access to justice at the district level. The action is taken around four main activities: reassessment of districts within the national strategy framework on strengthening the justice system; refurbishment of judicial centres	District Courts	01/05-01/09
3	A.2	Adam Smith International /European	Justice Sector Reform Project in Afghanistan	Support the three Justice institutions in undertaking Priority	SC,AGO,MoJ	09/2007-06/2008

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		Commission		Reform and Restructuring and Human Resource Management functions such as merit based recruitment, and transparent and objective evaluations and appointments.		
3	A.1, A.5	Adam Smith International /European Commission	Justice Sector Reform Project in Afghanistan	Support capacity and capacity building of the three institutions to develop and execute budgets.	SC,AGO,MoJ	09/2007-06/2008
3	F.2	Adam Smith International /European Commission	Justice Sector Reform Project in Afghanistan	Supporting the Ministry of Justice in the determination of its preferred model for the provision of legal aid, the design for a new legal aid department and implementation	MOJ	09/2007-06/2008
4	E.3.4 (indirect ly)	European Commission	Counter Narcotics Trust Fund	Un-earmarked contribution to CNTF to assist GoA in fighting illicit drug production and implementing National Drug Control Strategy, two of the	UNDP	01/2006-01/2007

Consolidated Strategy Outline #	NJP Part 2 Log Frame Row #	Int. Agency/Don or	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Institutional Counterpart/partners	Date of project
				eight pillars being respectively law enforcement and criminal justice.		
UNODC						
1	E.6.3, E.7	UNODC	Reform of the juvenile justice system - Extension to the provinces (AFG/S51)	<ul style="list-style-type: none"> • Training for professionals dealing with juveniles in contact and in conflict with the law trained on the new Afghan Juvenile Code and on Juvenile Justice and implementation of non-judicial measures and non-custodial sanctions; • Training on management, 	MoJ	Planned
1	D.3	UNODC	Counter Terrorism (CT)	<ul style="list-style-type: none"> • National workshop, June 2004, on necessary legislative measures for fighting terrorism and translational organized crime. 53 officials of the Government representing various Ministries were trained. • Legislative drafting workshop for Afghan experts in 	MoJ	Planned
1	A.3.4, D.3, E.3	UNODC	Measures to prevent and combat trafficking in human beings in Afghanistan (AFAFG/S54)	<ul style="list-style-type: none"> • Assessment report including trends and recommendations on anti-trafficking strategies; • Assessment report prepared on existing legislation and legislative drafting assistance; 	MoJ	Planned

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				<ul style="list-style-type: none"> • Training programme designed for law enforcement and the judiciary; • An a 		
1	A.3.4	UNODC	Crime Assessment in Afghanistan	<ul style="list-style-type: none"> • To engage national institutional counterparts into the research and the collection of information available in concerned authorities and institutions; • To establish an inventory of data and information (secondary data) available at institutional level 	MoJ	Planned
5	A.6	UNODC	Strengthening the capacity of the judiciary to prevent and combat corruption in Afghanistan	<ul style="list-style-type: none"> • To build the awareness and capacity of the National Assembly to ratify the UNCAC and to work on the implementation of its principles and provisions at central and provincial level; • Provision of legislative assistance in order to amend national legisla 	MoJ	Planned
UNDP						
	F.4	UNDP/SJSA	Access to Justice; Element: 1. Enhance rights awareness	Public Legal Awareness Campaign (focus on HR, women rights and children) - one of 5 Quick Impact projects as outlined for Rome Conference.	UNDP with MoJ, national service providers for media,	Dec 2007 - Nov 2008 (1 year)

B. Donor Activity Matrix - Provincial Level

UNAMA Rule of Law Unit

Update 13/03/2008

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
ITALY						
1	A.3.4, F.4	Italy - OIM	A Brighter Childhood: Tackling Child Trafficking in Afghanistan	Study tour, judges and prosecutors trainings, support to the civil society on the fight against trafficking of minors. Support to the victims of trafficking.	Turkham, Jalalabad, Lanhaman, Kunar, Kabul	12/2006 - 04/2008
2	E.3	Italy - ISISC	Provincial justice Initiative	Courses on the interim Procedure Criminal Code, training of central authorities, support to the establishment of a network to monitor judicial system	Kunduz, Paktia, Balkh, Heart, Nangarhar, Badakshan	8/2005 - 9/2007
3	C.3	Italy - IDLO	Afghanistan Justice System Trust Fund contribution	Capacity building and training activities to prosecutors, judges and lawyers in Kabul and in the provinces	Undefined Provinces ????	2002 - 2008
4	B.1	Italy - UNDP	Rebuilding the justice sector of Afghanistan	Provide infrastructures and training to the justice institutions	Kunduz, Badaskan, Nangarhar, Heart	2003 - 2005
5	B.1	Italy - UNDP - ISISC	Access to justice at district level	Contribution of the reconstruction of afghan judicial system in the provinces	Balkh, Heart	2006 - 2009
6	B.1, D.3, E.3	Italy - UNODC	Criminal law and criminal justice capacity building in Afghanistan	Revision of legislation on drug trafficking, terrorism, extradition. Start up of Justice Support centres in selected provinces	Gardez, Mazar e Sharif, Kunduz, Jalalabad, Barman, Heart, Baghlan, Saripul	2003 - on going
7	B.1, E.6	Italy - UNODC	Prison system reform - extension to the provinces	Revision of the penitentiary regulations. Enhance of professionalism of the penitentiary staff. Enhance detention infrastructures	Mazar e Sharif, Gardez	2004 - on going

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
US						
1	B.2, E.6	US/INL	CSSP MOJ/Central Prisons Department Support	Improve capacity and reforms to Corrections system through training, facility and administrative level mentoring, provision of equipment, records reform, and strategy coordination	KABUL	
2	B.2, E.6	US/INL	CSSP MOJ/Central Prisons Department Support	Improve capacity and reforms to Corrections system through training, facility and administrative level mentoring, provision of equipment, records reform, and strategy coordination	PAKTIA	
3	B.2, E.6	US/INL	CSSP MOJ/Central Prisons Department Support	Improve capacity and reforms to Corrections system through training, facility and administrative level mentoring, provision of equipment, records reform, and strategy coordination	NANGARHAR	
4	B.2, E.6	US/INL	CSSP MOJ/Central Prisons Department Support	Improve capacity and reforms to Corrections system through training, facility and administrative level mentoring, provision of equipment, records reform, and strategy coordination	BALKH	
5	B.2, E.6	US/INL	CSSP MOJ/Central Prisons Department Support	Improve capacity and reforms to Corrections system through training, facility and administrative level mentoring, provision of equipment, records reform, and strategy coordination	HERAT	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
6	C.3, E.3	US/DOJ	Senior Federal Prosecutors Program	Counternarcotics training	PAKTIA	
7	C.3, E.3	US/DOJ	Senior Federal Prosecutors Program	Counternarcotics training	BAMIYAN	
8	C.3, E.3	US//DOJ	Senior Federal Prosecutors Program	Counternarcotics training	NANGARHAR	
9	B.2, C.3	US/CST C-A	ANA Mentoring of Basic Court-Level Judiciary	Provide mentoring, training, equipment to prosecutors, defense counsel and judges.	PAKTIA	
10	E.1.2, E.2	US/US/I NL-DOD	Senior Federal Prosecutors Program	Reform key criminal justice laws; Train and mentor the CNTF and CNT; Develop security for facilities and personnel.	BALKH	
11	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	BALKH	
12	E.2	US/INL	JSSP Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	BALKH	
13	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	BALKH	
14	E.6	US/INL	CSSP MOJ/Corrections Police Department Advisor	Improve Capacity and Reforms to Corrections System	HERAT	
15	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	HERAT	
16	E.6	US/INL	JSSP Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	HERAT	
17	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	HERAT	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
18	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	KABUL	
19	E.1	US/INL	JSSP Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	KABUL	
20	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	KABUL	
21	A.6	US/Treasury	Anti-Money Laundering Advisor to DAB	Improve anti-money laundering capacity and financial intel.	KABUL	
22	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	NANGARHAR	
23	A.1	US/INL	JSSP Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	NANGARHAR	
24	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	NANGARHAR	
25	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	KUNDUZ	
26	E.1	US/INL	JSSP Police/Prosecutor Coordination	Police-prosecutor coordination and criminal justice integration	KUNDUZ	
27	A.3.4	US/INL	JSSP Provincial Justice Assessment	Comprehensive provincial criminal justice system assessment including customary law	KUNDUZ	
28	A.1	US/INL	JSSP AGO Support	Build capacity of the Attorney General's Office and prosecutors	WARDAK	
29	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	BADAKHSHAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
30	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	BADGHIS	
31	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	BAGHLAN	
32	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	BALKH	
33	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	BAMYAN	
34	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	DAIKUNDI	
35	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	FARAH	
36	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	FARYAB	
37	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System	GHAZNI	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
				(ACAS)		
38	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	GHOR	
39	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	HELMAND	
40	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	HERAT	
41	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	JOWZJAN	
42	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	KABUL	
43	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	KANDAHAR	
44	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	KAPISA	
45	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new	KHOST	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
				Afghan Court Administration System (ACAS)		
46	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	KUNAR	
47	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	KUNDUZ	
48	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	LAGHMAN	
49	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	LOGAR	
50	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	NANGARHAR	
51	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	NIMRUZ	
52	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	NURESTAN	
53	E.1.7 thru	US/USAI	ARoLP/Court	Improve overall admin and case	PAKTYA	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
	E.1.10	D	Administration	management by implementing new Afghan Court Administration System (ACAS)		
54	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	PAKTIKA	
55	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	PANJSHIR	
56	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	PARWAN	
57	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	SAMANGAN	
58	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	SAR-I-PUL	
59	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	TAKHAR	
60	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	URUZGAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
61	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	WARDAK	
62	E.1.7 thru E.1.10	US/USAI D	ARoLP/Court Administration	Improve overall admin and case management by implementing new Afghan Court Administration System (ACAS)	ZABUL	
63	A.4, D.2, D.3	US/INL	JSSP Legal Reform	Assist in reforming criminal justice laws and develop ethical and professional standards and performance	Herat, Balkh, Kunduz, & Nangarhar	
64	A.1, E.1.7 thru E.1.10	US/INL	JSSP Reorganization of the Provincial Prosecutors' Offices	Propose reforms and restructuring of the AGO to include a case tracking system and a personnel database	Herat, Balkh, Kunduz, & Nangarhar	
65	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	FARAH	
66	A.3.4, B.1	US/CFC- A	CFC-A Prison Survey	Survey of all CPD prison facilities (Nationwide)	HERAT	
67	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	KAPISA	
68	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	KAPISA	
69	A.6.2, B.2	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	WARDAK	
70	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	BADAKHSHAN	
71	B.1	US/USAI	Infrastructure	Court, Administration, Prison, and	BADGHIS	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
		D		Other Construction		
72	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	BAGHLAN	
73	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	BALKH	
74	A.6.3, B.2	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	BALKH	
75	B.1	US/CST C-A	ANA Military Court Houses (New Construction)	Build court houses at each Corps/Basic Court location.	BALKH	
76	A.1, E.1	US/USAI D	Court Administration	Improve overall admin and case management	FARAH	
77	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	GHAZNI	
78	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	GHAZNI	
79	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	HELMAND	
80	C.3	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, Regional Training Center	BALKH	
81	C.3	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, National Training Center	KABUL	
82	C.3	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, Regional Training Center	NANGARHAR	
83	C.3	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, Regional Training Center	PAKTIA	
84	C.3	US/INL	CSSP Corrections Officer Training	Curriculum Development, Training, Regional Training Center	HERAT	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
85	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	HERAT	
86	A.6.2, B.2	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	HERAT	
87	B.1	US/CST C-A	ANA Military Court Houses (New Construction)	Build court houses at each Corps/Basic Court location.	HERAT	
88	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	KABUL	
89	A.6.2, B.2	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	KABUL	
90	N/A	US/CST C-A	ANA Military Court Houses (New Construction)	Build court houses at each Corps/Basic Court location.	KABUL	
91	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	KABUL	
92	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	KHOST	
93	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	KUNDUZ	
94	N/A	US/CST C-A	ANA Military Court Houses (New Construction)	Build court houses at each Corps/Basic Court location.	KUNDUZ	
95	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	LAGHMAN	
96	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	LAGHMAN	
97	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	LOGAR	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
98	B.1	US/USAI D	Rehabilitation) Infrastructure	Court, Administration, Prison, and Other Construction	LOGAR	
99	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	NANGARHAR	
100	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	NANGARHAR	
101	B.1	US/INL	JSSP AGO Logistic Support	Provide equipment, supplies, security support for AG	NANGARHAR	
102	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	NOORESTAN	
103	N/A	US/CST C-A	ANA Military Court Houses (New Construction)	Build court houses at each Corps/Basic Court location.	PAKTIA	
104	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	Paktika	
105	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	PARWAN	
106	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	PARWAN	
107	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	PANJSHIR	
108	B.1	US/USAI D	Infrastructure	Court, Administration, Prison, and Other Construction	WARDAK	
109	B.1	US/CFC- A	CERP-Other Infrastructure (New Construction & Rehabilitation)	Courthouses, justice administration buildings, other related construction	WARDAK	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
110	B.1.2	US/INL	CSSP Prison Engineering Development	Supports and develops capacity from design to renovation	WARDAK	
111	A.3.4, B.1.1	US/CFC- A	CFC-A Prison Survey	Survey of all CPD prison facilities (Nationwide)	BALKH	
112	A.3.4, B.1.1	US/CFC- A	CFC-A Prison Survey	Survey of all CPD prison facilities (Nationwide)	KABUL	
113	B.1.2	US/INL	CSSP Prison Engineering Development	Supports and develops capacity from design to renovation	KABUL	
114	A.3.4, F.2.4 thru F.2.6	US/USAI D	ARoLP/Women's Rights under Islam	Assessment of Women's Access to Justice	KABUL	
115	A.3.4, F.2.4 thru F.2.6	US/USAI D	ARoLP/Women's Rights under Islam	Assessment of Women's Access to Justice	BALKH	
116	A.3.4, F.2.4 thru F.2.6	US/USAI D	ARoLP/Women's Rights under Islam	Assessment of Women's Access to Justice	HERAT	
117	A.3.4, F.2.4 thru F.2.6	US/USAI D	ARoLP/Women's Rights under Islam	Assessment of Women's Access to Justice	NANGARHAR	
118	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	BADAKHSHAN	
119	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	BADGHIS	
120	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	BAGHLAN	
121	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	BALKH	
122	F.4.1	US/USAI	ARoLP/Women's Rights	National and provincial women's	BAMYAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
		D	under Islam	rights awareness dialogues and workshops		
123	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	DAIKUNDI	
124	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	FARAH	
125	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	FARYAB	
126	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	GHAZNI	
127	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	GHOR	
128	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	HEART	
129	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	KANDAHAR	
130	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	KAPISA	
131	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	KUNDUZ	
132	F.4.1	US/USAI	ARoLP/Women's Rights	National and provincial women's	LAGHMAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
		D	under Islam	rights awareness dialogues and workshops		
133	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	LOGAR	
134	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	NANGARHAR	
135	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	PAKTYA	
136	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	PANJSHIR	
137	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	PARWAN	
138	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	SAMANGAN	
139	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	SAR-I-PUL	
140	F.4.1	US/USAI D	ARoLP/Women's Rights under Islam	National and provincial women's rights awareness dialogues and workshops	TAKHAR	
141	F.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Support Legal Aid Activities	BADGHIS	
142	F.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Support Legal Aid Activities	BAGHLAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
143	F.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Support Legal Aid Activities	FARAH	
144	F.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Support Legal Aid Activities	PAKTYA	
145	A.1	US/USAI D	ARoLP/Court Administration	Improve Supreme Court management capacity	KABUL	
146	E.4.1, E.4.2	US/USAI D	ARoLP/Commercial Court Reform	Develop capacity, training programs, advisory support for commercial courts	HERAT	
147	E.4.1, E.4.2	US/USAI D	ARoLP/Commercial Court Reform	Develop capacity, training programs, advisory support for commercial courts	KABUL	
148	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	BAGHLAN	
149	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	BALKH	
150	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	FARAH	
151	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	HELMAND	
152	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	HERAT	
153	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	JAWZJAN	
154	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	KABUL	
155	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	KANDAHAR	
156	A.2.1, D.1	US/USAI	ARoLP/Law Reform and	Compiled Laws, Translation,	KUNAR	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
157	A.2.1, D.1	US/USAI D	Legal Drafting ARoLP/Law Reform and Legal Drafting	Legislative Drafting Training Compiled Laws, Translation, Legislative Drafting Training	KUNDUZ	
158	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	LAGHMAN	
159	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	NANGARHAR	
160	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	NIMRUZ	
161	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	NURISTAN	
162	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	PARWAN	
163	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	SAMANGAN	
164	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	SAR-I-PUL	
165	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	URUZGAN	
166	A.2.1, D.1	US/USAI D	ARoLP/Law Reform and Legal Drafting	Compiled Laws, Translation, Legislative Drafting Training	ZABUL	
167	A.2.5, C.1.1, C.1.6, C.3	US/USAI D	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	BALKH	
168	A.2.5, C.1.1, C.1.6, C.3	US/USAI D	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	HERAT	
169	A.2.5, C.1.1, C.1.6,	US/USAI D	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	KABUL	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
	C.3					
170	A.2.5, C.1.1, C.1.6, C.3	US/USAI D	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	KAPISA	
171	A.2.5, C.1.1, C.1.6, C.3	US/USAI D	ARoLP/Legal Education	Overseas Travel, Law Journal, Computer Training, Curriculum	NANGARHAR	
172	A.1.5	US/USAI D	ARoLP/Legal Education	Legal English Training Programs and Testing	BALKH	
173	A.1.5	US/USAI D	ARoLP/Legal Education	Legal English Training Programs and Testing	HERAT	
174	A.1.5	US/USAI D	ARoLP/Legal Education	Legal English Training Programs and Testing	KABUL	
175	A.1.5	US/USAI D	ARoLP/Legal Education	Legal English Training Programs and Testing	KAPISA	
176	A.1.5	US/USAI D	ARoLP/Legal Education	Legal English Training Programs and Testing	NANGARHAR	
177	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	BADAKHSHAN	
178	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	BADGHIS	
179	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	BAGHLAN	
180	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	BALKH	
181	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	BAMYAN	
182	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	DAIKONDI	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
183	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	GHAZNI	
184	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	GHOR	
185	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	HERAT	
186	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	JOWZJAN	
187	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	KABUL	
188	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	KAPISA	
189	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	KHOST	
190	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	KUNAR	
191	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	KUNDUZ	
192	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	LAGHMAN	
193	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	LOGAR	
194	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	NANGARHAR	
195	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	NIMROZ	
196	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	NURISTAN	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
197	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	PAKTIA	
198	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	PAKTIKA	
199	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	PANJHER	
200	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	PARWAN	
201	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SAMANGAN	
202	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	SAR-I-PUL	
203	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	TAKHAR	
204	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	WARDAK	
205	C.2.1	US/USAI D	ARoLP/Judicial Training	Curriculum Development, Training, Training Infrastructure	ZABUL	
206	F.5	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Informal Justice Policy Statement	KABUL	
207	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	BADAKHSHAN	
208	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	KABUL	
209	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	KANDAHAR	
210	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	KAPISA	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
211	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	KUNDUZ	
212	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	PANJSHIR	
213	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	PARWAN	
214	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	TAKHAR	
215	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	URUZGAN	
216	F.4.1, F.4.2	US/USAI D	ARoLP/Informal Justice Sector and Access to Justice	Educational Materials and Cultural Centers	WARDAK	
Germany/GTZ						
1	N/A	GTZ	Short time training for Afghan Police - Mazar	teaching Afghan police in: police law, criminal procedure law, criminal law, law an detection and investigation, Constitution, Juvenile law	BALKH	
2	N/A	GTZ	Short time training for Afghan Police - Herat	teaching Afghan police in: police law, criminal procedure law, criminal law, law an detection and investigation, Constitution, Juvenile law	HELMAND	
3	N/A	GTZ	Short time training for Afghan Police - Kunduz	teaching Afghan police in: police law, criminal procedure law, criminal law, law an detection and investigation, Constitution, Juvenile law	KUNDUZ	
4	N/A	GTZ	Short time training for Afghan Police - Jalalabad	teaching Afghan police in: police law, criminal procedure law, criminal law, law an detection and investigating, Constitution, Juvenile law	NANGARHAR	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
5	N/A	GTZ	Short time training for Afghan Police - Bamian	teaching Afghan police in: police law, criminal procedure law, criminal law, law an detection and investigation, Constitution, Juvenile law	BAMIAN	
6	F.2.1 thru F.2.6	GTZ	Legal Aid - Ghazni	legal Aid for Afghani Woman; Woman, around 18.000 \$	GHAZNI	
7	F.2.1 thru F.2.6	GTZ	Legal Aid - Herat	in planning	HELMAND	
8	F.2.1 thru F.2.6	GTZ	Legal Aid - Kabul	Legal Aid for Afghan Woman; around 15.000 \$; Kabul and up to 3 areas close to Kabul City	KABUL	
9	A.5.3	GTZ	Competition of Journalist	arranging a competition between journalists about reporting on legal cases in TV and Radio	KABUL	
10	F.4.1	GTZ	Legal Awareness / Woman in Afghan Police	to promote and show the movie "nejat" in schools, Police Academy,...	KABUL	
11	F.4.1	GTZ	The Evil & Little Red Riding Hood in the court	a theatre where the evil wolf is in the court for trying to eat LRRH. The idea is to bring the judiciary system within a theatre closer to children	KABUL	
12	A.2.3	GTZ	Monitoring and Evaluation of the judiciary system	to talk with national and international partners/organisations to find the possibilities for an M & E of the judiciary system, e.g.. Courts	KABUL	
13	C.2.1	GTZ	Common Approaches for Development	round table with afghans and internationals about common ground(s) in Islam and international cooperation	KABUL	
14	C.1.6	GTZ	Supporting Libraries	supporting the library of faculty of law and political science in Kabul	KABUL	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
15	C.1.6	GTZ	ToT Training - School teachers	university and MoI ToT of teachers in legal questions	PAKTIA	
16	N/A	GTZ	ToT Training - AIHRC	ToT Training in human right relevant issues of AIHRC employees	KABUL	
NL						
1	N/A	NL/PRT	Training	Training of ANAP	UROZGAN	
2	N/A	NL/PRT, AUS/RT F	Training	Training of ANA	UROZGAN	
3	N/A	NL	Baghlan Training Center	Training civil servants in Baghlan Province	BAGHLAN	
4	B.1	NL/PRT, AUS/RT F	Infrastructure	Courthouses, justice administration buildings, detention facilities	UROZGAN	
IDLO/CIDA						
1	F.2.1, F.2.3	IDLO/CI DA	Creation of Legal Aid Organization	Provide seed-funding and technical advice to the Legal Aid Organization of Afghanistan. LAOA has four departments: criminal defense, women & children assistance, training, and policy development.	KABUL	
2	F.2.1, F.2.3	IDLO/CI DA	Assist Legal Aid Provider	Provide technical assistance to Legal Aid Organization of Afghanistan's women and children department	KABUL	
3	F.2.4 thru F.2.6	IDLO/CI DA	Gender Training	Participated in UNAMA-organized for prosecutors, police, judges, MOWA employees, and provincial	BADGHIS	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
				council members.		
4	F.2.1 thru F.2.3	IDLO/CI DA	Legal Aid Training	Completed one-year training in legal aid practioner skills for 68 recent university graduates.	KABUL	
5	C.1.6	IDLO/CI DA	Advocacy Training	Began one-semester course for 30 students at Kabul University Faculty of Sharia in advocacy skills	KABUL	
6	C.1.6	IDLO/CI DA	Practical Skills Training	Conducted training for faculty members of Kabul University's Faculties of Law and of Sharia in practical lawyering skills	KABUL	
7	C.3	IDLO/CI DA	Judicial Training	Conducted nine-week trainings for 52 judges from provinces	KABUL	
UK						
1	E.2.1 thru E.2.4	UNODC /UK, Canada, Belgium	Fast-track capacity building for a Counter Narcotics Criminal Justice System (project AFG/U10)	<ul style="list-style-type: none"> Assistance to the establishment of the Criminal Justice Task Force (operational since July 2005); Training to all CJTF investigators, prosecutors and judges on the criminal legislation; Training of 53 key provincial judges, prosecutors, and police i 	KABUL (6)	
2	B.1	UK/ QIPS Lashkar Gah PRT	Security Upgrade/Capacity building in the provinces	Improvements to physical security of Lashkar Gah prison to facilitate building of new prison/CPD/\$150,000	HELMAND	
3	B.1	UK/ QIPS Lashkar Gah PRT	New Prison/Capacity building inprovinces	New build new prison on existing prison site/CPD/\$1.75 million(awaiting funding)	HELMAND	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
4	B.1	CNTF/UK	MVT wing,gate,barracks	Refurbish block 6 to provide 402 bed accommodation;security improvments main gate;new staff barracks/CPD\$4.8 million	KABUL	
Canada						
1	B.1, C.3, E.6	Government of Canada	Sarpoza -- Prison and officer development program (Kandahar)	This project is geared towards physical improvements to the prison structures in Kandahar and developing a professional cadre of staff, the foremost being Sarpoza Prison (Implementing Agency -- Canadian Department of National Defence)	KANDAHAR	
2	B.1, C.3, E.6	Government of Canada	Continuation of Support to Prison Administration in Kandahar	Allow the deployment of Corrections Experts to the Kandahar Provincial Reconstruction Team (PRT) for the purpose of training and mentoring front-line staff and administrators, providing advice on prison infrastructure and equipment, and engaging at a national level in Afghan correction system reform	KANDAHAR	
3	A.3	UNDP/Government of Canada	Provincial Justice Coordination Mechanism	Supporting the Establishment of Provincial Justice Coordination Mechanism Office in Kandahar to assess, promote and de-conflict justice reform initiatives in southern Afghanistan.	KANDAHAR	
4	F.1, F.4.1	Government of Canada	Kandahar Justice Capacity Building	Supporting justice training sessions for Afghan officials and tribal elders by the Office of the Chief Prosecutor of Kandahar. Purchase of books and	KANDAHAR	

No.	NJP Part 2 Log Frame Row #	Int. Agency/ Donor	Title of project/ category*	Description and purpose (specify: activities/beneficiaries)	Province(s)	Period
EC						
1	F.2.4 thru F.2.6, F.4.1	Medica Mondiale /European Commission	Legal Support for Women and Girls Affected by Family Violence	Improve legal situation of women and girls affected by family violence through direct legal service for survivors, awareness raising and education on their rights and by building capacity of different key actors providing effective prevention and response mechanism.	Kandahar, Herat, Kabul	12/200 5 - 01/200 8
2	B.1, F.4, F.5	UNDP/E uropean Commission	A2J at the District Level	This project aims to support access to justice at the district level. The action is taken around four main activities: reassessment of districts within the national strategy framework on strengthening the justice system; refurbishment of judicial centres at district level including facilities for judicial execution, training main judicial actors (including religious authorities and members of traditional mechanisms involved in administering justice process); public awareness campaigns specifically targeted to disadvantaged categories.	Herat, Mazar, Samangan, Kunduz, Jawzjan, Baghlan	01/200 5- 01/200 9
AUS/RTF						
1	N/A	AUS/RT F	Infrastructure	New NDS HQ building	UROZGAN	

ATTACHMENT 2

The process of particularizing programmatic initiatives and plans into policy actions that can be tracked, monitored, and evaluated has already begun. Annexes 1-4, also included in this document, demonstrate the commencement of this important process. Annex 1 articulates the key outcomes of the Part 2 log frame as “policy actions” for which institutional responsibility and projected timeframes have been initially assigned and agreed. Annex 2 restates indicators for the various outcomes,

identifies sources of baseline data (where available), and articulates targets against which progress can be measured. Annex 3 identifies project or programmatic line items in the Government budget that are associated with existing justice sector initiatives and finally, annex 4 indicates the sub national priority programs and projects which the ANDS Secretariat has, through the process of sub-national consultations, identified justice sector priorities in the Provincial Development Plans.

Annex I: Policy Actions Matrix

PILLAR : GOOD GOVERNANCE					
SECTOR : JUSTICE AND THE RULE OF LAW					
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies	
Public can rely on effectively organized and professionally staffed justice institutions	Analyze and develop recommendations regarding justice institutions' record-keeping practices in order to improve accuracy and irretrievability and to avoid redundant processes	Institution Building	By year 2	SC, MOI, AGO	
	Analyze and make recommendations for improving existing remuneration and human resources systems in justice institutions.	Institution Building	By year 1	SC, MOI, AGO	
	Support development and introduction of institution-specific remuneration and human resources schemes, such as pay and grading and performance evaluation measures	Institution Building	By Year 2	Program Oversight Committee	
	Justice institutions to establish links with universities for recruiting candidates (e.g., job fairs and short internships).	Institution Building	Year 3 and on	MOI, AOG, SC, MoHE	
	Survey, develop and implement recommendations to improve existing career development practices in each institution with particular attention to complying with gender benchmarks.	Institution Building	Year 3 and on	SC, MOI, AGO, MoWA, MOHE	
	Develop institutional capacity to train professionals	Institution Building	Year 2 and on	SC, MOI, AGO, ICCD	
	Analyze and, in consultation with stakeholders, develop recommendations for improving the organizational, management and administrative structures of justice institutions to enable them to fulfill their respective mandates and functions at headquarters and at provincial and district level offices	Development	By year 2	SC, MOI, AGO	
	Implement recommendations	Development	Year 3 and on	SC, MOI, AGO	
	Implement security measure for Judges safety	Development	By end year 4	SC, MOI, MOI	
	Public information system improved	Development	Year 2 on	MOJ	
Public demands Sexual Harassment and grievance handling laws/policy to be enacted	Enhanced awareness of public in general and women in particular of women's legal rights	Development	Year 2 on	MoWA	
	Justice institutions construct, acquire or make functional on a priority basis infrastructure necessary to expand delivery of justice services throughout provincial and district areas outside of regional centers.	Development	Year 3 and on		
	Assess and priorities equipment and supply needs of justice institutions and establish effective and accountable procurement systems.	Development	By end year 2	SC, MOI, AGO	
	Provide equipment and supplies in accordance with needs assessment.	Development	Year 2 and on	SC, MOI, AGO	

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW					
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies	
Legal education and vocational training are adequate to provide justice professionals with sufficient know-how to perform their task	Conduct comprehensive inventory of all transportation assets, indicating condition and expected lifespan.	Development	By end year 2	SC,MOJ,AGO	
	Survey existing asset management capacity and make recommendations for improvement	Development	By end year 1	SC,MOJ,AGO	
	Justice institutions acquire and maintain transportation assets sufficient to fulfill their tasks.	Development	Year 3 and on	SC,MOJ,AGO	
	Increased and improved facilities to deal with female offenders	Institution Building	Year 2 on	MoJ	
	Create and launch agreed core subject curriculum for Shari'a, law and political science faculties.	Development	By end Year 2	SC,MOJ,AGO	
	Create and launch agreed core subject curriculum for Shari'a, law and political science faculties.	Development		SC,MOJ,AGO	
	Survey and make recommendations for enhancement of legal research facilities, including a feasibility study of the establishment of an advanced legal research institute.	Development	Year 3 to 4	SC,MOJ,AGO	
	Create stakeholder consultations to develop policy and planning mechanisms for enhancing legal research capacity.	Development	Year3 to 4	SC,MOJ,AGO	
	Law and Shari'a faculties establish links with foreign legal educational institutions to enhance research capacity, including foreign study programmes for both students and staff.	Development	Year 2 and on	MOHE, MOFA	
	Universities identify and enhance infrastructure so as to accommodate female students and staff	Development	By year 2	MHE, MOJ	
	Universities develop and implement policies to raise percentage of female students and staff to at least 30 percent	Development	By end year 2	MHE, MOJ	
	Justice institutions, in coordination with the Independent National Legal Training Center, develop appropriate vocational training courses for justice professionals, paying specific attention to the needs of female professionals.	Development	By end year 2	INLTC	
	Justice institutions, in coordination with the Independent National Legal Training Center, develop and implement specialized programmes for continuing legal education, paying specific attention to the needs of female professionals.	Development	Year 3 and on	SC,MOJ,AGO, INLTC	

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW					
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies	
Statutes are clearly drafted, constitutional and the product of effective and consultative drafting processes	Perform comprehensive needs assessment of Taqin and make recommendations for technical assistance and capacity building	Institution Building	By end Year 1	MOJ, Parliament	
	Provide technical assistance and capacity building for Taqin in line with recommendations.	Institution Building	Year 2 and on	MOJ	
	Establish a working body to promote greater cooperation and enhance the efficiency of the legislative drafting process.	Institution Building	Year 2 and on	MOJ, Parliament	
	An indexed compilation of all laws in force is assembled and updated regularly.	Development	By end Year 3 and on	MOJ	
	Taqin conducts a review of the constitutionality of all laws in force, and recommends amendments to ensure constitutionality.	Development	By end Year 3 and on	SC, MOJ, AGO, MOI	
	Unconstitutional laws are amended to ensure constitutionality	Development	Year 3 and on	Parliament, MOJ, AOG	
	Assess capacity of government institutions and entities to draft laws and make recommendations for enhancing that capacity	Development	By end year 2	MOJ	
	Implement recommendations for enhancing legislative drafting capacity in justice institutions.	Development	commencing year 3	MOJ	
	Establish a Taqin working group to make recommendations for inclusion of civil society stakeholders in legislative deliberations.	Development	Year 2	MOJ	
	Implement recommendations	Development	Year 3 and on	MOJ	
	Develop and implement procedures to safeguard and further the role and function of defense attorneys in criminal investigations and trials	Legislation	Year 1 and on	AGO, MOJ	
	Update and implement court regulations in order to facilitate filing and tracking of civil and criminal cases (including AGO Information System).	Legislation	By end Year 4	SC, AGO	
	Create and establish the Programme Oversight Committee, together with requisite administrative and logistical support	Institution Building	By commencement Year 1	SC, MOJ, AGO	
Justice institutions effectively perform their functions in a harmonized and interlinked manner	Create and establish the Programme Implementation Unit	Institution Building	By commencement Year 1	Oversight Committee	
	Design and administer a baseline survey of legal system performance	Institution Building	By end Year 1	MOJ	
	Improve information sharing between justice institutions, and coordinate information management and interfacing.	Institution Building	Year 3 and on	SC, MOJ, AGO	

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW					
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies	
	Develop, establish, and implement measures and mechanisms to improve police prosecutor coordination in criminal matters; and addressing the cross-cutting issues	Institution Building	Year 1 and on	AGO, MOI, MOJ	
	Introduce effective “one-stop” complaints system covering all justice institutions.	Institution Building	Year 2 and on	SC, MOI, AGO	
	Enhance capacity of police and prosecutors to conduct proactive criminal investigations.	Institution Building	Year 2 and on	AGO, MOI	
	Enhance capacity for managing corruption issues.	Institution Building	Year 2 on	SC, MOI, AGO, MOI	
	Train judges, lawyers and prosecutors in trial practices and trial management.	Institution Building	Year 2 and on	SC, MOI, AGO	
	Assessment of information interfacing needs of AGO, MOI, MOJ, courts, and other specialized agencies.	Institution Building	By end Year 1	SC, MOI, AGO	
	Assessment and improvement of paper-based case file and case tracking systems.	Institution Building	By end Year 1	SC, MOI, AGO	
	Evaluate the viability of converting paper-based file systems to combined paper and electronic file systems	Institution Building	Year 2 and 3	Program Oversight Committee	
	Justice institutions develop plans and implement coordination mechanisms for specialized units addressing cross-cutting issues	Institution Building	Year 2 and on	Program Oversight Committee	
	Recruit qualified professionals with specialized knowledge of cross-cutting issues	Institution Building	Year 2 and on	Program Oversight Committee	
	Justice mitigation measures are developed	Institution Building		MOJ	
	Build capacity of judges, prosecutors, and investigators by training on cross-cutting issues.	Institution Building	Year 2 and on	Program Oversight Committee	
Citizens are more aware of their rights and justice institutions are better able to enforce them.	Assess the needs of the justice institutions and citizens for legal materials.	Development	By end Year 1	MOJ	
	Compile and distribute legal materials in response to needs and establish system for routine updating of legal resources.	Development	By end Year 3	MOJ	
	Develop and distribute judicial and procedural manuals for legal professionals, including judges, prosecutors and defense advocates.	Development	From Year 2 on	MOJ	
	Survey and standardize routine legal documents (e.g., bonds, title deeds, marriage certificates and certificates of the courts) and the existing systems for registering, indexing and retrieving them.	Development	By Year 4 and on	MOJ	

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW					
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies	
	Distribute forms to relevant justice facilities nationwide and train staff to use them and make them available to the public for standardized nominal fees.	Development	By Year 4 and on	MOJ	
	Pilot an electronic storage and retrieval system for legal registration documents	Development	Year 2 to 3	SC, MOJ, AGO	
	Design legal awareness programs paying particular attention to: <ul style="list-style-type: none"> • Successes and lessons learned from previous campaigns • Human rights and Islamic values • The rights of women and children • The needs of illiterate persons • Transitional justice • The roles of each justice institution in promoting access to justice for all. 	Development	Years 1 - 3	MOJ	
	Implement legal awareness programs, in coordination with activities expanding formal justice systems to provinces.	Development	Commence end Year 2 on	MOJ, IDLG	
	Conduct baseline survey legal aid service provision	Development	Commence end Year 2 on	MOJ	
	Consider options and costs of various models for legal aid delivery, and draw up recommendations for a legal aid system.	Development	By Year 2	MOJ	
	Implement legal aid recommendations	Development	Year 2 and on	MOJ	
	Conduct needs assessment and survey of obstacles to access to and use of formal legal system.	Development	By end Year 1	MOJ	
	Draw up recommendations to increase access to and use of formal legal system	Development	By end Year 1	MOJ	
	Survey of legal gateways to justice services.	Development	By end Year 1	MOJ	
	Consider options and costs of various models for improving access to formal system, and draw up recommendations	Development	By end Year 1	MOJ	
	Implement recommendations to improve access	Development	Year 2 and on	SC, MOJ, AGO	
	Generate public awareness about corruption and anti-corruption issues	Development	Year 2 on	SC, MOJ, AGO	
	strengthened institutional response to stop violence against women	Institution Building	Year 2 on	SC, MOJ, AGO	
	improved capacity of the provincial govt to address and deal with VAW	Development	Year 3 and on	SC, SGO, MOJ	

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW				
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies
Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards	Review existing civil justice processes and practices, including enforcement of judgments, and develop recommendations based on the findings.	Institution Building	Year 2	MOJ, AOG., SC
	Public demands Sexual Harassment and grievance handling laws/policy to be enacted	Legislation	Year 2 and on	Parliament, MOJ, AOG
Criminal justice is administered effectively, and in accordance with law, the Constitution, and international norms and standards	Strengthen the legal framework so as to improve responsiveness to the needs of juvenile offenders and children in conflict with the law	Legislation	From Year 2 on	MOJ
	Strengthen the legal and institutional framework for children accompanying their parents in prison.	Legislation	From Year 2 on	MOJ
	Develop and implement policy recommendations for improving sentencing, detention, and conditions of prisoners.	Legislation	From Year 2 on	MOJ
	Promote practices within the justice institutions that are supportive of the rights of victims, witnesses, the accused, and those convicted of crimes	Institution Building	From Year 2 on	SC, MOJ, AGO
	Family Response Units, staffed by all female police officers, are functional in all provinces, and are effectively linked with Special Victims Units in the AGO.	Institution Building	Starting Year 2 and on	SC, MOJ, AGO
	Develop and implement training programs for corrections officials incorporating recommendations based on analysis.	Institution Building	By end year 4	MOJ
	Rationalize and update civil justice process and practices, including enforcement of judgments, in accordance with the developed recommendations	Institution Building	Starting Year 3	PAR (MOJ)
	Review and analyze existing assistance, programs and activities for juvenile offenders and children in conflict with the law.	Development	By Year 1	MOJ, MOLSA
	Develop information campaigns to enhance the public's knowledge of the rights of victims, witnesses, and the accused in the criminal justice system	Development	Starting Year 2 and on	MOJ, MOLSA
	Procedural code is amended to address specific needs of witnesses, including women and other vulnerable groups	Development	By Year 3	MOJ, MOLSA
	Establish a system to record past human rights abuses and to preserve the rights of victims	Development	Year 2 and on	MOJ, MOLSA
	Carry out a baseline survey of prosecution efficiency and number of criminal complaints proceeding to trial.	Development	By end year 1	SC
	Develop a program for prioritizing prosecution resources according to seriousness of the offense.	Development	By end year 2	AGO

PILLAR : GOOD GOVERNANCE SECTOR : JUSTICE AND THE RULE OF LAW				
Expected Outcomes	Policy Actions and Activities	category	Time frame	Responsible Agencies
Justice institutions are transparent and accountable	Review and analyze existing assistance, programs and activities relating to sentencing practices, detention practices, and prisoner conditioners.	Development	By Year 2	MOJ
	Regulatory reforms, procedures and protocols established	Institution Building	Year 2 and on	MOJ
	Counter Narcotic Laws implemented	Legislation	Year 2 and on	MCN, AGO, SC, MOI
	Develop, finalize and disseminate codes of ethics for professionals in justice institutions.	Institution Building	By end Year 1	SC, MOI, AGO
	Performance evaluation with special focus on corruption incorporated as part of the system transparency and accountability	Institution Building	Year 2 and on	SC, MOI, AGO
	Train justice professionals on ethics code.	Institution Building	Year 2 on	SC, MOI, AGO
	Design and establish dedicated and effective institutional units and procedures to advice on and enforce codes of ethics.	Institution Building	Year 2 and on	SC, MOI, AGO
	Improve the professional and ethic standards of attorneys at law through an Independent Bar Association.	Institution Building	Year 2 and on	SC
	Develop and standardize informational materials on the mission, the function and the operating procedures of each justice institution and make it available to the public.	Institution Building	By end year 3	MOJ
	Establish a dedicated office within each justice institution and organization capable of acting as a focal point for public inquiries.	Institution Building	By end Year 3	SC, MOI, AGO
	3 Justice institutions participate in a commissioned study of the feasibility of introducing administrative law structures and procedures to enhance accountability of government institutions	Institution Building	Year 4 and on	MOJ
	Implement the activities related to operations of the justice sector contained in the National Anti Corruption Strategy.	Institution	Year 2 and on	SC, MOI, AGO

Annex II: Monitoring Matrix

PILLAR: GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS SECTOR: JUSTICE AND THE RULE OF LAW				
Expected Outcomes	Indicators	Baseline	Targets	
Public can rely on effectively organized and professionally staffed justice institutions	Index on the progress of putting in place systems so that public can rely on effectively organized and professionally staffed justice institutions.	Under Assessment	by end 2010 (1391), reforms will strengthen the professionalism, credibility and integrity of key institutions of the justice system (the Ministry of Justice, the Judiciary, the Attorney-General's Office, the Ministry of the Interior and the National Directorate of Security)	
	# of oversight and disciplinary mechanism developed and implemented by AGO, MoJ and Supreme Court	Under Assessment	TBD	
	Index on the progress of providing Justice institutions access to infrastructure, transportation, equipment, and supplies adequate to support effective delivery of justice services	Under Assessment	By the end of 2010 (1391), justice institutions will be fully functional and operational in each province of Afghanistan, and the average time to resolve contract disputes will be reduced as much as possible	
Justice institutions have access to infrastructure, transportation, equipment, and supplies adequate to support effective delivery of justice services	# of functioning and adequately resourced, judicial institutions in each province	Under Assessment	TBD	
	# of functional prisons (Detention Centers, DC)	33 Provincial DC 184 District DC	TBD	
	# of Adequate detention and correction facilities for women	2 (Kabul, Herat) 18 Provinces with no facilities	TBD	
Legal education and vocational training are adequate to provide justice professionals with sufficient know-how to perform their task	Index on the progress of improving legal education and vocational training to provide justice professionals with sufficient know-how to perform their task	Under Assessment	By end-2013 the Justice Institutions will Have recruited and promoted justice professionals on merit, based on established policies and procedures, including meeting the target of 30% of the professional staff being female	
Statutes are clearly drafted, constitutional and the product of effective and consultative drafting processes	Index on the progress of making Statutes clearly drafted, constitutional and the product of effective and consultative drafting processes.	Under Assessment	TBD	

PILLAR: GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS SECTOR: JUSTICE AND THE RULE OF LAW				
Expected Outcomes	Indicators	Baseline	Targets	
Justice institutions effectively perform their functions in a harmonized and interlinked manner	Index on Progress of enacting and implementing new criminal procedure	Under Assessment	By 2009 (1388), the new criminal procedure code will be enacted and published, and for its implementation training with written commentary will be provided to all legal professionals, as well as community legal education for citizens	
	Index on the progress of putting in place systems so that Justice institutions effectively perform their functions in a harmonized and interlinked manner.	Under Assessment	By end-2013 the Justice Institutions will have mapped in detail the processes linking all justice institutions, and have streamlined them to improve information systems and business processes, with the aim of reducing delays in processing of cases, administrative costs and vulnerability to corruption	
Citizens are more aware of their rights and justice institutions are better able to enforce them.	Index on the progress of making citizens more aware of their rights and justice institutions being better able to enforce them.	Under Assessment	By end-2013, the Justice Institutions will encourage press coverage of justice proceedings, public attendance at those proceedings, and general public understanding of the process at each stage of such proceedings. The justice institutions should encourage and participate in the development of outreach programs within civil society including curriculum for public education at all levels	
Criminal and Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards	Index on the progress of putting in place systems so that Criminal and Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards.	Under Assessment	By end-2013, the Justice Institutions will have established an easily accessible and functioning public complaints system in at least eight major provincial capitals with clear processes for handling complaints	
Justice institutions are transparent and accountable	Index on the progress of making justice institutions transparent and accountable.	Under Assessment	By end-2013, the Justice Institutions will have determined their vulnerabilities to corruption and established policies and procedures to eliminate such vulnerabilities	

Annex III, List of Programs and Projects

List of Projects (Sector)																		
S/N	AFG Bud- get Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)							Total Require- ment (US\$ Million)	Total Funding (US\$ Mil- lion)	Gap (US\$ Million)	Major Donors	External		Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+	Core					Core		
	AFG/ 0810601	Criminal Justice Task Force-Counter Narcotics	1387	New	0.604	0.66					1.268711	0.604	0.664711	UK- MoFA	Core	Core	Supreme court	
	AFG/ 0815401	National Justice Program	1387	New	6.000	5.20					11.200000	6.000	5.200000	ARTF	Core	Core	Supreme court	
	AFG/ 0731601	Construction of 6 Prison Buildings in Provinces	1386	Carry Forward	2.000	1.00					3.000000	0.000	3.000000		Core	Core	Ministry of Justice	
	AFG/ 0814701	Construction of Kitchen, Rehabilita- tion of Block (Zone) and Purchase of Equipment for Central Jail Pul-e- charkhi	1387	New	0.900						0.900000	0.000	0.900000		Core	Core	Ministry of Justice	
	AFG/ 0815501	National Justice Program	1387	New	3.500	6.00					9.500000	3.500	6.000000	ARTF	Core	Core	Ministry of Justice	
	AFG/ 0809601	Criminal Justice Task Force-Counter Narcotics (AGO)	1387	New	0.604	0.66					1.268711	0.604	0.664711	UK- MoFA	Core	Core	Attorney General Off.	
	AFG/ 0815301	National Justice Program	1387	New	7.000	5.50					12.500000	5.500	7.000000	ARTF	Core	Core	Attorney General Off.	
		Total									39.637422	16.208000	23.429422					
	AFG/ 0602501	Afghanistan Rule of Law Program	1386		22.10	0.00	0.00				22.100000	0.604	21.496000	USAID	External	External	Ministry of Justice	
	AFG/ 0669201	Information and legal Aid assistance project	1386		1.00	0.00	0.00				1.000000	1.604	-0.604000	DNK	External	External	Ministry of Justice	
	AFG/ 0773101	Criminal Justice Task Force	1386		4.62	4.62	4.62				13.850402	2.604	11.246402	UK-FCO	External	External	Ministry of Justice	
	AFG/ 0774501	Prison Trainers	1386		0.76	0.76	0.00				1.528320	3.604	-2.075680	UK-FCO	External	External	Ministry of Justice	
	AFG/ 0821501	Nationalizing Legal Aid in Afghanistan	1386		0.73	0.00	0.00				0.725000	4.604	-3.879000	CAN	External	External	Ministry of Justice	
	AFG/ 0828201	Justice Sector Development	1386		1.90	0.00	0.00				1.900000	5.604	-3.704000	USAID	External	External	Ministry of Justice	

List of Projects (Sector)																	
S/N	AFG Bud- get Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Require- ment (US\$ Million)	Total Funding (US\$ Mil- lion)	Gap (US\$ Million)	Major Donors	External		Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+					Core		
	AFG/ 0830001	EC Support to justice Sector	1386		28.00	0.00	0.00				28.000000	6.604	21.396000	EC	External	Ministry of Justice	
		Total									69.103722	25.228000	43.875722				

ANNEX IV: List of Sub National Priorities Projects

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Capacity building of the justice sector and professionally equipping the research centre.	Balkh	MoJ	1388				
	Construction of juvenile detention centre.	Balkh	MoJ	1388				
	Establishment of family court with all the related material, in the centre of the province.	Balkh	SC	1388				
	Establishment of legal assistance centre, in the centre of the province.	Balkh	MoJ	1388				
	Construction of prison in Char Kent, Sholgara, Dawlat Aabad and Char Bolak districts.	Balkh	MoJ	1388				
	Construction of family court in the centre of the province, 40000 families as beneficiaries	Bghlan	SC	1388				
	Construction of store roomss for Justice and legal documents.	Bghlan	MoJ, SC	1388				
	Creation of a research centre for lawyers in the centre of the province.	Bghlan	MoJ	1388				
	Creation and Construction of legal library in the centre of the province.	Bghlan	MoJ	1388				
	Construction of Provincial Attorney's office, in the centre of province.	Bghlan	AGO	1388				
	Building Construction for the district Attorneys in all districts of province.	Bghlan	AGO	1388				
	Construction of prison building for men and women in Dasht Essa Khan, centre of the province (600,000 prisoners).	Bamyan	MoJ	1387				
	Construction of juvenile detention centre for 600,000 children.	Bamyan	MoJ	1388				
	Construction of justice complex in the centre of Bamyan.	Bamyan	MoJ, SC, AGO	1387				
	Construction of justice complex in Waras district.	Bamyan	MoJ, SC, AGO	1388				
	Construction of justice complex in Kahmard district.	Bamyan	MoJ, SC, AGO	1388				
	Construction of justice complex in Yakawlang district.	Bamyan	MoJ, SC, AGO	1388				
	Construction of justice complex in Saighan district.	Bamyan	MoJ, SC, AGO	1388				
	Construction of justice complex in Punjab district.	Bamyan	MoJ, SC, AGO	1388				
	Construction of a women's prison in the centre of Badakhshan (15 rooms).	Badakhshan	MoJ	1387				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Construction of a justice building in Yawan	Badakhshan	MoJ	1387				
	Construction of a High Court in Share Buzarg .	Badakhshan	SC	1388				
	Construction of the Department of Justice building in the provincial centre.	Daikundi	MoJ	1387				
	Construction of a juvenile detention centre in the provincial centre (30 rooms).	Daikundi	MoJ	1388				
	Establishment of legal library in the provincial centre (5 rooms).	Daikundi	MoJ	1388				
	Construction of attorney office building in the provincial centre (20 rooms).	Daikundi	AGO	1388				
	Construction of jail in Andkhoi district. (15 rooms, 367600 beneficiaries).	Faryab	MoJ	1388				
	Construction of jail in centre of Qaisar province.	Faryab	MoJ	1388				
	Construction of juvenile detention centre in Maimana city (20 rooms, 1.8 million beneficiaries).	Faryab	MoJ	1388				
	Construction of auditorium for Department of Justice in centre of Garziwan (one auditorium, 5 rooms, 146000 beneficiaries).	Faryab	MoJ	1387				
	Construction of court building in centre of Pashtoncot about 10 rooms.	Faryab	SC	1388				
	Construction of court building in centre of Shirin Tagab (10 rooms).	Faryab	SC	1388				
	Construction of court building in centre of Alamar (10 rooms).	Faryab	SC	1388				
	Construction of public administration judicial building in Maimana city (10 rooms).	Faryab	MoJ	1388				
	Construction of Attorney's office in centre of Maimana (10 rooms).	Faryab	AGO	1388				
	Rehabilitation of Jawzjan central jail.	Jawozjan	MJ	1388				
	Construction of attorney's office and judicial department building and protection juvenile detention centre in provincial centre.	Jawozjan	MJ	1387				
	Construction of jail for men and women in central Faizabad district. (20 rooms).	Jawozjan	MJ	1388				
	Establishment of Ulamas and People's Joint Commission for legal and religious awareness at provincial level.	Jawozjan	MJ	1388				
	Construction of jail for men and women in centre of Mangjak district. (20 rooms)	Jawozjan	MJ	1388				
	Construction of central jail for men and women in the centre of Qoshhepa district (20 rooms).	Jawozjan	MJ	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Construction of Attorney General & Human Rights office in the provincial centre.	Parwan	AGO	1388				
	Construction of court building in Bagram district (15 rooms).	Parwan	SC	1388				
	Construction of prison in Jabul Seraj.	Parwan	MoJ	1388				
	Creation of a monitoring board for the implementation of law in the provincial centre.	Parwan	MoJ	1388				
	Establish of a monitoring committee for law implementation in the centre of the province.	Parwan	MoJ	1388				
	Construction of juvenile detention centre in Rokha district (10 rooms)	Pajshir	MoJ	1388				
	Establishment of vocational courses for police and judicial court personnel.	Ghazni	SC	1388				
	Construction of female prison (30 rooms beneficiaries 300 inmates (centre)	Ghazni	MoJ	1388				
	Construction of Juvenile Detention Centre (30 Rooms, 300 inmates).	Ghazni	MoJ	1388				
	Establishment of awareness centre for people form law and rights, 500 persons will be benefited, centre of the province.	Ghazni	MoJ	1388				
	Construction of prison in centre of Oba district.	Hirat	MoJ	1388				
	Construction of prison in centre of Adraskan district.	Hirat	MoJ	1388				
	Establishment of civil and legal public awareness programs at provincial level. (1000000 beneficiaries).	Hirat	MoJ	1388				
	Construction of complex building of judicial and law department in centre of province.	Hirat	MoJ, SC, AGO	1388				
	Establishment of legal assistance centre for attorneys at provincial level.	Hirat	AGO	1388				
	Construction of judicial offices complex building in the centre of the province.	Takhar	MoJ, SC, AGO	1388				
	Construction of lock-up building for men and women in Farkhar district.	Takhar	MoJ	1388				
	Rehabilitation of juvenile centres in Jalalabad .Beneficiaries 10000	Nangarhar	MoJ	1388				
	Construction of prison in 22 districts.	Nangarhar	MoJ	1388				
	Construction of Building for Government Cases and Legal Dept Complex Building Beneficiaries 250000	Nangarhar	MoJ	1387				
	Reconstruction of Nangarhar prison. Beneficiaries5000	Nangarhar	MoJ	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Construction of jail in Paktika. About 50 Room	Paktika	MoJ	1388				
	Activation of the courts and construction of the court buildings.20Room	Paktika	SC	1388				
	Construction of the Attorney General and Justice building.18 Room	Paktika	MoJ, AGO	1388				
	Construction of 10 rooms, High Court building, in Zerok district.	Paktika	SC	1388				
	Construction & activation of 15 room High Court building, in Omna district.	Paktika	SC	1388				
	Construction & activation of 20 room High Court building in Barmal district.	Paktika	SC	1388				
	Construction of 15 room court for the Attorney General, for Kuchis.	Paktika	AGO	1388				
	Construction of a 35 room building in central Sharana for the Attorney General, Saranwali.	Paktika	AGO	1388				
	Construction of Justice complex in centre of Kundoz (about 40 rooms).	kundoz	MoJ, SC, AGO	1388				
	Construction of prison in Imam Sahib District (15 rooms).	kundoz	MoJ	1388				
	Construction of prisons in Char Dara district, 12 rooms.	kundoz	MoJ	1388				
	Construction of prison in Dasht Archi district, 12 rooms.	kundoz	MoJ	1388				
	Children and juvenile detention centre of the province, 20 rooms	kundoz	MoJ	1388				
	Construction of the prison building in Khan Aabad district, 12 rooms.	kundoz	MoJ	1388				
	Construction of the prison building in Ali Aabad district, 10 rooms.	kundoz	MoJ	1388				
	Construction of the prison building in Qala-i-Zal district, 12 rooms.	kundoz	MoJ	1388				
	Construction of Administration Department of Directorate of Law and Government cases. complex building, in the provincial centre.	Samangan	MoJ	1388				
	Construction of standard prison in the provincial centre.	Samangan	MoJ	1387				
	Improvement of the law & legal awareness level in the centre of the province and all districts.	Samangan	MoJ	1388				
	Construction of administration and prison complex building in the provincial centre.	Samangan	MoJ	1388				
	Creation of a civil and legal assistance system in the centre and all districts.	Samangan	MoJ	1388				
	Construction and creation of a family court with female lawyers, in the centre of the province.	Samangan	SC	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Directorate of Law in Qali Naw city. (60,000 beneficiaries)	Badghis	MoJ	1388				
	Construction of a prison for men & women in Abkamari district (103,000 beneficiaries)	Badghis	MoJ	1388				
	Construction of offices & residential buildings for the Directorate of Justice in Balamorghab district, (200,000 beneficiaries)	Badghis	MoJ	1388				
	Construction of a women's prison in Ghormach district (100,000 beneficiaries)	Badghis	MoJ	1388				
				1388				
	Establishment of a dissemination & awareness raising program for Rule of Law & Human Rights, in particular refugees	Badghis	MoJ	1388				
	Construction of prison for male and female prisoners at Moqur district	Badghis	MoJ	1388				
	Construction the building for Directorate of Law at Jawand district	Badghis	MoJ	1388				
	Construction the building for Directorate of Justice at Qadis district	Badghis	MoJ	1388				
	Construction of justice complex building, provincial centre.	Sari pul	MoJ	1387				
	Establishment and creation of juvenile detention centre	Sari pul	MoJ	1388				
	Construction of justice complex building, Balkhab district.	Sari pul	MoJ	1388				
	Construction of justice complex building, Gostandi district	Sari pul	MoJ	1388				
	Construction of justice complex building, Kohestanat district.	Sari pul	MoJ	1388				
	Construction of prison in Sayad district.	Sari pul	MoJ	1388				
	Construction of justice complex building, Sayad district.	Sari pul	MoJ	1388				
	Construction of prison building in Sozma Qala district.	Sari pul	MoJ	1388				
	Reconstruction of Kandahar prison in Kandahar City (300 rooms, 1,500 beneficiaries).	Kandahar	MoJ	1388				
	Construction of prisons in all districts, (500,000 beneficiaries).	Kandahar	MoJ	1388				
	Creation and construction of a women's prison in Pul-i-Alam.	Logar	MoJ	1388				
	Establishment of Ladies Lawyer Training Centre	Logar	MoJ	1387				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Law Awareness Seminar for Prisons (200 beneficiaries)	Logar	MoJ	1387				
	Establishment of legal library with approx. 6000 modern technology books.	Logar	MoJ	1387				
	Construction of building for Director of Government Cases (12 rooms)	Laghman	MoJ	1388				
	Construction of building for Law Department (12 rooms)	Laghman	MoJ	1388				
	Construction of Juvenile Rehabilitation centre for children (20 rooms, beneficiary's poor children).	Laghman	MoJ	1388				
	Construction of block for political prisoners in Laghman Jail (24 rooms)	Laghman	MoJ	1388				
	Construction of building for Judicial /Attorney /and Legal Departments Complex Alingar district (12 rooms)	Laghman	MoJ, SC, AGO	1388				
	Construction of building for Judicial /Attorney /and Legal Departments Complex Alishing district (12 rooms)	Laghman	MoJ, SC, AGO	1388				
	Law Awareness program taught the Radio in Shajoi District Beneficiaries 80000	Zabul	MoJ, SC, AGO	1387				
	Creation of Judiciary System in Shinkai District And Construction of Building About 14 Room	Zabul	SC	1388				
	construction of Court Building in arghandab District Beneficiaries 150000	Zabul	SC	1388				
	Construction of building for judicial Organization	Urozgan	SC	1388				
	Construction of building for Attorney.	Urozgan	AGO	1388				
	Construction of jail in Khas Urozgan.	Urozgan	MoJ	1388				
	Construction of legal and judicial assembly building and juvenile detention centre in centre of Chighchiran.	Ghor	MoJ	1387				
	Construction of legal principality building in Chaharsada district (4 rooms).	Ghor	MoJ	1388				
	Construction of legal principality building in Shahrak district (4 rooms).	Ghor	MoJ	1388				
	Construction of legal principality building in Pasaband district (4 rooms).	Ghor	MoJ	1388				
	Construction of jail for men and women (120 rooms).	Ghor	MoJ	1388				
	Construction of buildings for government cases, 14 rooms in the centre of Farah Beneficiaries all Province	Farah	MoJ	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Children and juvenile detention centre construction (30 rooms, 100 children) centre of Farah	Farah	MoJ	1388				
	Conducting legal awareness workshops for men & women (200 men 100 women beneficiaries).	Farah	MoI	1388				
	Construction of new prison for men in airport area, beneficiaries are 400 persons.	Farah	MoI	1388				
	Creation of good Justice through administrative reform in all government sectors.	Nimroz	MoJ	1388				
	Construction of a men's and women's prison. Beneficiaries 500	Nimroz	MoJ	1388				
	Construction of building for training of children and juvenile detention centre at provincial centre. Beneficiaries 120	Nimroz	MoJ	1387				
	Establishment of Lawyers Association in centre of province.	Nimroz	MoJ	1388				
	Enforcement of law in all communities. Benefit All Province	Nimroz	MoJ	1388				
	. Construction of Judicial Organization 12 room central Nooristan. Beneficiaries All Nooristan	Noristan	MoJ	1388				
	Construction of Legal Department. 15 Rooms Centre of Paroon Beneficiaries All Nooristan.	Noristan	MoJ	1388				
	Construction of Jail (about 35 rooms, central Nooristan). Paroon Beneficiaries All Nooristan	Noristan	MoJ	1388				
	construction of a building for the Judiciary in Kandish (18 rooms).	Noristan	SC	1388				
	-Construction of a prison in Bargmatal, about 18 rooms.	Noristan	MoJ	1388				
	-Construction building for the high court in Noor Gram district, about 10 rooms.	Noristan	SC	1388				
	Construction of Court with 18 rooms in Want - Waigul District Beneficiaries People of District	Noristan	SC	1388				
	Construction of Court in Dowab, containing 18 rooms Beneficiaries People of District	Noristan	SC	1388				
	Construction of District Office, Court, Custody Room	Hilmand	MoJ, SC, AGO	1388				
	Construction of Legal Department office (Centre)	Hilmand	MoJ	1387				
	Construction of Juvenile Detention Centre in Lashkargah	Hilmand	MoI	1388				
	Construction of jail for men and women (centre).	Hilmand	MoI	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Construction of Juvenile Rehabilitation centre in centre of Khost.	Khost	MoJ	1388				
	Construction of legal and judicial office in centre of Khost.	Khost	MoJ, SC, AGO	1388				
	Construction of court, Musa Khil district (115000 beneficiaries).	Khost	SC	1388				
	Construction of court, Tanai district (100000 beneficiaries).	Khost	SC	1388				
	Construction of court Zazimaidan district (100000 beneficiaries).	Khost	SC	1388				
	Construction of houses for judicial staff (150000 beneficiaries).	Khost	SC	1388				
	Construction of building for Attorney (1150000 beneficiaries).	Khost	AGO	1388				
	Construction of Men's Jail, 20 rooms for 200 person.	Kunar	MoJ	1388				
	Construction of Women's Jail (10 rooms 60 Beneficiaries).	Kunar	MoJ	1388				
	Nine month judicial training workshops for Government Officers (10 rounds 50 officers).	Kunar	MoJ	1388				
	construction of Building for judiciary in manogai District.	Kunar	MoJ	1388				
	Construction of Juvenile Rehabilitation Centre (8 room's provincial level).	Kunar	MoJ	1388				
	construction of custody Room in 14 District About 2 Rooms.	Kunar	MoJ	1388				
	construction of a prison in Zurmat district centre	Paktia	MoJ	1388				
	Construction of a prison in Ahmad Khil centre	Paktia	MoJ	1388				
	Construction of a prison in Chamkani Centre.	Paktia	MoJ	1388				
	Establishment of a commission and a prison in Gardez.	Paktia	MoJ	1388				
	Construction of Justice complex building in east part of Kabul.	Kabul Urban	MoJ	1387				
	Construction of Justice complex building in west part of Kabul.	Kabul Urban	MoJ, SC, AGO	1388				
	Construction of Justice complex building in north part of Kabul.	Kabul Urban	MoJ, SC, AGO	1388				
	Construction of Justice complex building in south part of Kabul.	Kabul Urban	MoJ, SC, AGO	1388				
	Construction of Justice complex building in central part of Kabul.	Kabul Urban	MoJ, SC, AGO	1388				

No.	Project Name	Project Location Province	Responsible agency	Project Duration (year)		Funding (US\$ Millions)		
				Start	End	Total Req.	Funded	Gap
	Creation and establish of justice bookstore in ministry of justice.	Kabul Urban	MoJ	1387				
	Conducting of awareness workshops regarding the public law, mainly women and koches (nomad).	Kabul Urban	MoJ	1387				
	Reconstruction and equipping of Kabul lock-up (prison).	Kabul Urban	MoJ	1388				
	Equipping of the justice sector in the entire province.	Balkh	MoJ	1388				

Governance, Public Administrative Reform and Human Rights Sector Strategy

1387 - 1391 (2007/08 - 2012/13)



Pillar II - Good Governance

Governance, Public Administrative Reform and Human Rights Sector Strategy

Approved by Sector Responsible Authorities

<i>Ministry/Agency</i>	<i>Name of Minister/Director</i>
National Assembly	H.E. Gulam Hassan Gran
National Assembly	H.E. Assadullah Fallah
Office of Administrative Affairs	H.E. Farouq Wardak
Independent Directorate of Local Governance (IDLG)	H.E. Jelani Popal
Independent Administrative Reform & Civil Services Commission (IARC-SC)	H.E. Ahmad Mushahid
Independent Election Commission	H.E. Azizullah Lodin
General Independent Agency for Anti corruption Commission	H.E. Ezatullah Wasifi
General Directorate of Audit and Control	H.E. Mohammad Sharif Sharifi
Central Statistics Office	E.H. Abdul Rahman Ghafory
Afghanistan Geodesy and Cartography Head Office	H.E. Abdul Raouf Yarri
Ministry of Justice	H.E. Sarwar Danish
Ministry of Interior	H.E. Zarar Ahmad Muqbel
Ministry of Agriculture, Irrigation and livestock	H.E. Obidullah Ramin

Ministry of Women Affairs	H.E. Hussn Banno Ghazanfar
Ministry of Communications and IT	H.E. Amirzai Sangen
Ministry of Information, Culture and Youth	H.E. Abdul Karim Khoram
Department of Disaster Preparedness	H.E. Abdul Mateen Edrak

Date of Submission

5th January 2008

CHAPTER 1

GOVERNANCE, PUBLIC ADMINISTRATIVE REFORM AND HUMAN RIGHTS SECTOR STRATEGY

EXECUTIVE SUMMARY

The Afghan Constitution: Some of the important constitutional provisions governing governance are contained in Articles 1, 2, 3, 4, 6, 10, 17, 22, 33, 35, 50, 53 and 75. Under these provisions, the state is obliged to create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country. The state encourages and protects private investments and enterprises based on the market economy and guarantees their protection in accordance with the provisions of the law. Any kind of discrimination and privilege between citizens is prohibited. The citizens – whether women or men – have equal rights and duties before the law. The citizens of Afghanistan have the right to elect and be elected. The citizens of Afghanistan have the right to form political parties in accordance with the provisions of law. The state is obliged to adopt necessary measures for creation of a strong and sound administration and realization of reforms in the administration system of the country. Government offices are bound to carry their work with full neutrality and in compliance with the provisions of law. The citizens of Afghanistan have the right of access to information from the government offices in accordance with the provisions of law. This right has no

limits, unless violation of the rights of the others. Articles 136-139, 140-142 and 156 are related to sub national governance. The Constitution explicitly allows a measure of decentralization by stating that “the government, while preserving the principle of centralism — in accordance with the law — shall delegate certain authorities to local administration units for the purpose of expediting and promoting economic, social, and cultural affairs, and increasing the participation of people in the development of the nation.” It specifies that a Provincial Council with elected members is to be formed in every Province and, that District, Village and Municipal councils and Mayors are to be elected through, free, general, secret and direct elections every three years. Article 7 deals with Human Rights. It states that the State shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights. Afghanistan is signatory and party to important human rights instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), Optional Protocol to the Convention on the Rights of the

Child on the involvement of children in armed conflict, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the Rome Statute of the International Criminal Court.

The Afghan Compact: The Constitution of Afghanistan and The Afghan Compact are two basic foundations of this strategy. As agreed on 31 January and 1 February 2006 in the Compact: under this strategy, Democratic Governance and the Protection of Human Rights constitute the cornerstone of sustainable political progress in Afghanistan. This strategy enables the Government to rapidly expand its capacity to provide basic services to the population throughout the country, to establish a more effective, accountable and transparent administration at all levels; to implement measurable improvements in fighting corruption, to uphold justice and the rule of law and, to promote respect for the human rights of all Afghan citizens. Through this Strategy, the Government, with the support of the international community, will achieve the Compact benchmarks on Public Administration Reform, Anti-Corruption, the Census and Statistics, National Assembly, Elections, Gender, Land Registration, Counter-Narcotics and Human Rights within the specified timelines.

Millennium Development Goals: The implementation of this Strategy will prepare the Afghan Government to achieve its MDGs, especially Goal 1 on elimination of extreme poverty and hunger, Goal 3 on promotion of gender equality and empowerment of women and Goal 7 on environmental sustainability in the timeframe it has set for itself. The overarching objective of this strategy is to provide good governance for poverty reduction. This strategy provides for (i) focusing poverty reduction resources and creating accountability in the use of public funds in the interests of the poor, (ii) creating capacities for pro-poor gender sensitive policy formulation and implementation, (iii) improving administration and private sector participation for better services delivery to the poor, (iv) shifting decision making nearer to the poor

and helping the poor to organize themselves, (v) preventing corruption as it affects the poor most, (vi) applying gender analysis to understand the gender dimension of poverty and creating steps to include them, (vii) strengthening the rule of law with pro-poor enforcement procedures, and (viii) involving, in a participatory way, a diversified range of stakeholders including the NGOs representing the poor. This Strategy set out special efforts to bridge the gaps seen historically between the two genders and to create an enabling environment, where both men and women can have their strategic needs met and can also contribute to the human resources of the nation. Through this Strategy, the Government will facilitate the crucial role to be played by competent, transparent, efficient, gender sensitive and accountable local governments in achieving the MDGs. The Government undertakes to support an appropriate institutional and administrative framework that allows local government and civil society (women, user groups, producers associations, etc.) to play a critical role in decision making and the sustainable management of renewable natural resources.

Major Highlights of this Strategy are empowerment of the National Assembly, national and sub national public administration reform, trained and capable public sector workforce appointed on merit, reduction in corruption, nation prepared for disaster management, regular national and sub national elections as mandated by the constitution, single national identity document available to all citizens, completion of census and establishment of statistical baselines, mapping of villages and gozars, establishment of modern land administration system and a fair system for settlement of land disputes, development of sub national governance policy, regular election and empowerment of district councils, village councils, municipal councils and mayors, participation of people especially women and youth in governance, affirmative action for women, institutionalization of provincial planning and provincial budgeting, stronger municipalities, provision of basic facili-

ties and amenities to all government offices and all elected councils, free flow of information from all the district centres and, easy communication within and with the government.

Improved governance is critical to the long term success of a democratic Afghanistan. Better governance is a key factor for the Government to meet poverty reduction and economic development goals. The Governance, Public Administration Reform and Human Rights Sector Strategy is built upon the principles of *openness, participation, accountability, effectiveness-efficiency, coherence, consensus, equity and inclusiveness, gender justice and rule of law* applied at all levels of government.

A weak public sector, lack of resources and fiscal capacity, limited legislative oversight and representational experience of the public representatives, lack of capacity in the government staff, corruption, excessive centralization, lack of coordinated decision-making across government, lack of women's participation in the government, limited direct accountability of the state to the citizens and state capture by illicit power-holders are some of the constraints and challenges in the Governance Sector. The human rights situation continues to be a cause of concern. The ongoing armed conflict poses challenges to political, social and economic achievements. Violence has taken away precious lives, hindered much-needed delivery of development aid, created new groups of displaced and, coupled with grinding poverty and the illegitimate narcotics industry, remains the greatest challenge.

This Strategy aims to break the vicious cycle of the lack of governance, development and security in vast swathes of the country, each factor reinforcing the other two. This Strategy is based on the Constitution of Afghanistan, the Afghanistan Compact, the Interim-Afghanistan National Development Strategy, participating ministry and agency Strategies, National and Sub-National Consultations and Provincial Development Plans prepared by the communities in all 34 provinces.

Through this strategy, the Government commits itself to:

- provide good governance, by establishing and strengthening government institutions at the central and sub-national levels that provide open and transparent, accountable, participative, effective, coherent, gender sensitive and inclusive governance based on consensus, democracy and rule of law
- achieve measurable improvements in the delivery of services and the protection of rights of all citizens through people's participation in governance
- Establish a modern, responsive, democratic, gender sensitive, transparent and accountable public administration enabled to manage public resources efficiently and effectively for improved service delivery in a fair and equitable manner.
- Eliminate discrimination against women, develop their human capital and promote their participation and leadership leading to their full and equal participation in all aspects of life.
- Create an inclusive Afghan society, in which the human rights of all citizens are realized, protected, respected and extended.
- Eliminate corruption in the public and private sector in order to improve the effectiveness, transparency, and accountability of government, and to create an environment conducive to investment.

Key expected results the Government intends to achieve through this strategy are:

- Empowered National Assembly
- Reformed public administration, and a trained and capable public sector workforce appointed on merit

- Corruption reduced and monitored in high places, e-government applications and the right to information made available, establishment of a public complaints mechanism, establishment of a productivity commission advising the cabinet, sanctions enforced against those involved in the drugs trade
- Implementation of a National Action Plan for Women in Afghanistan implemented. and affirmative action available to women
- Enhanced involvement of women and youth in governance
- Establishment of an effective system of disaster preparedness and response
- Establishment of a capable Independent Election Commission , a permanent Voter Registry, holding of regular National and Sub-National Elections
- A single national identity document available to all citizens
- The national census completed and results published. Statistical baselines established and statistical capacity built
- Village and gozar boundaries reviewed and mapped
- Establishment of a modern land administration system established, and a fair system for settlement of land disputes
- Development of a sub-national governance policy with peoples' participation ensured
- Law on district councils, municipal councils, and village councils enactedRegular elections for provincial councils, district councils, municipal councils, mayors and village councils
- Empowered provincial councils, district councils, municipal councils, mayors and village councils
- Provincial Planning and Provincial Budgeting institutionalized
- Sub National Public Administration reformed, capacity built, structures reformed, the processes streamlined in the provinces, districts and municipalities
- Strengthening of municipalities
- Basic facilities and amenities provided to all government offices
- Free flow of information from all the district centers, facilitation of communication with and within the government
- Human rights realized, protected, promoted and extended. Implementation of the action plan on peace, justice and reconciliation implemented

The Government will achieve these results through implementation of the National Governance Program flowing out of this strategy. The Program Oversight Committee will lead the implementation, monitoring and evaluation of the National Governance Program.

CONTEXTUAL FRAMEWORK

A. Good Governance and Government

It is widely agreed that improved governance is critical to the long term viability of the Afghanistan Nation. The Afghanistan Compact recognized the importance of governance establishing it as one of the three key pillars of activity for the five years of activity following adoption of the compact.¹

Good Governance requires a participatory social-political structure built upon the principles of openness, participation, accountability, effectiveness-efficiency, coherence, consensus, equity, pre-

¹ The London Conference on Afghanistan, *The Afghanistan Compact, January 31 – February 1, 2006*, page 2.

dictability, stability, gender justice, inclusiveness, and an acceptance of rule of law throughout the community. In an economy where most activities are delivered through the market, government will have a major role in providing an enabling environment for private sector activities to grow. Key aspects are described in detail below:

Openness: The institutions of government should work in an open manner, actively communicating what they do and the decisions they make, using language that is accessible and understandable for women and men in the general public. This is of particular importance in order to improve the public confidence in complex institutions and in institutions with which the public is not broadly familiar. Openness is also described as “transparency” meaning that government decision making and enforcement should follow rules and regulations and that information should be made freely available and directly accessible to those who will be affected by such decisions and their enforcement.

Participation: The quality, relevance and effectiveness of Afghanistan’s government policies and actions depend on ensuring wide participation throughout the policy chain – from conception to implementation through evaluation. Improved participation especially of those segments of the society which have lagged behind and need to be encouraged through special efforts, is likely to create more confidence in the end results and in the institutions. Participation crucially depends on the central government following an inclusive approach when developing and implementing policies affecting the provincial and local governments. Participation by all segments of society and by both women and men is a key cornerstone of good governance. This can take place by direct participation or through legitimate intermediate institutions or representatives. Informed, organized participation is essential to effective participation. The access and capacity for participation varies sectors of the population. Marginalized groups, such as women, whose capacity for effective

participation was devastated by anti-women cultural edicts, will have to be provided with support.

Accountability: Roles throughout the institutions of the three branches of government -legislative, executive and judicial – as well as across all levels, from local through national institutions, need to be clear and well understood. Each institution must explain, take responsibility for and be held accountable for what it does, whatever the level. Similarly, the private sector and civil society organizations must be accountable to the public and to their stakeholders. In general, an organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

Effectiveness – efficiency: Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal, within reasonable timeframes. This requires clear understanding of the needs of women and men in Afghanistan and a thorough assessment of capability of the citizens as well as institutions to serve these needs in terms of both human and material resources. Efficiency will clearly be dependent on how well both men and women are treated as valuable human resource and fully utilized. It also means that decisions and actions should be taken at the most appropriate level. Further, effectiveness is greatly enhanced through monitoring and evaluation to review if the methods chosen were successful or if they need to be modified. In this way, system can learn from successes and mistakes. Effective governance relies on a combination of public and private sector solutions, envisions all ethnicities, men and women as a part of the human resources and provides for the sustainable use of natural resources and the protection of the environment.

Coherence: Policies and actions of government

must be coherent and easily understood. This requires integration of the high level policy objectives, strategies and actions across sectors as well as integration within sectors. Coherence within a functional sector of government is particularly important so that the organizations that perform those functions do so in a consistent manner. Inconsistency – incoherence – is observed by the public and weakens trust in the government. Coherence requires strong leadership and clear communication to ensure a consistent approach within a complex system.

Consensus: Good governance requires mediation of the different interests in society to reach a broad consensus on the best interests of the whole community and whether or not this can be achieved. It also requires a broad, long-term perspective on what is needed for gender balanced and sustainable human development and how such development goals can be achieved. This can only result from an understanding of the historical, cultural and social contexts of a given society or community. Given that Afghan women have been stripped off of their decision making right and face tremendous constraints in consensus building processes, gender sensitive approaches will be adopted to ensure that such constraints are adequately addressed.

Equity and inclusiveness: A society's well being depends on all members having a stake in the society and not being excluded from the mainstream of society. This requires that all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being. Good examples of how this is being achieved are the attempts in the health and education strategies to expand coverage and improve access to health and education services to broad population. It may mean in, the short term, providing special focus to some previously disadvantaged groups, including women. Gender equity, which includes temporary preferential treatment and built in measures to compensate for historical and social disadvantages of either women or men, will un-

derline the practice of good governance.

Rule of law. Good governance requires fair, impartial, legal frameworks that are widely understood, accepted, and complied with by the whole of society. In order to be accepted, the legal framework will require protection of human rights, particularly those of minorities or historically marginalized groups. Acceptance of the rule of law will also require impartial enforcement of law by an independent judiciary and an impartial and incorruptible police force. The rule of law is a state where all institutions function based on a law and are accountable to people via transparent mechanisms of oversight. Fair and impartial enforcement of the law requires that enforcers fully understand, protect and respect women's rights.

Gender Justice, Good governance requires both genders to be an active part of all discussions, initiatives and consensus building. It requires special efforts to bridge the gaps seen historically between the two genders and creation of an enabling environment, where both men and women can have their strategic needs met and also can be a valuable part of the human resource within the system.

From the conception of a public policy to its implementation, the choice of the level at which action is taken (from local to national) and the selection of the techniques used must be appropriate for the objectives pursued. Before launching an initiative, it is essential that decision makers systematically determine: first, if public action is really necessary, second, if the chosen level for action is the most appropriate one, and third, if the means chosen are proportionate to the objectives. Proportionality, whether the value of the objective is worth the cost in resources used to meet it, is fundamental to effective and efficient governance.

The success of the Governance Sector in Afghanistan, while critically dependent upon, will not be solely judged upon its ability to deliver national peace and security. Its legitimacy will require the

fullest possible involvement and participation of its citizens and civil servants, women and men alike. This is particularly important in view of the limited involvement of women and some remote rural segments of the society. This means that a linear model of dispensing policies from above will be inadequate. Rather, a systems model that relies on wide involvement of the people, including women and the marginalized, with a strong mechanism for feedback is needed for the entire governance process, from policy creation to implementation at all levels.

B. Good Governance, Development and Poverty Reduction

The Government has elaborated its Economic Governance vision in the ANDS Private Sector Development Strategy. For this reason, Economic Governance is not elaborated in great detail in this document.

1. Pro-Poor Policies

Good governance is at the heart of the Governance, PAR and Human Rights Sector Strategy. Good governance is elemental to reduction of poverty in the following ways. Equitable and inclusive government is concerned with all segments of society. It does this through participation and representation of these segments in policy setting as well as in programs that provide direct relief. These segments include women who are the poorest even among the most disadvantaged communities. Good governance provides opportunities for the poor and disadvantaged women and men through generally increasing demand in the economy, whilst simultaneously increasing the ability of disadvantaged sectors to participate in economic growth through training schemes and other programs designed to address their perceived disadvantages.

Good governance will also provide for accountability that ensures that monies and programs

aimed at serving these people actually reach the intended audience. Rule of law ensures that the rights of those at the lowest rung of the economic ladder are not abused.

This sector strategy aims to provide good governance at national and sub national level. The quality of governance is critical to poverty reduction. The empirical research in a number of countries establishes that where there is weak governance, this reinforces poverty. Good governance is a necessary condition for poverty reduction and elimination of discriminatory policies and practices. Good governance facilitates pro-poor sector reforms and pro-poor state and pro-poor local government policies, as well as sound macroeconomic management. It ensures the transparent use of public funds, strengthens anti-corruption, encourages growth of the private sector and corporate governance, promotes effective delivery of public services, and helps to establish the rule of law. Good governance involves the poor and non-government organizations (NGOs) in the planning and implementation of programs. It is closely linked to institutional and organizational capacity building².

Since effective and efficient delivery of basic services by the public sector matters most to the poor, weak governance hurts them disproportionately. The impact of poor standards of governance usually falls most heavily on the poor, especially the women, who are the poorest of the poor. Poor people are generally excluded from the institutions that put in place plans, policies and rules determinative of their rights and obligations; that make decisions that affect their lives; and which allocate and administer public resources to programs affecting them. Whether it is through inefficient public service delivery; through unfavourable policy settings; through inappropriate allocations of public resources away from socially useful goods such as education; through corruption; or through inability to enforce their legal

² See the ADB, *Fighting Poverty in Asia and the Pacific: The Poverty Reduction Strategy of the Asian Development Bank*, 19 October 1999.

rights- the poor, especially women, are often the most adversely affected by poor governance and public management. Unlike people on higher incomes, poor women and men often lack the power and the resources to respond effectively to weak governance³.

Public sector inefficiency, corruption, and waste leave insufficient resources to support the requisite level and quality of public services and targeted anti-poverty programs. However, denial of basic services to the poor especially disadvantaged groups like women, children and physically impaired, is not just a matter of lack of investment. Often, it is the result of (i) institutional structures that lack accountability, (ii) domination by local elites, (iii) widespread corruption, (iv) culturally determined gender discrimination and inequality, and (v) lack of participation by the poor. This sector strategy potentially addresses all these five factors.

This sector strategy aims at achieving good governance for poverty reduction. Good governance for poverty reduction comprises, among other matters: (i) focusing poverty reduction resources and creating accountability in the use of public funds in the interests of the poor, (ii) creating national capacities for pro-poor gender sensitive policy formulation and implementation, (iii) improving administration and private sector participation for better services delivery to the poor, (iv) shifting decision making nearer to the poor and helping the poor to organize themselves, (v) preventing corruption as it affects the poor most, (vi) applying gender analysis to understand the gender dimension of poverty and creating steps to include them, (vii) strengthening the rule of law with clearly pro-poor enforcement procedures, and (viii) involving, in a participatory way, a diversified range of stakeholders including the NGOs representing the poor⁴.

3 See UK Department for International Development, *Making Government Work for Poor People*, June 2000; World Bank, *Poverty Reduction Strategy Sources Book*, Volume 1, Chapter on Governance and Poverty Reduction, 2001.

4 See the ADB, *Fighting Poverty in Asia and the Pacific: The Poverty Reduction Strategy of the Asian Development Bank*, 19 October 1999.

To help the poor overcome the impediments faced by them, the Government is committed not only to provide good governance arrangements but also to make governance accountable to the poor. The Government recognizes the difficult nature of this undertaking since the existing arrangements that exclude the poor are the result of political and economic powerlessness of the poor.

The Government will target resources to those social services that are fundamental to poverty reduction and alleviation (e.g. education, health, water, sanitation); those categories of people that are more vulnerable (e.g. women, children, physically impaired, small-scale peasant farmers and landless labour in rural areas); and those rural regions/districts that are most neglected, bearing in mind, nevertheless, that urban poverty too needs attention of the Government. The Government will create accountability in the use of public funds in the interests of the poor, create national capacities for pro-poor gender-sensitive policy formulation and implementation, improve governance and private sector participation for better services delivery to the poor, shift decision making nearer to the poor and help the poor to organize themselves, promote poor women's capacity to be actively involved in the process, prevent corruption, strengthen the rule of law with clearly pro-poor enforcement procedures, and mobilize participation in governance, of a diversified range of stakeholders including the NGOs representing the poor⁵.

In the National Assembly, a Commission of Members of Parliament will be created that will review the legislation, both the existing and those brought before the Assembly with a view to ensure that the interests of the poor are adequately considered. A Public Complaints Mechanism to be established at various levels in the government will provide modalities to ensure that complaints of the poor and people from vulnerable sections of society are heard and acted upon. The AIHRC (Afghanistan

5 See the ADB, *Fighting Poverty in Asia and the Pacific: The Poverty Reduction Strategy of the Asian Development Bank*, 19 October 1999.

Independent Human Rights Commission) will have a special cell for the poor because, more often than not, the poor are the victims of human rights violations.

One of the main goals to be achieved by local governance is improved public *service*. Improvements in *service delivery* to the inhabitants of Afghanistan especially the poor will be one of the focus and priority areas of the sub national governance policy. The lack of public service delivery is a major obstacle for the government in obtaining legitimacy among its people. Service delivery will be improved in a variety of sectors. The Government will mandate development of the standards for quality/level of performance of the service delivery. In addition, the roles and responsibilities for service delivery by the different levels of governmental entities will be clarified. The sub national governance policy will guide and will require sub national public institutions to follow structured approaches in delivering responsive and efficient service to citizens, especially the poor.

A major bottleneck in implementation of direct interventions for poverty reduction is the lack of identification of individual poor households with all the individual household details, such as name of head of family, address, assets owned, number of children and family members etc. In the absence of such identification of the individual poor households, it becomes very difficult to target the poor families. At the country level, there is a need to conduct a survey of the people living below the poverty line and identify poor households. It may not be possible to carry out such a survey immediately, i.e. before census results are published. However, the Independent Directorate of Local Governance (IDLG) and the Kabul Municipality shall undertake such a survey soon after the detailed census results are published and complete it by Jaddi 1392 (end-2013). The survey results will be useful for all interventions for poverty reduction.

2. Private Sector Policies

The overarching objective of this strategy is to provide good governance. Economic development and good governance go hand in hand. The development of an economy requires investment, and although investors accept risk, they seek to minimize risk for a given return on their funds. The higher the risk, the higher the return on funds that the investor will require. That risk can be minimized if there is a stable, predictable governance system and where the rule of law is widely understood, accepted and complied with. Investors look for assurances that the principles of good governance are being observed. Open and transparent government means that investors can make decisions with full knowledge and fair expectation of equitable government decision making. Investors need to have the confidence in and right to participate in government and must know that they will be fairly represented. They must know that government will be held accountable for its actions and that they too will be held accountable under equitable application of rule of law. Effective governance allows efficient allocation of resources through reliance on market forces and only applies government solutions when the free market fails to create efficient solutions. Coherent governance is readily understood and facilitates investment decisions by providing consistency. A government that relies on consensus and meets broad social needs also provides sustainability in development. The Government of Afghanistan commits itself to such accountable, effective, coherent, consistent and rule based governance through this Strategy.

C. Governance Sector and Afghanistan Compact

This full ANDS Governance Sector Strategy is not a radical departure in overall strategy, as many of the priorities in the I-ANDS not only represented an overwhelming national consensus on our development priorities, but also reflected Afghanistan's multi-year commitments to the Millennium Development Goals and the Afghanistan Com-

pact. This strategy is a refinement of the existing I-ANDS, articulating *how* the goals will be achieved through a set of specific projects and programs, rather than changing the benchmarks. During the years of the Compact, the Government of Afghanistan aims to work towards those commitments as they are articulated.

The Compact states: “Democratic governance and the protection of human rights constitute the cornerstone of sustainable political progress in Afghanistan. The Afghan Government will rapidly expand its capacity to provide basic services to the population throughout the country. It will recruit competent and credible professionals to public service on the basis of merit; establish a more effective, accountable and transparent administration at all levels of Government; and implement measurable improvements in fighting corruption, upholding justice and the rule of law and promoting respect for the human rights of all Afghans.” The Compact is one of the foundations of this strategy besides the Constitution of Afghanistan.

D. Governance and Constitution of Afghanistan

The Constitution explicitly allows a measure of decentralization by stating that “the government, while preserving the principle of centralism — in accordance with the law — shall delegate certain authorities to local administration units for the purpose of expediting and promoting economic, social, and cultural affairs, and increasing the participation of people in the development of the nation” (Article 2, Chapter 8). It specifies that a provincial council with elected members is to be formed in every province and, that district and village councils are to be elected.

Article 50 of the Constitution provides that the citizens of Afghanistan have the right of access to the information from the government offices in accordance with the provisions of law. This right has no limits, unless violation of the rights of the

others. However, a legal mechanism has yet to be established to enforce this right.

Some of the important constitutional provisions governing national and sub-national governance are as follows:

E. Visions of Constitution on Governance

Article 1

Afghanistan is an Islamic Republic, independent, unitary and indivisible state.

Article 2

- The religion of the state of the Islamic Republic of Afghanistan is the sacred religion of Islam.
- Followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law.

Article 3

In Afghanistan no law can be contrary to the beliefs and provisions of the sacred religion of Islam.

Article 4

National sovereignty in Afghanistan belongs to the nation that exercises it directly or through its representatives.

Article 6

The state is obliged to create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country.

Article 10

The state encourages and protects private investments and enterprises based on the market economy and, guarantee their protection in accordance with the provisions of law.

Article 17

The state shall adopt necessary measures for promotion of education in all levels, development of religious education and organising and improving the conditions of mosques, *madrasas* and religious centres.

Article 22

Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited. The citizens of Afghanistan – whether woman or man – have equal rights and duties before the law.

Article 33

The citizens of Afghanistan have the right to elect and be elected. Law regulates the conditions and means to exercise this right.

Article 35

The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of law.

- The citizens of Afghanistan have the right to form political parties in accordance with the provisions of law, provided that:
- 1 The program and charter of the party are not contrary to the principles of sacred religion of Islam, and the provisions and values of this Constitution;
- 2 The organizational structure, and financial sources of the party are made public;
- 3 The party does not have military or paramilitary aims and structures; and

- 4 Should have no affiliation to a foreign political party or sources.
- Formation and functioning of a party based on ethnicity, language, religious sect and region is not permissible.
- A party set up in accordance with provisions of the law shall not be dissolved without lawful reasons and the decision of an authorized court.

Article 50

The state is obliged to adopt necessary measures for creation of a strong and sound administration and realisation of reforms in the administration system of the country.

- Government offices are bound to carry their work with full neutrality and in compliance with the provisions of law.
- The citizens of Afghanistan have the right of access to the information from the government offices in accordance with the provisions of law.
- This right has no limits, unless violation of the rights of the others.
- The citizens of Afghanistan are employed for state services on the basis of qualification without any kind of discrimination and in accordance with the law.

Article 53

The state takes necessary measures for regulating medical services and financial support to descendants of martyred and lost, reintegration of the disabled and handicapped individuals and their active participation in the society in accordance with the law.

- The state guarantees the rights of pensioners and renders necessary assistance to needy elders, women without caretakers, disabled and

handicapped individuals and needy orphans in accordance with the law.

Article 75

The government shall have the following duties:

- Execute the provision of this Constitution, other laws, and final orders of the courts;
- Protect the independence, defend the territorial integrity, and safeguard the interests and dignity of Afghanistan in the international community;
- Maintenance of public law and order and elimination of administrative corruption;
- Prepare the budget, regulate financial affairs and protect public wealth;
- Devise and implement programs for social, cultural, economic, and technological progress;
- Report to the National Assembly at the end of the fiscal year about the tasks accomplished and about the main plans for the new fiscal year; and
- Perform other duties as recognised by this Constitution and other laws to be duties of the government.

1. Provisions of Constitution on Sub National Governance

Article 136-139

- The Administration of the Islamic Republic of Afghanistan shall be based on central and local administrative units in accordance with the law.
- The central administration is divided into a number of administrative units, each of which shall be headed by a Minister.

- The local administrative unit is a province.
- The number, area, parts, and structures of the provinces and the related administrations are regulated by law on the basis of population, social and economic conditions, and geographic location.
- The government, while preserving the principle of centralism, shall delegate certain authorities to local administration units for the purpose of expediting and promoting economic, social, and cultural affairs, and increasing the participation of people in the development of the nation.
- In every province a Provincial Council is to be formed.
- Members of the Provincial Council are elected in proportion to the population by free, direct, secret ballot and general elections by the residents of the province for a period of four years in accordance with the law.
- The Provincial Council elects one of its members as Chairman.
- The Provincial Council takes part in securing the developmental targets of the state and improving its affairs in a way stated in the law, and gives advice on important issues falling within the domain of the province.
- Provincial councils perform their duties in co-operation with the provincial administration.

Article 140-142

- In order to organize activities involving people and provide them with the opportunity to actively participate in the local administration, councils are set up in districts and villages in accordance with the provisions of the law.

- Members of these councils are elected by the local people through, free, general, secret and direct elections for a period of three years.
- The participation of nomads in these councils is regulated by law.
- Municipalities shall be set up in order to administer city affairs.
- The mayor and members of the municipal councils are elected by free, general, secret, and direct elections.
- The affairs related to municipalities are regulated by law.
- For the purpose of the implementation of the provisions, and ensuring the values of this constitution, the state shall establish the required departments.

Article 156

The Independent Election Commission shall be set up for the organization and supervision of any election and for holding a referendum within the country based on the provisions of the law.

2. Provisions of Constitution on Human Rights

Article 7

The state shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights.

Afghanistan is party to the following important human rights instruments:

- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention on the Rights of the Child (CRC)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- Rome Statute of the International Criminal Court

F. Government Entities in the Governance Sector

Governance and human rights in a true sense are cross-cutting themes. The concept of good governance, taken broadly, encompasses all decision-making aspects of government and society. However, improving governance requires that the target scope of work be broken down into addressable subsets. The Afghanistan National Development Strategy (ANDS) by grouping institutions under functional pillars and sub-pillars prescribes reasonably distinct areas of work. "Governance" is one such sub-pillar.

We have included those entities of the government that are focused on the governance function in addition to the provision of services to the public. There are a number of organizational institutions (Assemblies, councils, High Offices, Agencies, Ministries, Departments, etc.) that are important to governance. These institutions among others are:

- National Assembly – Meshrano Jirga and Wolesi Jirga, Provincial councils
- The Judiciary
- Office of the President

- Office of Administrative Affairs
- Independent Directorate of Local Governance (IDLG)
- Office of the Mayor, Kabul Municipality
- Afghanistan Independent Human Rights Commission (AIHRC)
- Independent Administrative Reform & Civil Services Commission (IARCSC)
- Independent Election Commission
- GIAAC (Anti-Corruption Commission)
- Afghanistan Geodesy & Cartography Head Office
- Central Statistics Organization
- Afghanistan National Disaster Management Authority
- General Directorate of Audit & Control
- Ministry of Agriculture
- Ministry of Border and Tribal Affairs
- Ministry of Communications and Information Technology
- Ministry of Counter Narcotics
- Ministry of Culture and Youth
- Ministry of Hajj and Endowments
- Ministry of Economy
- Ministry of Education
- Ministry of Finance
- Ministry of Interior (Police)
- Ministry of Justice

- Ministry of Labour, Social Affairs, Martyrs, and Disabled
- Ministry for Parliamentary Affairs
- Ministry of Rural Development and Rehabilitation
- Ministry of Urban Development
- Ministry of Women's Affairs
- National Environmental Protection Agency

G. Inputs from ministry and agency strategies

Collectively, the ministry and agency plans provide some of the inputs into making of governance mission and strategy. The strategies embody a number of features designed to improve governance, including:

- Clarification of agency functions and roles, with agencies responsible to deliver objectives and work within set budgets
- Development of a framework of legislation to facilitate the operations of these agencies and the community in general
- The acquisition of technical and physical resources needed by Government agencies to perform their assigned roles
- Capacity development and education, inclusive of gender equity, leadership development, merit placement, promotion and evaluation so that agencies make better decisions relating to their assigned roles and can better allocate the resources, both human and physical, that they have at their disposal
- The development of an environment that facilitates private activity, including longer term private investment, and private decision making

- They take into account the needs of disadvantaged sectors of society
- Improved communications , both within and between other government agencies and between government agencies and agencies and individuals outside the government
- Inclusion of cross-cutting strategies
- Improved cooperation across agencies and with donors, NGOs and Private Sector

Successful implementation of these strategies will go long way to improving governance.

CURRENT STATE OF THE GOVERNANCE SECTOR

Afghanistan has made significant progress in governance, justice and human rights protection since 2001. Our new Constitution requires structures of governance that are Islamic, accountable, transparent, gender balanced and effective. With the formation of both houses of the National Assembly and the appointment of a new Supreme Court, the principal institutions of the three Constitutional branches of government have been established. The Constitution gives the National Assembly significant powers to complement and balance the executive and judicial branches of power, while linking national policy-making to the people. It provides clear guidance on how government institutions should be modernised, strengthened and made gender responsive at all levels as a basis for the effective delivery of public services and justice for all.

Afghanistan's current governance challenges are a product of our history. We currently mobilize less public resources than any other government in the world as a percentage of GDP. Our civil service has been decimated. The gender gap has persisted over decades leaving women in a disadvantaged position. The legal and regulatory framework necessary for Government to function effectively, ensure the rule of law, and protect our citizens is still

nascent. While the Government has passed new laws designed to protect the rights of citizens, our ability to enforce those laws is limited. Our different government branch members lack legislative, oversight and representational experience. Our sub-national administrative structure is especially weak, which inhibits coordination across Government at the provincial and district levels and lowers our accountability to the vast majority of our population, who live in rural areas. Too many of these sub-national governance structures remain under the influence of illicit power holders. The way in which aid is channelled also constrains Government's ability to gain the capacity to lead its development effort. The unpredictability of donor funding and insufficient progress in developing the managerial skills of Government staff has slowed many larger projects, particularly in the infrastructure sector.

The state does not yet have the capacity or resources to govern effectively. It mobilizes less domestic resources as a percentage of GDP than any other state in the world for which data are available. It lacks trained people; management systems for women and men, sex-disaggregated information, money; and communications. There is uneven commitment to, ownership of, and leadership for governance and public administration reform across government. The justice sector is weak. Corruption is pervasive in procurement, public works, service delivery, tax collection, and policing. Illicit power holders mobilize resources from the narcotics and other illicit sectors of the economy, which enable them to create private armed groups or to pay (bribe) officials far more than their salaries.

The manner in which much needed foreign aid is channelled also contributes to the weakness of the state. Less than 25% of aid goes through the national budget, resulting in parallel delivery structures and pay scales that undermine government legitimacy reduce public service capacity and lead to policy incoherence. The public sees little connection between tax compliance with the Gov-

ernment and service delivery, which undermines Government efforts to build fiscal capacity. The structure of the Afghan administration also constitutes an obstacle to good governance.

Insecurity and the lack of trust in justice institutions are the most immediate constraints to justice reform and establishment of rule of law. Due to the inaccessibility of state justice services, only an estimated 10% of legal matters are handled by state justice services. The justice sector is weak generally, and human rights and legal protections guaranteed to all Afghans by the constitution, laws of state, and international treaties are routinely denied.

Women have suffered culturally and politically. Not only have they been suppressed by traditional discrimination but they suffered during the war in ways that require special attention to building their capacity as citizens and leaders. Their social issues have not been mainstreamed and the gap between men and women in terms of literacy, school enrolment, health care and participation in decision making has remained a big concern.

National Assembly systems, including the basic legal framework and procedures, are in the early stages of development. Uneven commitment to public administration reform exists across government. A pervasive culture of impunity exists due to the lack of an independent judiciary and professional law enforcement.

Over the last five years, the Public Administration Reform (PAR) program has worked to improve governance. While making progress in specific areas such as civil service reform, the PAR process has been cited as running into numerous problems and lacking certain elements necessary for success.⁶ In September 2006, the Afghanistan Research & Evaluation Unit (AREU) briefing paper assessing administrative reform stated that:

6 Lister, Sara, *Moving Forward? Assessing Public Administration Reform in Afghanistan*, Briefing Paper, AREU, September 2006

success is dependent upon six necessary elements...1) strong domestic political leadership; 2) a focus on end results; 3) some measure of “demand” from citizens; 4) a process of institutional change; 5) appropriate and coordinated donor behaviour; and 6) realistic timeframes and expectations.⁷

A number of reports, plans and programs on the government of Afghanistan call for “administrative reform” or “rationalization” of government departments.⁸ While the need for institutional change seems to be widely agreed upon, no program actually addresses the process for change in a comprehensive gender-sensitive fashion.

The PAR program comes close but is not fully integrated into the Afghanistan government’s strategic planning process to include costing and funding. Further, PAR tends to be focused on individual agencies and has not considered women’s participation in the public sector which is important to the government’s goal of attaining at least 30% representation of women at all levels of governance by 2020. Successful rationalization requires a cross-agency process to assure coherence as well as to eliminate redundancies.

The ANDS provides the foundation for a systematic approach to improving governance by bringing together the six elements of success identified by AREU within a comprehensive-government wide strategic planning process that involves leadership of the Afghan government and the donor community. The ANDS process called upon each individual agency within the governance sector to provide its 5-year strategic gender-sensitive plan.

7 Lister, *Moving Forward*.

8 See for example, Nixon, Hamish, *Aiding the State: International Assistance and the State Building Paradox in Afghanistan*, Briefing Paper, AREU, April 2007 and EC Website, *Public Administration Reform - Capacity Building - Contribution to Trust Fund*, July 18, 2007. http://www.adb.org/media/Articles/2005/9032_Afghanistan_public_administration/

A. Constraints in the Governance and Human Rights

1. Weak Public Sector

Afghanistan must overcome the obstacles to good governance. The Afghan Government mobilizes fewer domestic resources as a percentage of GDP than any other government in the world. It lacks trained people, management systems for people, sex-disaggregated information, or money, and communications.

The legal and regulatory framework necessary for government to function effectively to protect its citizens, and to safeguard investments is weak or absent.

2. Limited legislative oversight and representational experience of the new democratic authorities:

Afghanistan's governance structures will remain weak unless political power is held increasingly accountable by citizens and shared among multiple elected authorities. If the over-arching aims of the new Constitution are to be enforced, the full democratic potential of new institutions, including the National Assembly and Provincial councils, needs to be realized. This also involves the recognition of non-state actors (Islamic institutions, civil society, private sector, the media, and academic institutions) as leaders who should be regarded as partners of government even when they advocate alternative viewpoints.

3. Lack of resources and fiscal capacity:

The IMF estimates that in 1384 (2005/6) the Afghan Government will mobilize 5.4% of licit GDP as domestic revenue, up from 3.2% of a much smaller GDP at the start of the interim administration. This is less than any other government in the world for which data are available. Without greater, sustainable sources of revenue, government will be unable to pay the public sector wage

bill sustainable, let alone finance public investments. Afghans pay more for public services than is collected by the state, but much of the "taxes" they pay are either captured by illicit power holders or go to support traditional governance systems at the village level that do not form part of the state. In addition to the low level of revenues it collects, the state lacks the capacity to execute expenditures in much of the country, in part because of inadequate financial tracking and management systems. The combination of lack of a functioning banking or electronic payments system and widespread insecurity makes it difficult for government expenditures to reach much of the country or for Government to ensure that expenditures are equitable across provinces.

4. Lack of qualified and disciplined staff:

The civil service got destroyed through political persecution and hyperinflation. Without qualified, professional civil servants, Government is not able to effectively fulfil its basic functions of service delivery, nor is it able to manage its own administration. Women still make up only a limited number of employees and those too are concentrated in a few Ministries. Many civil servants are still recruited through a system of patronage and rarely by merit. This is because the pay scale of civil servants is insufficient to attract, retain, and motivate skilled and qualified staff. This causes corruption by civil servants, ensuring that the public sector remains short of educated, skilled and professional human resources, while many more skilled people are hired by the aid community.

Moreover, low participation and under representation of women in the civil service remain a big challenge and has to be dealt with in a more systematic way. Women in decision making positions in the bureaucracy that is from Grades 2, Grades 1 and Above Grades remain only at 9% of the total high level positions. Government's commitment to increase women's participation at the decision making and in all levels to 30% will lead to greater

development and empowerment of women and will increase the efficiency of government to serve and engage its women constituents.

Furthermore, due to the complexity of judicial procedures and the lack of legal reform, corruption within the justice sector is widespread. To supplement their wages, many judges sell access to justice to the highest bidder, excluding all but the wealthy and powerful. Public confidence in power of the justice sector, and by extension the state, is therefore extremely low, causing people to seek redress through traditional or informal justice mechanisms. Women particularly suffer gravely in this scenario.

5. Excessive centralization:

Despite capture of many parts of the administration by unofficial power-holders or corrupt officials, Afghanistan has a very centralized *de jure* form of government. At present more than one-third of the staff employed in the ministries is located at headquarters in Kabul. Existing highly centralized regulatory frameworks sustain corruption by requiring unworkable procedures. It is important to ensure that reforms are rapidly extended to provinces and districts and to increase the human, financial and physical resources available to provincial and district administrations and departments of line ministries. Over time it may be desirable to consider a degree of de-centralization and/or de-concentration of some policy-making and budget responsibilities. The pace of such change will depend, among other things, on strengthening the capacity and the role of democratically elected Provincial (and eventually district, municipal and village) councils.

6. Lack of coordinated decision-making across Government:

There is a need to rationalize the functions of ministries to reduce overlap and to clarify lines of responsibility. There is also a need to strengthen the

links, communications, and lines of responsibility among district, provincial and national authorities. Improved coordination of policy making and service delivery functions will improve the efficacy of government and its legitimacy in the eyes of the population.

7. Lack of women's participation in the Government:

Despite efforts women's participation has been limited to mostly the Ministry of Women's Affairs. The number in the other ministries is very low. This not only restricts fifty percent of the population to utilize the opportunity to participate fully in the government decision making and operations but also limits the capacity of the government to relate to the female citizens with their own needs and problems. Special efforts are required to balance out the skewed demographics.

8. Limited direct accountability to clients:

Currently provincial and district administrations and departments of line ministries are not accountable to local populations. With the election of Provincial councils, there is an opportunity to improve the relationships between populations and those government departments responsible for the delivery of local services. However, local administrations and departments of line ministries must be adequately resourced, gender sensitized and have some authority if they are to ensure that policy making and service delivery reflect the needs and priorities of their local populations, especially the most marginalized. It is important to ensure that all sectors of the population, including women and local minorities, are empowered to participate in local level political forums. Empowerment of women at the local level requires gender awareness raising of local administrators and staff of line ministries, planned involvement in local affairs, mechanisms for direct engagement in local administration, and gender sensitive data that inform policy and decision making.

9. State capture by illicit power-holders:

Illicit power holders seek to use the state machinery to further their own interests, mobilizing resources from the narcotics and other illicit sectors of the economy, which make it possible for them to create private armed groups and pay officials far more than their salaries in bribes. Many of those working in government institutions are in fact part of the informal structure that controls the informal and illegal sectors of the economy. The formal governance sector cannot compete effectively with the informal sector, nor can it match the scale and size of bribes being offered by the latter.

GOVERNANCE POLICY FRAMEWORK

A. Governance Sector Vision and Goals

This Government's vision for Afghanistan is fully consistent with our Islamic and cultural values as stated in our Constitution. In the next fifteen years, we aim to ensure that Afghanistan meets all of its MDGs. Afghanistan's women will enjoy greater equity in education, employment, political participation and justice. And we will accomplish all this through a strong partnership with the international community that helps to provide the security and to support the stable political environment upon which our economic development depends.

Government firmly believes that without concurrent progress on all three pillars, its vision will not be fulfilled. A failure to deliver security will affect Government's ability to govern. A failure of governance will undermine the investment climate and limit our ability to provide basic services. A lack of economic development will threaten our capacity to govern and ensure security. Failure to attend simultaneously to all these cross-cutting issues will effectively undermine the gender equity of the development process, support the continued growth of the narcotics economy, limit the expansion of regional trade and transit opportunities, lead to increased levels of petty

corruption, undermine the environment with both economic and social consequences and undermine the ability of government to serve and optimize the energies and potentials of women who constitute half of the country's population.

The Government of Afghanistan has laid out its political vision for 2020 in the I-ANDS as follows:

By 1400 (2020) we envisage a state in which institutions are more accountable and responsive to poor people, strengthening their participation in the political process and in local decision-making regardless of gender or social status. We will continue to mature as *a stable Islamic constitutional democracy* with regular national and provincial elections that are peaceful and fair. We expect the *National Assembly* to evolve into a responsible political body that ensures that the needs and interests of all provinces and districts are represented at the national level. We aim to strengthen the ability of all three branches of Government (executive, legislative, and judicial) to check and balance each others' powers. In particular, we will aim to deepen democracy across Afghanistan by strengthening citizen-state relations by empowering elected assemblies at the national, provincial, district and village levels.

We will establish an effective, accountable, and transparent administration at all levels of Government. Within our unitary governance system, *our provincial and district administrations* will rapidly expand their capacity to provide efficient services, even as we endeavour to build a strong central government. Provincial and district administrations will operate effectively to optimize the coordination of national development priorities, expenditure monitoring, and national revenue collection.

Our **Public Administrative Reform (PAR) program** will encourage performance-oriented institutions to promote progressive social change. Ministries and government agencies in both the

centre and the provinces will be more efficient and effective, and they will be staffed by a cadre of well-trained and competent professionals recruited on the basis of merit.

Government machinery will be restructured and rationalized to reflect core functions and responsibilities clearly. We will make civil service and military salaries competitive with the private sector.

Women will constitute an increasingly important voice in Afghan society and politics. The numbers of women in the legislature will increasingly reflect the gender balance of the population, and political representatives will address the barriers to access of economic and political opportunities for women. **The rights of women in Afghanistan will be significantly improved in accordance with Islamic principles.**

We will **fight corruption, uphold justice and the rule of law**, and all Afghans will have equal, fair, and transparent access to justice based on written and published codes. All provinces and districts will have a functioning physical and institutional justice framework which adequately protects the rights of our citizens. Arbitrary arrests, torture, extortion, and illegal expropriation of property will be eliminated. By protecting the **freedoms of association and expression for the media and civil society organizations**, we will extend democracy throughout the country. Their ability to promote civic education, policy advocacy, and public accountability is essential to our state-building vision.

Moreover, we continue to see non-governmental organizations (NGOs) as essential partners in our development efforts and will continue to support their work in Afghanistan.

This vision of the Government of Afghanistan leads us to the governance sector mission, vision, goals and objectives of the full Afghanistan Development Strategy.

1. Mission:

Our mission for the Islamic Republic of Afghanistan is to consolidate peace and stability through just, democratic processes and institutions of good governance, and to reduce poverty and gender inequities, and achieve prosperity through broad based and equitable economic growth.

2. Vision:

Our governance vision is to develop Afghanistan into a stable and mature Islamic constitutional democracy where the three branches of government (executive, parliamentary and judicial) provide the necessary checks and balances on each other. Government will act as a policy maker, regulator, and enabler of the private sector, not its competitor. The Government of Afghanistan and its sub national governing units will be fully committed to provide open and transparent, accountable, participative, effective, coherent, gender sensitive and inclusive governance based on consensus and rule of law, at national and sub national level. Our justice system will equally protect the rights of all Afghans. Afghanistan's women will enjoy greater equity in education, employment, political participation and justice.

3. Goals:

Government's aim is to provide good governance, by establishing and strengthening government institutions at the central and sub-national levels that provide open and transparent, accountable, participative, effective, coherent, gender sensitive and inclusive governance based on consensus and rule of law at national and sub-national level.

Our aim is to establish and strengthen government institutions at the central and sub-national levels in order to ensure people's participation in governance and to achieve measurable improvements in the delivery of services and the protection of rights of all Afghans.

Government's aim is to establish a modern, responsive, democratic, gender sensitive, transparent and accountable public administration enabled to manage public resources efficiently and effectively for improved service delivery in fair and equitable manner. The Government's goal is to eliminate discrimination against women, develop their human capital and promote their participation and leadership in order to guarantee their full and equal participation in all aspects of life in Afghanistan.

Government's long-term aim is to eliminate corruption in the public and private sector in order to improve the effectiveness, transparency, and accountability of government, and to create an environment conducive to investment. The Government's goal is to create an inclusive Afghan society, in which the human rights of all citizens are realized, protected, respected and extended.

B. Key Expected Results

- The National Assembly will be provided with full technical and administrative support to fulfil effectively its constitutionally mandated roles. Capacity of the members will be built in drafting and ratification of legislation, review and input to the national budget review, oversight, and representation. In addition, there will be an emphasis on training MPs to better understand and legislate on issues related to women's rights, national security, international relations, and inter-ethnic relations.
- By Jaddi 1392 (end-2013), government machinery (including all the ministries and offices at national and sub-national level including municipalities) will be restructured and rationalized to ensure a fiscally sustainable public administration; the Civil Service Commission will be strengthened; and civil service functions will be reformed to reflect core functions and responsibilities. Public Administration Reform (PAR) initiated in a few ministries with complete restructuring so that the structures are

aligned with functions; positions are re-graded and filled by merit based appointments; will be implemented in all the ministries and offices at national and sub-national level including municipalities. IARCSC will strengthen the common functions within all the ministries and offices. The IARCSC will evolve a comprehensive gender sensitive legal framework including human resource management regulations, pay and grading regulations, Pension and retrenchment regulations applicable to civil service, and implement it through the respective ministries in the offices at national and sub national level including municipalities.

- By Jaddi 1392 (end-2013), a training policy for entire public sector workforce shall be developed and implemented. Institutional arrangements shall be put in place to ensure that each member of the workforce gets trained at least once in two years in organization- specific and job-specific training along with generic training.
- A transparent, merit-based and gender-sensitive national appointments mechanism will be fully implemented for all appointments to the national and sub national governments and the judiciary, including those of provincial governors, chiefs of police, district administrators and provincial heads of security. The Independent Appointments Board will be strengthened by providing required staff with skills essential for the purpose.
- By Jaddi 1389 (end-2010), in furtherance of the work of the Civil Service Commission, merit-based appointments, vetting procedures and performance-based reviews will be undertaken for the civil service at all levels of government, including central government, the judiciary and police, and requisite support will be provided to build the capacity of the civil service to function effectively. Annual performance-based reviews will be undertaken for the civil service at all levels of government every year.

- By Jaddi 1392 (end-2013), the corruption in the judiciary and the government at all levels especially in security, customs, civil administration and municipalities will be significantly reduced. A monitoring mechanism to track the corruption at high places will be put in place by Jaddi 1387 (end-2008). By Jaddi 1387 (end-2008), cross-cutting electronic government applications will be launched to reduce corruption and increase efficiency. By Jaddi 1387 (end-2008), the Government will establish and implement a public complaints mechanism.
- The citizens of Afghanistan have the right of access to the information from the government offices in accordance with Article 50 of the Constitution. This right will have no limits, unless it violates the rights of the others. By Jaddi 1389 (end-2010), the legal framework required for exercise of this right provided under the constitution will be put in place, distributed to all judicial and legislative institutions, made available to the public and implemented.
- By Jaddi 1389 (end-2010), the Government will increase the number of arrests and prosecutions of traffickers and corrupt officials, and will improve its information base concerning those involved in the drugs trade, with a view to enhancing the selection system for national and sub-national public appointments. Public officials elected and appointed to high positions will be required to declare their assets before taking charge of office.
- By Jaddi 1389 (end-2010), an expert Commission i.e. Productivity Commission will be set up under the President to which Cabinet can refer issues for public investigation and advice.
- 10. By Jaddi 1389 (end-2010): the National Action Plan for Women in Afghanistan will be fully implemented; and in line with Afghanistan's MDGs, female participation in all Afghan governance institutions, including elected and appointed bodies and the civil service, will be strengthened by providing a specific percent reservation of seats by enacting a law of affirmative action.
- By Jaddi 1389 (end-2010), an effective system of disaster preparedness and response will be in place.
- The Afghanistan Independent Electoral Commission will have the high integrity, capacity and resources to undertake elections in an increasingly fiscally sustainable manner by Jaddi 1388 (end-2009), with the Government of Afghanistan contributing to the cost of future elections from its own resources as far as possible. A permanent voter registry will be established, polling stations will be defined and, all voters will be linked to specific polling stations by Jaddi 1388 (end-2009). The Independent Election Commission will hold district council, village council, municipal council and mayoral elections in the year 1389 (2010) and 1392 (2013). For this purpose, the Commission will make all necessary arrangements including delimitation of village council jurisdictions, mantega level constituencies for district councils and gozar level constituencies for municipal councils.
- By Jaddi 1392 (end-2013), civil registry with a single national identity document will be established.
- The census enumeration will be completed by Jaddi 1387 (end-2008) and the complete results published. Reliable statistical baselines will be established for all quantitative benchmarks and statistical capacity built to track progress against them.
- By Jaddi 1387 (end-2008), a full scale view of the boundaries of villages and gozars as political and administrative units will be undertaken. By Jaddi 1388 (end-2009), government will carry out political and administrative mapping of the country with villages and gozars as basic units and, the political and administrative maps will be made available at all levels for the purpose of elections, socio- economic planning

and implementation of sub-national governance policy.

- A community based process for registration of land in all administrative units and the registration of titles will be started for all urban areas and rural areas by Jaddi 1387 (end-2008). A fair system for settlement of land disputes will be in place by Jaddi 1386 (end-2007).
- By end-1389 (20 March 2011), the Government will ensure formulation and implementation of sub-national governance policy and, its legal and regulatory framework. This will be done through a national dialogue on sub-national governance and, with technical support of international community. The Government will clarify rules, procedures, functions, inter-relationships and resource allocations for local governance entities i.e. provinces, districts, municipalities and villages and, their relationship with the central government in Kabul by enacting a law on local governance and a law on municipal governance.
- By end-1389 (20 March 2011), the Government will encourage and ensure popular representation and peoples' participation in sub-national governance.
- The Government will strengthen the capacity of provincial councils, support knowledge sharing and exchange among provincial councils. The Government will establish a relationship between provincial councils and executive administration at provincial level by law.
- The Government will enact laws constituting district councils, municipal councils and village councils, laying down their powers, responsibilities and financial mechanism.
- The Government will hold elections and constitute elected district councils, municipal councils and village councils by holding free, general, secret and direct elections every three years. The mayors of the municipalities will be elected

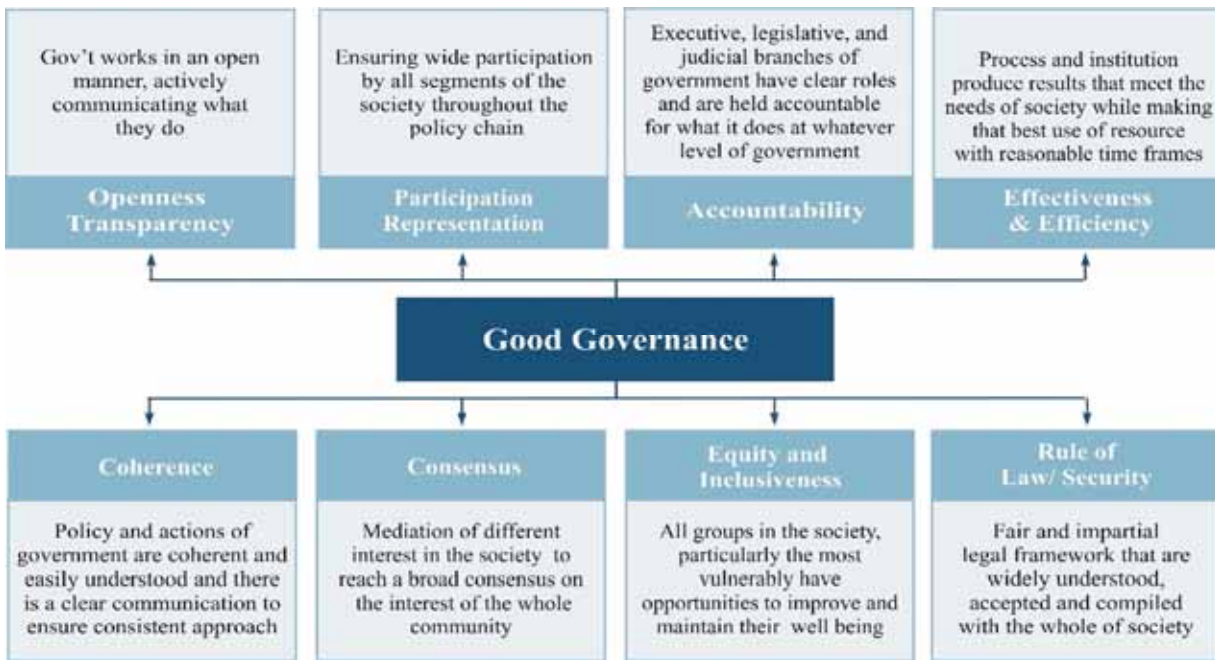
by free, general, secret, and direct elections.

- The Government will strengthen the elected sub-national representative bodies enabling them to perform their roles and fulfill their responsibilities towards their constituent citizens.
- By end-1389 (20 March 2011), the Government will build institutional and administrative capabilities in provincial, district and, municipal administrations to manage basic service delivery through reforming organizational structures, streamlining management processes, developing essential skills and knowledge of civil servants and, improving management of public service delivery.
- By end-1389 (20 March 2011) all sub-national governing units will have in place trained human resources recruited in accordance with merit based recruitment policy, defined objectives of service delivery, revised systems, procedures and, guidelines achieved through ongoing Public Administration Reform.
- By end-1389 (20 March 2011), Provincial Planning and Budgeting will be established in all the provinces and, these provincial plans and budgets will have integral linkage with national planning and budgeting. The Provincial Planning and Budgeting Process will be institutionalized through development of a sub-national governance policy.
- By Jaddi 1392 (end-2013), municipal governments will have strengthened capacity to manage urban development and to ensure that municipal services are delivered effectively, efficiently and transparently; and in line with Afghanistan's MDGs. Capacity of municipal governments will be strengthened to manage urban development and to ensure efficiency and transparency in delivering municipal services, that includes implementation of a "National Urban Policy," adequate municipal budgets for priority reforms which are in line

with the National Urban Policy and meet immediate needs of upgrading, revenue improvement programs for 34 provincial and major municipalities developed with supportive capacity building components, infrastructure investment plans prepared for 34 provincial and major municipalities with necessary capacity building programs and, enhanced institutional capacity supported by institutional reform action plans for effective urban governance in 34 provincial and other major municipalities.

- By Jaddi 1387 (end-2008), a full scale review of the facilities available in all the councils, government offices including municipalities will be undertaken. By end-1392 (20 March 2013), all the councils and offices including municipalities will have basic facilities and amenities including adequate built up space, family friendly work facilities including day care services, computers, communication facility and furniture. The key officials at national and sub national level will have adequate means of mobility to make connection with the communities they are serving.
- By end-1389 (20 March 2011), all the district centres of the country will have internet facility to facilitate the flow of information between the districts, municipalities, provinces and, the centre i.e. Kabul.
- By end-1389 (20 March 2011), all the ministries and high offices of the Government of Afghanistan will establish their web site in Pashto, Dari and English for communication of their policies and programs to Afghan citizens and to the international community. These websites will have facility to receive comments from the stakeholders.

- By end-1389 (20 March 2011), definite mechanisms will be provided for the youth to participate in the local, provincial and national governance.
- By Jaddi 1389 (end-2010): the Government's capacity to comply with and report on its human rights treaty obligations will be strengthened; Government security and law enforcement agencies will adopt corrective measures including codes of conduct and procedures aimed at preventing arbitrary arrest and detention, torture, extortion and illegal expropriation of property with a view to the elimination of these practices; the exercise of freedom of expression, including freedom of media will be strengthened; human rights awareness will be included in education curricula, and promoted among legislators, judicial personnel and other Government agencies, communities and the public; human rights monitoring will be carried out by the Government and independently by the Afghan Independent Human Rights Commission (AIHRC), and the UN will track the effectiveness of measures aimed at the protection of human rights; and the AIHRC will be supported in the fulfilment of its objectives with regard to monitoring, investigation, protection and promotion of human rights.
- 28. The implementation of the Action Plan on Peace, Justice and Reconciliation will be completed by Jaddi 1387 (end-2008).



Governance Strategy

The stated goal for the Governance, Rule of Law and Human Rights Sector will be realized through a strategy based on inter-related and mutually supporting programs. Through this strategy, Government will strengthen the rule of law; religious scholars and institutions will play a central role in promoting good governance principles and community will participate in governance decisions though elected provincial, district, municipal and village *councils*; the National Assembly will be increasingly empowered to act as a responsible check on executive and judicial power, while also representing the views of constituents at the national level; our public administrative reform program will transform the civil service and national public institutions into more effective, gender sensitive and accountable bodies; measures will be taken across government to ensure that human rights, especially of women are increasingly realized, protected and promoted.

Specifically, the strategy under the Governance Sector includes the following:

A. Empowering the National Assembly

Program Strategy:

The National Assembly will have oversight of a general coordination mechanism for the various donor initiatives supporting it. The National Assembly is in the process of establishing the necessary physical and communications facilities for its use. Construction of the National Assembly building will be completed by Jaddi 1392 (end-2013). The National Assembly will support the development of functional directorates and will draft its own principal responsibilities in accordance with previous laws, documents, and international examples, and in cooperation with international experts. It also will develop regulations for operations, record keeping, and security, as well as ensure that staff of the Secretariat is trained in these rules. The National Assembly through the Afghan Parliamentary Institute will be responsible for training of employees. Effective recruitment mechanisms will be put in place to ensure quality of National Assembly staff. The Government will facilitate the training of National Assembly Members and staff in effectively performing their

duties. The National Assembly will encourage its Members who are not able to read and write to undergo literacy courses.

The National Assembly will be provided with full technical and administrative support to fulfil effectively its constitutionally mandated roles. Capacity of the members will be built in drafting and ratification of legislation, review and input to the national budget review and national planning process, oversight, and representation. In addition, there will be an emphasis on training MPs to better understand and legislate on issues related to women's rights, national security, international relations, and inter-ethnic relations.

The National Assembly in coordination with the Government and Judiciary will achieve harmonization and mutual respect for institutional roles so that Afghanistan is able to develop into a stable and mature Islamic constitutional democracy where the three branches of government (executive, parliamentary and judicial) provide the necessary checks and balances on each other. Coordination between the National Assembly and Provincial Councils will be improved

The National Assembly will complete the construction of Parliament Buildings (including rebuilding rider 2 of the National assembly, building of a new block in rider 1 of the campus of the Senate, and building of the New Complex of the National Assembly) by Jaddi 1392 (end-2013).

The National Assembly will commission its Training Institute, Parliamentary Library, Parliamentary Institute, the National Assembly Radio and the National Assembly TV by Jaddi 1392 (end-2013).

All facilities will be used to maintain and improve coordination between the three pillars of government in order to strengthen country-wide peace, national unity, reconstruction and rebuilding of Afghanistan.

The Members of National Assembly will regularly visit their constituencies and engage with their constituents for better representation of the aspirations of their constituents. Identifying problems of the people and resolving those through relevant government institutions is one of the important duties of the MPs. The NA will make extensive efforts to inform the people about its functioning and the activity of its Members. The NA will hold meetings and hearings to protect and defend the rights of the people in the best possible manner.

The NA will try to improve its relations through goodwill and mutual visits of the Member delegations, establishing Friendship Associations with the Parliaments of other countries, and gaining membership of the International Parliamentary Union, the Asian Parliamentary Union, the Islamic Countries' Parliamentary Union, Common Wealth Countries' Parliamentary Union, and other Associations, Parliamentary Unions, Regional and International Associations.

B. Public Administration Reform

By Jaddi 1392 (end-2013), Government machinery (including all the ministries and offices at national and sub-national level including municipalities) will be restructured and rationalized to ensure a fiscally sustainable public administration; the Civil Service Commission will be strengthened; and civil service functions will be reformed to reflect core functions and responsibilities. Public Administration Reform (PAR) started in few ministries with complete restructuring so that the structures are aligned with functions; positions are re-graded and filled by merit based appointments; will be implemented in all the ministries and offices at national and sub national level including municipalities. IARCSC will strengthen the common functions within all the ministries and offices. The IARCSC will evolve a comprehensive gender sensitive legal framework including Human Resource Management Regulations, Pay and Grading Regulations, Pension and Retrenchment Regulations applicable to civil service, and implement it through the respective ministries in the offices at national and sub national level including municipalities.

By Jaddi 1392 (end-2013), a training policy for entire public sector workforce shall be developed and implemented. Institutional arrangements shall be put in place to ensure that each member of the workforce gets trained at least once in two years in organization specific and job specific training along with the generic training.

A transparent, merit based and gender sensitive national appointments mechanism will be fully implemented for all appointments to the national and sub national governments and the judiciary, including those of provincial governors, chiefs of police, district administrators and provincial heads of security. Independent Appointments Board will be strengthened by providing required staff with skills essential for the purpose.

By Jaddi 1389 (end-2010), in furtherance of the work of the Civil Service Commission, merit based appointments, vetting procedures and performance-based reviews will be undertaken for the civil service at all levels of government, including central government, the judiciary and police, and requisite support will be provided to build the capacity of the civil service to function effectively. Annual performance-based reviews will be undertaken for the civil service at all levels of government every year.

Program Strategy:

Through the Public Administration Reform program, the Government will ensure that there is improved coordination between decision-making bodies within the central government. It will reform the ministry structure and simplify administrative procedures and business processes. The Independent Administrative Reform and Civil Service Commission ("IARCSC") will assist line ministries and decision-making bodies with re-

forms of sub-national administration and monitor and evaluation the process. Government will work through line ministries and decision-making bodies to strengthen coordination and improve service delivery through improved sub-national administration, beginning with revenue and service delivery ministries. The Government will create an effective, financially sustainable civil service and gradually phase out donor supplementation of salaries. The IARCSC will strengthen rules and procedures for a professionally managed civil service, including promotion of high ethical standards and establishment of disciplinary measures for corrupt or unethical practices. The Government has adopted a merit based recruitment system that promotes gender equity and ethnic diversity. Finally, Government will implement a coherent, comprehensive skills development program for existing and new civil servants. International technical assistance will be better managed to ensure faster, more sustainable skills transfer, including in the area of project management.

The Government makes it very clear that the governmental ministries and governmental agencies will bear the primary responsibility of reforming their own administration. The role of IARCSC will be that of enabler, advocate and facilitator.

Good governance and equitable provision of quality public services requires establishing, reforming, and strengthening public administration at all levels. Government's goal is to develop an effective, accountable, gender sensitive and effective public administration at the central, provincial, and district levels capable of ensuring security, equitable provision of basic social services, and an environment conducive for economic growth.

By Jaddi 1392 (end-2013), a training policy for entire public sector workforce shall be developed and implemented. Institutional arrangements shall be put in place to ensure that each member of the workforce gets trained at least once in two years in organization specific and job specific training along with the generic training.

A transparent and merit based national appointments mechanism will be fully implemented for all appointments to the national and sub national governments and the judiciary, including those of provincial governors, chiefs of police, district administrators and provincial heads of security. Independent Appointments Board will be strengthened by providing required staff with skills essential for the purpose. The Government will create monitoring capacity to assess the extent to which appointments are based on merit, capacity in applying the principles of competency-based recruitment and, enforcement capacity against circumvention of the principle of merit. The Government will ensure that the vetting of senior appointments is communicated and consistently applied at senior and junior levels.

IARCSC will achieve these outcomes through the strategies that include:

Policy, Legal and Regulatory framework for the Public Administration Reform:

The policy for the sub-national governance will be developed through far and wide consultations. The civil service law is already enacted. The civil servants' law is under enactment. A number of regulations and procedures will be developed under this component. Although funding is available for this from the EC and WB, its need is to be understood and recognized by the other donors.

Reorganization and restructuring of government machinery national and sub national level: This program based on the PRR experience and leadership and political commitment of the ministries would reform all the ministries including their provincial and district units. This includes

- a) The organizational development, based on the vision, mission, strategy and programs of the ministry/agency and then the core function. The structure is adjusted based on the core functions.

- b) Simplification of business processes: this would help improve service delivery and reduce corruption.
- c) Pay and Grading: Change of the old salary structure with the new structures
- d) Performance Evaluation: This is a part of the HR function. The IARCSC has developed the forms; format and guidelines for the performance evaluation of staff, the capacity in the ministries will be developed so that the process can be institutionalized.
- e) Development of Human Resource Management departments: These HRM departments will manage the reform process effectively.

The approach for the effective implementation is the establishment of Reform Implementation Management Units (RIMUs) in the ministries. The ministries are in two categories: first category is those with advanced reform plans, and second category is those which have not yet started the reform. RIMUs will help the implementation and capacity development in the ministry that is at an advanced stage. So also RIMUs will prepare the weak ministries for the reform. There are some resources available but a large number of ministries do not have committed funds for their reform and this is an area which needs the attention of donor coordinated effort for the reform process. Meanwhile, the sub-national public administration or provincial and district administration reform is also an important field that needs donor attention. Although IARCSC has some funding from ASGP of UNDP, it does not cover all of the 34 provinces.

Recruitment processes and procedures: IARCSC will ensure merit-based recruitment through the Appointment Board. Although IARCSC has gone a long way in improving processes and procedures, it still faces the challenge of boosting the capacity of the Appointment Board both in terms of quantity and quality of the recruitment process. The Appointment Board has developed an action plan to improve the quality and quantity of the recruitment.

Capacity Development:

Capacity Development of Civil Service Commission to be able to lead, regulate, manage and facilitate the Reform: This in itself is an important program. In particular, the capacity to monitor and evaluate the reform process and communicate to the stakeholders is of prime importance. IARCSC will be resourced to develop public relations and public outreach of the reform.

Capacity development, especially at sub-national level will be the key focus areas of the IARCSC and all the ministries and agencies of the Government of Afghanistan.

Strategy for capacity building has included buying capacity as well as building capacity. In buying capacity, IARCSC has the new Management Capacity Program and Coaching and Advisory Program funded by WB and UNDP. Meanwhile, as a component of capacity building, IARCSC has programs in General Management and soon on gender mainstreaming. A framework for the capacity development of common functions has been developed and presented to the ADF, that will be further developed and casted for the implementation. The Ministry of Finance in collaboration with the Civil Service Commission will build government-wide capacity in finance and procurement functions.

Training of Public Sector Workforce

A training policy for the entire public sector workforce shall be developed and implemented. Institutional arrangements shall be put in place to ensure that each member of the workforce gets trained at least once in two years in organization specific and job specific training along with the generic training. Women's participation will be ensured.

The aim of the training and development policy shall be to:

Provide job-related education, training, and development opportunities for all Civil Servants so that they may perform their jobs competently and happily. This recognises that when strategically planned and implemented, Training and Development is vital for strengthening Civil Servants' knowledge, capabilities, skills, gender sensitive and supportive attitudes, and values in the performance of work.

The Training and Development Department, in consultation with ministries and other government agencies, will establish for the Civil Service Commission, training and development priorities for all civil servants. The initial focus will be on leadership and senior managers, key ministries and sub-national agencies. The Civil Service Institute will have a primary role in delivering training and development programmes. The Civil Service Institute will be fully capacitated to deliver required training programmes based on the needs of the civil service. The CSTI will further acquire capacity to meet the need for civil servants to get trained in the field of gender and development.

The Training and Development Department will help ministries and other government agencies to identify training and development requirements. It will ensure the needs of women employees are included in developing the training themes. The Training and Development Department also will help ministries and other government agencies satisfy those requirements cost-effectively and without duplication. Training and Development personnel will reside within the human resources development functional areas within ministries and other government agencies. In the interim before those functions are created, the Training and Development Department will liaise with the personnel and other administrative and support areas. All ministries and other government agencies, central and sub-national, will plan

and budget to train and develop their personnel.¹ The Training and Development budgets shall be non-transferable.²

Where training and development requirements are common to all or most civil servants, or are deemed mandatory across a ministry or agency, a non-transferable budget shall be allocated to the relevant ministry or other government agency. The Civil Service Training and Development policy will aim to address gaps in civil servants' capabilities, knowledge, skills and attitudes (competencies) by developing and utilising competency-based learning programmes that focus on the acquisition of work-specific skills, knowledge and attitudes. A primary objective is to focus civil servants' attitudes on providing services, and ensuring access to those services by Afghan citizens. This learning approach assumes that an employee can demonstrate competence in a work situation as follows:

Level 1 – Perform to an agreed standard with a high level of direct supervision (new to the area of performance).

Level 2 – Perform to an agreed standard with routine direct supervision (average civil servant with some experience).

Level 3 – Perform to an agreed standard independently and provide advice on work practices (experienced civil servant with recognized expertise).

Level 4 – Perform independently to an agreed standard, provide advice on work practices, and supervise others in the workplace (expert in work, supervisor, ready for promotion and additional learning).

¹ International experience suggests that investment of 3% of an institution's payroll in Training and Development is a desirable and attainable benchmark. Forward-looking public and private sector institutions may allocate up to 9% of payroll.

² A non-transferable budget may not be used for any purpose other than that for which it is allocated. Unused funds must be returned to consolidated revenue.

All Training and Development activities will be based on rigorous needs analysis research and curriculum design that reflects specific civil service job requirements. The Training and Development Department will assist managers, supervisors and training and development personnel in ministries and other government agencies, to identify needs, and design and conduct modular training and development programmes. The Training and Development Department will consult with training and development personnel, managers and supervisors on ways to ensure that training and development planning is orderly and supports personnel succession. Managers and supervisors will ensure through planning and effective, efficient implementation, that:

- a) Training and Development objectives are achieved; and,
- b) Training and Development responsibilities are shared between managers, supervisors and subordinates.

All managers and supervisors will be trained in mentoring, coaching, gender mainstreaming, and on-the-job-training methods and techniques so that they can train and help to develop subordinates routinely. Technical capacity on gender and the need to invest in the development of women's capacities are also central in the overall strategy on training.

Ministry or other government agency heads will ensure that managers and subordinates accept and perform these responsibilities by:

- a) Incorporating the responsibilities in management and supervisory job descriptions;
- b) Making managers and supervisors accountable for subordinates' training and
- c) development, and performance;
- d) Ensuring gender balance in the way the training opportunities are availed and,

- e) Incorporating workplace training and development into the overall civil service training and development infrastructure.

Managers and supervisors will ensure that training and development opportunities are available to all civil servants regardless of their ethnic, tribal or cultural group, gender, age, religion or handicap, provided a handicap does not prevent them from performing work.

Managers and supervisors will establish and maintain systematic training and development plans and ensure that training and development activities result in increased productivity.

Training and development programme designers, managers and supervisors will cooperatively link training and development activities to overall human resources management and workforce adjustment strategies such as public administration reform. They will ensure that training and devel-

opment activities relate to overall capacity development and institutional development strategies for providing cost-effective, quality service to the public.

Training and development personnel, managers and supervisors will cooperatively monitor and evaluate all training and development activities for quality, adherence to agreed standards, cost-effectiveness, achievement of stated learning objectives, gender sensitivity, inclusion of women in the process and impact on workplaces.

Until a systematic, national alternative is established, the Training and Development Department will set service and product standards for private sector training and development providers.

Following table provides a model for modular training and development arrangements and budget allocations. Data on participants will be sex disaggregated.

Arrangement Of Modular Training Responsibilities

Module Type	Participants	Funding Responsibility
Civil Service-wide Common-Core training and development modules.	Everyone receives these training and development opportunities.	Civil Service core training budget. The budget may be distributed to ministries for the purpose.
Succession and promotion-related training and development that is professional or administrative, required under regulation, or for licensing.	All civil servants required under regulation or for licensing, and for succession or promotion receive this training.	Ministry core training budget-salaries and allowances line.
Ministry-wide common-core training and development modules.	All civil servants in a ministry receive this training.	Ministry core training budget-salaries and allowances line.
Department-wide common-core training and development modules.	All civil servants in every department receive this training.	Department core training budget-salaries and allowances line.
Ministry-specific training and development modules.	Only ministry personnel requiring specific training do this.	Ministry-salaries and allowances line.
Department-specific training and development modules.	Only departmental personnel requiring specific training do this.	Department-salaries and allowances line.
Division-specific training and development modules.	Only division personnel requiring specific training do this.	Division/department-salaries and allowances line.

Module Type	Participants	Funding Responsibility
Section-specific training and development modules.	Only Section personnel requiring specific training do this.	Section/division/department-salaries and allowances line.
Other highly specific training and development modules.	Only individuals requiring highly specific training do this.	Determined as required using the operational area budget.

In brief, all training and development activities (of all civil servants including managers, supervisors, subordinates) will:

- Improve the quality, effectiveness, and efficiency of Civil Servants' work performance through training and development and planning.
- Utilise existing civil servants when possible to fulfill present and future commitments through development and re-development using established positions.
- Fill positions from outside ministries and other government agencies, or the civil service as a whole, when required competencies are unavailable within the existing personnel body, or it is not cost-effective to develop the competencies internally.
- Enable all civil servants to develop and implement systematic, efficient, and continuous professional developmental programmes and activities that incorporate and recognise individual self-development efforts.
- Specify, in the interests of equity and cost-effective use of resources, the absolute time that may be spent in training and development within work hours per year; and the maximum proportion of a training budget that one person may utilise per year.
- Require that Civil Servants assume some of the responsibility to identify Training and Development opportunities, training

providers and venues, and help to arrange chosen training when they alone, or few others, require unique professional or limited scope training.

Require all new entrants to the civil service to complete common-core training and development requirements, including induction and other orientation activities identified as mandatory. Mandatory training and development must be completed before advancement within the civil service is considered. Such mandatory trainings will include gender awareness.

- Shift the responsibility to individuals for participation in non-compulsory training and development. The outcomes of that training may be used in assessing civil servants for promotion and subsequent development activities.
- Equip civil servants with work-specific knowledge, skills, and attitudes, and provide opportunities for experiential learning so that they may create and maintain institutional knowledge.
- Ensure training and development activities and programmes incorporate civil service policies on educational, ethical, attitudinal, societal and governance attributes.
- Identify target groups of civil servants for training and development where general or common requirements exist.
- Determine specific training and development requirements for groups of civil servants and individuals that are reflected in instructional design, work applications, institutional succession plans, and individual career paths.
- Design and pilot-test, as far as practicable, all training and development programmes.

- Utilise the full range of training and development methods and techniques available, to ensure the eventual transfer of skill and knowledge learned, and attitudes acquired (competencies), to work situations
- Collaborate with private, public-sector and multi-lateral agencies in the development and provision of training and development programmes to avoid duplication, make the best use of resources, achieve economies-of-scale, and ensure cost-effectiveness. Institutions within Afghanistan are encouraged to co-operate in the development and provision of civil service-specific training and development programmes.
- Observe civil service guidelines, policies, regulations and strategies that are in force from time-to-time, regarding promotion, succession, and career planning, and matching civil servants' competencies with positions.

Service Delivery

The Government will mandate all its ministries and agencies to establish goals and indicators for each type of service they deliver combined with a system of monitoring the implementation of service delivery. The Government will require its ministries and agencies to evolve and include the service standards and modus operandi for enforcement of these service standards in the ministry and agency plans. The Government will require public institutions to follow structured approaches in delivering responsive and efficient service to the citizens. The Government will require its ministries and agencies to lay down:

- The rights and responsibilities of citizens in requesting a particular service from any public institution
- complaints handling mechanisms

- mechanisms of involvement of civil society in service delivery

C. Anti-Corruption

By Jaddi 1392 (end-2013), the corruption in the judiciary and the government at all levels especially in security, customs, civil administration and municipalities will be significantly reduced. A monitoring mechanism to track the corruption at high places will be put in place by Jaddi 1387 (end-2008). By Jaddi 1387 (end-2008), cross-cutting electronic government applications will be launched to reduce corruption and increase efficiency. By Jaddi 1387 (end-2008), the Government will establish and implement a public complaints mechanism.

The citizens of Afghanistan have the right of access to the information from the government offices in accordance with Article 50 of the Constitution. This right will have no limits, unless it violates the rights of the others. By Jaddi 1389 (end-2010), the legal framework required for exercise of this right provided under the constitution will be put in place, distributed to all judicial and legislative institutions, and made available to the public and, implemented.

By Jaddi 1389 (end-2010), the Government will increase the number of arrests and prosecutions of traffickers and corrupt officials, and will improve its information base concerning those involved in the drugs trade, with a view to enhancing the selection system for national and sub-national public appointments. Public officials elected and appointed to high positions will be required to declare their asset before taking charge of their office.

By Jaddi 1389 (end-2010), an expert commission i.e. the Productivity Commission will be set up under the President to which Cabinet can refer issues for public investigation and advice.

Program Strategy:

Strengthening and implementing legal framework and administrative structure of anti-corruption with focus on priority laws and key institutions working on anti-corruption

- Enacting and implementing the Right to Information Act.
- Designing and implementing preventive programs and mechanisms to tackle corruption factors in the Government machinery and private sector.

- Establishing a single leadership and monitoring within government and parliament on anticorruption process and implementing UN-CAC through the establishment of monitoring mechanism on government, parliament, civil society, public and media.
- Establishing and implementing public complaints mechanism, database on corruption and using these data for the reduction of corruption
- Attracting the participation of public and private sector, civil society organizations, media and community through raising awareness on corruption, its consequences and vulnerabilities and evaluating vulnerabilities of public and private sector in this regard.
- Launching of cross-cutting electronic government applications to reduce corruption and increase efficiency.
- Increasing the number of arrests and prosecutions of traffickers and corrupt officials, and improving the information base concerning those involved in the drugs trade.
- Making it incumbent on the public officials elected and appointed to high positions to declare their asset before taking charge of their office. The government will periodically monitor whether the asset has increased disproportionate to known sources of income.
- Making legal and institutional arrangements for the protection of whistle blowers.
- Incorporating ethics as a subject in the country's educational curriculum.
- Implementing of corruption surveys periodically to gauge the change in perception and level of corruption over time.
- Strengthening public accountability system by putting in place a strong audit system, including both internal and external audits.

The Government will strengthen internal audit function in public institutions so that both financial and performance audits could be done as a critical means of assurance of public accountability.

- **Establishing the Productivity Commission.** To improve the transparency and quality of advice, the Government of Afghanistan will set up a Productivity Commission under the President to which Cabinet can refer issues for public investigation and advice. The model will be based on the Australian Productivity Commission which is an independent agency attached to the Australian Prime Minister's Office. Cabinet will be able to refer issues as diverse as taxation, privatization of airports, industry protection, and education policy to the Commission. The Commission will receive terms of reference with reporting time deadlines from the Government, will conduct public inquiries and will make a public report with recommendations to the Government. The Commission will be required under its mandate to take a broad economy wide view in arriving at its recommendations. The Government, having received the best possible advice available, will then either accept or reject the Commission's advice. This arrangement, which is participatory, transparent and improves the quality of advice available to the government, will have many of the principles of good governance embedded in its procedures.

The stated goal of Government's anti-corruption strategy has four inter-related and mutually reinforcing components:

Strengthen Public Sector Management. The Government will create a motivated, merit-based, performance driven, and professional civil service that is resistant to the temptations of corruption and which provides efficient, effective and transparent public services that do not force customers to pay bribes. This strategic objective will be delivered as

part of PAR. It includes merit-based appointment of civil servants at Grade 2 and above, monitoring ministerial appointments at Grade 3 and lower, increasing wages and benefit packages, creating streamlined and transparent organizational structures, simplifying key rules and procedures, creating effective institutional complaints and redress mechanisms, developing and enforcing a legislative framework that defines civil service ethical standards, terms and conditions of employment and performance, and conflict of interest rules and training to strengthen management skills, understanding the code of ethics, and IT.

Strengthen Public Accountability Systems.

Strengthening public accountability encompasses six objectives: First, the Government will strengthen public finance systems in order to create an effective and accountable management of public resources, denying officials the opportunity to cover up corruption. It will establish and meet benchmarks for financial management agreed with and monitored by the international community at the central and provincial level. The donor community and government will report annually under the ANDS monitoring mechanism on their development support to Afghanistan. Tax and custom systems will be reformed by improving and implementation of new tax policy packages, improving tax administration in the centre and provinces, creating legislation to establish effective enforcement and penalization mechanisms, introducing computerized recording and management systems, and specialized training programs for tax and customs administrators as part of reform. In public expenditure management, Government will extend computerized financial management systems to line ministries and provinces, provide the exact price, timeframe and procedure for securing key government services (such as telephone access, water and electricity) in a timely, transparent, and easily accessible manner, increase the audit activities of financial accounts in line with international standards and regulatory simplifications. The Government has enacted a law on procurement in order to ensure

the sound use of development aid. The Government will implement a standard, coherent procurement system based on the Procurement Law. The Government has established a procurement policy unit. The Government will build the capacity of procurement staff as specialized discipline within the government. Second, the Government will further improve the audit system in order to increase transparency and accountability of the government and donor-funded projects. This will be achieved by ensuring the administrative and financial independence of the Audit Office, increasing the proficiencies and professionalism of auditors, strengthening the reporting mechanisms of the Central Audit Office, and expanding the audit activities to major provinces of the country. Third, the Government will strengthen the oversight mechanisms of representative institutions by providing capacity building support for the National Assembly, Provincial Councils, and CDCs on corruption and working with these bodies to make their proceedings and discussions transparent and open to the public. Fourth, development of independent and responsible media and civil society will be strengthened in order to increase public awareness and education about corruption by allowing for the flow of information between the government and the public throughout the country. Fifth, the Government will develop mechanisms to coordinate with community-based structures to create anti-corruption awareness and represent local interests. Sixth, in cooperation with the international community, Government will make the design, programming, execution and monitoring more transparent, participatory and accountable, including by strengthening the capacity of media to undertake and publish investigative reporting.

Strengthen the legal framework and judicial system. This will help ensure accountability and instill public confidence in the institutions of the state. In addition to measures identified in the Government's Rule of Law and Justice Sector strategy, the government strategy will take several corruption-specific measures. It will improve

the legal and institutional system involved in curtailing corruption by conducting a systematic review of the current legal and regulatory environment. The Government will enact a Law on Right to Information as envisaged in the Article 50 of the Constitution. The Government will revise the present Anti-Corruption Law to make it more effective. Skills training will be provided for justice professionals on handling anti-corruption cases and on enforcing laws and regulations in a fair, gender sensitive, transparent, and accountable manner. Civil society, including traditional *jirgas* and *shuras* should be encouraged to demand transparency and accountability from the organs of the state, including the judiciary, and to demand a decrease in corruption and create reporting mechanisms from the centre to the provinces and vice versa.

Control corruption within counter-narcotics institutions. Government will undertake proactive investigations against officials working in counter-narcotics institutions. It will also maintain a transparent monitoring mechanism for opium poppy cultivation and eradication verification.

In addition to four strategic elements, the Government will **conduct research for reliable data and valid measurements of corruption**. The research will focus on the attitudes towards corruption and its causes and extent within line ministries and judiciary. It will study the extent and sources of corruption in key institutions. A further population-based survey will measure public experiences with corruption.

D. Women in Governance

By Jaddi 1389 (end-2010): the National Action Plan for Women in Afghanistan will be fully implemented; and in line with Afghanistan's MDGs, female participation in all Afghan governance institutions, including elected and appointed bodies and the civil service, will be strengthened by providing a specific percent reservation of seats by enacting a law of affirmative action.

Program Strategy:

The Government will fully implement the National Action Plan for Women in Afghanistan by Jaddi 1389. The Government will bring legislation on affirmative action providing a specific percent reservation of seats for women in the elected district, municipal and village councils as well as in the civil service. The set targets will be seen as a minimum and not, over time, as a maximum. Affirmative action on allocating seats for women will be linked to education reforms for women. Getting women educated will help break the gender bias and prepare women for more significant participation in governance. Within Afghanistan where women, who comprise half of government's constituency, are culturally restrained from interacting with men, the employment of women as public servants is an imperative of effectiveness and efficiency. This will ensure proper engagement of women citizens in governance affairs as well as efficient delivery of public services to women constituents.

The Ministry of Women Affairs will draw up detailed implementation, coordination and monitoring and evaluation arrangements for the National Action Plan for Women in Afghanistan. It will serve as advisor to continuously strengthen actions on women's empowerment and gender equity in the public service sector. Under the leadership of the CSC, policies and programs that will promote women's participation and leadership across government will be promoted. The government will serve as a model in demonstrating ways of improving women's status.

E. Disaster Management

By Jaddi 1389 (end-2010), an effective system of disaster preparedness and response will be in place.

Program Strategy:

An institutionalized disaster response capability serves as the primary form of protection for Afghans. It helps them attain a basic level of physical security and enhances their capabilities to find sustainable livelihoods. The Government is in the process of establishing a national disaster preparedness and response capacity that effectively deals with both slow and quick-onset disasters throughout the country, resulting from either natural or man-made causes. Communication and dissemination will serve as key tools in preparedness. The Government will take measures so that disaster information, and in particular, early warning information, is universally disseminated at the shura, district, provincial and national levels. Furthermore, there is a need to integrate information across disciplines, organizations, and geographical regions. The Afghanistan National Disaster Management Authority will coordinate new initiatives, including establishment of national “Early Warning Systems” (EWS), which are closely coordinated with more structured surveys, such as NRVA.

By end 2010, an effective system of disaster preparedness and response will be in place to reduce casualties and damages. A profile of vulnerable areas will be created through the use of a GIS system. A national, provincial and district level plan of disaster preparedness and response will pave the way for better coordination. The Afghanistan National Disaster Management Authority (ANDMA) will establish regional offices and regional emergency response teams. The ANDMA will have effective communications system and rescue equipment to manage the disasters effectively. The ANDMA will train local architects and engineers in earthquake proof construction technology. The ANDMA will develop capacity of all actors in disaster management tasks. The role of ANDMA will be clearly defined and legally recognized as the central disaster coordination agency. The Ministries will prepare their response plans.

F. National and Sub National Elections

The Afghanistan Independent Electoral Commission will have the high integrity, capacity and resources to undertake elections in an increasingly fiscally sustainable manner by Jaddi 1388 (end-2009), with the Government of Afghanistan contributing to the extent possible to the cost of future elections from its own resources. A permanent voter registry will be established, polling stations will be defined and, all voters will be linked to specific polling stations by Jaddi 1388 (end-2009). The Independent Election Commission will hold District Council, Village Council, Municipal Council and Mayoral Elections in the year 1389 (2010) and 1392 (2013). For this purpose, the Commission will make all necessary arrangements including delimitation of village council jurisdictions, manteqa level constituencies for District Councils and gozar level constituencies for Municipal Councils.

Program Strategy:

By end-2013, the Independent Elections Commission (IEC) will be a sustainable institution with the expertise, systems and processes required to guarantee the legitimacy of all government elections in Afghanistan. The IEC will have the high integrity, capacity and resources to undertake elections in an increasingly sustainable manner. A permanent voter registry will be established. Presidential and Provincial Council elections are currently scheduled for 1388 and National Assembly, District, Village, Municipal and Mayoral elections will be scheduled for 1389.

Training (including bridge training and on-going professional development) for the IEC staff, study tours for selected staff members, and the establishment of an Elections Resource Centre within the IEC are seen as the essential components required to create a professional, capable and nationally respected institution. The IEC will test a number of different ballot designs in order to find the most user-friendly and cost-effective solution. While doing so, the IEC will draw upon the international experience available. The high rate of illiteracy compels the IEC to choose from a limited number of options based on examples from countries with high illiteracy. Recent elections in Morocco could be a very useful example to learn lessons that will save both precious time and scarce resources.

Alternatives for ballot paper production in Afghanistan or in one of the neighbouring countries will be explored. Options in terms of quality, timing, security features cost for ballot production and transport will be investigated, compared and the most suitable one chosen. Best possibilities for local production and procurement of other electoral materials will be considered and analyzed as well.

The Government would like to see that the IEC has a permanent field presence in all provinces. IEC needs support to retain experienced staff and build the capacity of core staff to efficiently and effectively carry out their activities. The system of HQ-field communication needs to be improved. As is specified in the Constitution of Afghanistan, the next Presidential elections are to be held between March-April 2009. IEC will need significant support to fulfil its mandated responsibilities. These include: the completion of a detailed country-wide voter registry at least 6 months prior to Election Day. IEC needs support to develop civic education material and in the launching of civic education campaigns. The Government will mobilize necessary support from the international community to IEC for achieving its mandated responsibilities.

Civil Voter Registration Pilot Project is now complete. This project will be followed by National Voter Registration Project, which leverages the lessons learned from the pilot project and captures all eligible voters in Afghanistan. The lack of an accurate Voter Registry was one of the most significant shortcomings of the previous elections. The necessity for a detailed and accurate Voter Registry, allocating voters to specific Polling Stations, cannot be underestimated. The Voter Registry developed during the 2003-2004 and updated for the 2005 elections is not adequate to allow the allocation of voters to specific Polling Centres/Polling Stations. Without the allocation of voters to Polling Stations, and therefore the ability to determine how many voters could be expected at each Polling Centre location, accurate logistical planning

is extremely difficult. Aside from the costly and politically problematic surplus in ballots, this will also necessitate a surplus of all other electoral material. More importantly, the Voter List will add an effective mechanism to protect against both multiple and proxy voting and reduction of both types of irregularities. Therefore, a new accurate Voter Registry will be developed and to enable identification of double registrants and allocate voters to specific polling stations. The IEC, jointly with the Ministry of Interior (MOI) will establish the Voter Registry (VR). This database will serve as basis for creation of polling station specific voter lists.

The IEC will enter the election preparations as a strong, organized institution with a clear vision of all operations to be implemented for the conduct of Presidential and Provincial Council elections in 2009 and, National Assembly and district, village, municipal council and mayoral elections in 2010. For this purpose, the Commission will make all necessary arrangements including delimitation of village council jurisdictions, manteqa level constituencies for district councils and gozar level constituencies for municipal councils.

The required funding for the conduct and implementation of election operations in 2009 and 2010 will be mobilized through the support of international community.

G. National Identity Cards

By Jaddi 1392 (end-2013), civil registry with a single national identity document will be established.

Program Strategy:

The Ministry of Interior will implement the National Identity Card Project and give a unique Identity Card to all Afghan citizens. This will identify them for different purposes. Some appropriate comprehensive and on time information on quantity and specifications (gender, age, physical status, marital status, occupation, profession and educational field) of the population will

be recorded desegregated by village, district and province and will be presented to planned sectors for balancing national development in order to ensure national participation in all areas without prejudice, especially during elections.

The ICT Council will provide inputs into the following projects: Mapping (digital mapping of the election districts), Identity Cards (starting with the Civil & Voter Registry), Valuable Documents (Ministry of Finance printing of passports, drivers' licenses, birth & death certificates) and Census. The basic idea is to create a minimum "core personal data set" that would eliminate the need to repeatedly collect the same information at various government institutions.

H. Census

The census enumeration will be completed by Jaddi 1387 (end-2008) and the complete results published. Reliable statistical baselines will be established for all quantitative benchmarks and statistical capacity built to track progress against them.

Program Strategy:

The Government and its development partners are in need of reliable, comprehensive and timely data for planning and monitoring economic and social progress of the nation. The Central Statistical Office (CSO) is the agency responsible for the provision of this data. The goal of the Central Statistical Office is to collect process and disseminate timely, coherent and trustworthy statistical data concerning the economy and social conditions in Afghanistan, required by the government, business and society in general to make informed decisions.

The 2007/2008 Population Census will be completed in time and reports published for Villages, Districts, and provinces and for the whole country. This will allow for monitoring the MDG and other development targets at National, Provincial and District levels. The published census results will enable the Government to plan better and de-

sign more appropriate programs. There is a need for an extra USD 30 millions in order to complete the census enumeration. The Government will mobilize the support of international community in this regard.

Apart from census, statistical capacity building initiatives in the Census and Statistics Office have lagged behind and technical infrastructure such as database development needs to be enhanced. Afghanistan needs to build up reliable basic statistic data for all sectors. Critical to this will be developing the capacity of line ministries to mobilize resources and monitor statistics, particularly at the sub-national level. The Government will provide all the support to the CSO and line ministries in this regard.

CSO will complete the first ever Integrated Business Establishment Survey (IBES) and will continue this survey on an annual basis. The CSO will conduct multipurpose household surveys (in the model of NRVA or the Integrated Living Standards Survey), as a vehicle to collect socio economic data of priority concern to the government. The CSO will have a complete and up to date frame for household surveys and enterprise surveys and an improved system of National Accounts, based on SNA 1993, and which can meet the needs of the country and the International Monetary Fund. The Government will mobilize funds for these activities through the support of international community.

At the institutional level, as a priority, the CSO will achieve the following:

- A linkage with a reputable Kabul based academic institution to offer a professional statistical course that would cover mathematical statistics, sampling theory and practice, computer techniques, and the national accounts framework. Progress within the CSO will be dependent on satisfactory completion of this course. Participation in the course will be open to both men and women.

- To be given PRR status for the whole organization and to employ qualified professionals at the senior and middle management levels. This team will form the core team of professionals that will track the benchmark data provided by the Population Census.
- To have detailed job descriptions, and sound training programs for the CSO head quarters and the provincial staff.
- An annual system of performance appraisals for staff and in house training.
- Study tours for staff to see statistical operations in statistically advanced neighbouring countries.

At the program/ statistical data level, the CSO will achieve the following:

- The 2007/2008 Population Census will be completed and reports published for villages, districts and provinces and for the whole country. This will allow monitoring of MDG and other development targets at national, provincial and district levels.
- Complete the first ever Integrated Business Establishment Survey (IBES) and obtain funding for the continuation of this survey on an annual basis.
- Conduct a multipurpose household survey (in the model of NRVA or the Integrated Living Standards Survey), as a vehicle to collect socio economic data of priority concern to the government. Funding will have to be negotiated.
- Have a complete and up to date sampling frame for household surveys and enterprise surveys and an improved system of National Accounts, based on SNA 1993, and which can meet the needs of the country and the International Monetary Fund. This will be done through close co-operation with Ministry of

Finance. Indeed it is for this reason that the CSO or its equivalent is, in many countries, linked with the Finance Ministry.

The CSO expects to achieve the key intended results. The strategy for achieving this includes the following:

- Gaining the respect of institutions and ministries for CSO's gender sensitive statistical expertise so that ministries will see it as to their advantage to use and consult with the CSO is the key component in the strategy. This will be achieved by carrying out training that delivers professional statistical skills to officials and by encouraging them to see a career in the CSO.
- In its strategy, the MoI noted that a "data bank of registration and identification of population, births, deaths, marriages and divorces etc shall be available at the MoI and other agencies will have the ability to access it." The CSO will be working with the MoI to help define the way data are collected and stored to ensure it will meet national needs, be consistent with other data collection efforts and provide benchmark census information that can facilitate smaller ad hoc sample surveys. Effective coordination will be achieved to ensure that there is indeed no duplication of effort and that the roles and responsibilities of each party are clearly delineated
- The proposed establishment of the National Statistical Committee, with the Vice President of Afghanistan as the chairperson, and members from relevant ministries, representatives of private enterprises and academic institutions is expected to lead to better regulation, monitoring and coordination of the work plans of CSO and line Ministerial statistical units. The NSC is expected to ensure that the activities planned are carried out on time and there is effective coordination between the CSO and relevant bodies.

- Major statistical activities, such as the Population Census, where CSO staff is working alongside international agencies, have provided much needed capacity building opportunities. The CSO staff is able to benefit from hands on experience in management of large statistical operations

and learn from their foreign counterparts.

- The CSO staff has had the opportunity to attend various training programs, either specifically geared to the CSO or GoA employees at large. The trainings, in general, have not been very effective, as the level of training has often been above that participant's capacity to understand and is not tailored to the needs of a statistical organization. The CSO expects better planned training sessions in the future and plans to introduce in house sessions, to build the capacity of CSO employees. CSO will develop the skills of its regional staff in a planned manner. Capacity to collect and process statistics from a gender perspective will be institutionalized within the CSO.
- The CSO, with support from the ADB, has embarked on a medium to long term project to restructure the organization, conducting a functional division of responsibilities, redefining the job functions for all staff, monitoring/evaluating performance and improving decision-making processes.
- The CSO will take account of current facilities/assets at the provincial level, assess staff capacity and address the issues of field competence and IT competence amongst other areas. Efforts will be made to improve field offices/ provincial offices.
- The CSO will send senior staff to tour established statistical offices in the region to observe operations and emulate best practices. Only staff who have undergone professional statistical training will be considered for these tours.

- While the CSO has made arrangements for funding in the short-run (defined as the coming 1-2 years) assistance from the GOA or International Donors is required following that period as reforms would be impossible to implement without required funding.
- Given that most documents/ manuals and publications from global statistical organizations are in English, it is necessary for CSO staff to be relatively proficient in the English language. Proficiency in the language will serve to improve interaction with experts from other countries and enable staff to attend statistical institutes/universities of international standing.
- Develop and implement a Communications Strategy. Improve media relations and conduct public awareness campaigns. Make the public aware of the Statistics Law, the confidentiality of the information given to CSO, and hence induce willingness to cooperate and provide accurate/ reliable sex-disaggregated data. (Target: 31 December 2008.)
- Within all these undertakings, the government will find effective ways of involving women and ensuring that the outputs are gender sensitive. Coordination in the area of gender is therefore another aspect in which the agencies within the sector will work.

I. Political and Administrative Mapping

By Jaddi 1387 (end-2008), a full scale view of the boundaries of villages and gozars as political and administrative units will be undertaken. By Jaddi 1388 (end-2009), Government will carry out political and administrative mapping of the country with villages and gozars as basic units and, the political and administrative maps will be made available at all levels for the purpose of elections, socio- economic planning and implementation of sub-national governance policy.

Program Strategy:

Villages:

It is important that village governance institutions be strengthened. But the first step is the identification of the geographic space and the households within it as a village. In the past, the Ministry of Finance and the Amlak organized rural space into “tax units” [dja-miladi] for property tax collection purposes, which in many cases corresponded with what local people called a village. Yet another approach has been the identification by the wuluswali of villages within their jurisdictions for statistical and administrative purposes.

Based on these past experiences of organizing local geographic space into villages there could be various approaches such as minimum number of households, geographic proximity, having in common the same arbabs or maliks, within an irrigation network and linked by the managers of that network, being in the same tax unit of the past or being known as a village in the records of the wuluswali.

Local communities by consensus will define their village and its boundaries. The Afghanistan Geodesy and Cartography Head Office (AGCHO) will then recognize the boundaries of the villages so defined by the village communities, in consultation with wuluswalis and amlak. Agreement of the local people will be a pre-requisite.

These boundaries will be delineated on satellite images at appropriate scales, depending on the physical sizes of the villages. The delineated images will be prepared by field teams, along with certificates prepared by the neighbouring shura elders, including their signatures, names and finger prints certifying their agreement with the delineation of village boundaries. Copies of these images and signed certificates would be left with the village elders, and a second copy would be taken to a digitization centre for assembly into

a national information system of administrative and political boundaries.

Gozar:

A gozar is a neighbourhood of a municipality, one of several such neighbourhoods within in a municipality or a Municipal Nahya (District). Gozars range in geographic size and population. A gozar ordinarily does not contain fewer than 400 households, or more than 1,500. Gozars are served by a wakil-e-gozar, who attends to some of the needs of the residents of the area under his responsibility, mostly within a gozar, such as certifying identities and residence locations, mediating land and building disputes, informing people about their responsibilities to the municipality and to public utilities, and assembling needs of the community for communication to the mayor’s office.

There were 417 gozars and 18 nahyas within the boundaries of Kabul Municipality in 2005. The number of gozars changes over time, as the boundaries of the Municipality expand and as the population of already established gozars increases or decreases. The rapid in-migration of people into established neighborhoods as well as into the areas on the periphery of the city, forces the changing of Gozar boundaries. People may decide to move from one area of the city to another, to be near families of their ethnic group or clan, and most if not all the residents of an area want to deal with a single wakil.

Up to recent years, the exact boundaries of gozars has not been of concern to municipalities, since they mostly dealt with wakils and through them to resident families, and it did not matter much whether the boundaries of the neighbourhood served by a wakil changed once in a while, on negotiations with the population and with neighbouring wakils.

However for effective public service delivery, effective socio-economic planning and effective gov-

ernance at municipal, nahya and gozar levels calls for defined boundaries of these administrative units. Since the municipal and nahya boundaries are relatively stable and known, the remaining task is to establish the boundaries of the gozars.

Local gozar communities by consensus will define their gozar and its boundaries. The Afghanistan Geodesy and Cartography Head Office (AG-CHO) will then recognize the boundaries of the gozars so defined by the gozar communities, in consultation with wakils, nahya/municipal officials. Agreement of the local people will be a prerequisite.

These boundaries will be delineated on satellite images at appropriate scales, depending on the physical sizes of the gozars. The delineated images will be prepared by field teams, along with certificates prepared by the neighbouring gozar elders (shura-e-saran), including their signatures, names and finger prints certifying their agreement with the delineation of gozar boundaries. Copies of these images and signed certificates would be left with the gozar elders, and a second copy would be taken to a digitization centre for assembly into a national information system of administrative political boundaries.

J. Modern Land Administration System¹

A community based process for registration of land in all administrative units and the registration of titles will be started for all urban areas and rural areas by Jaddi 1387 (end-2008). A fair system for settlement of land disputes will be in place by Jaddi 1387 (end-2008).

Program Strategy:

The new land policy calls for eliminating the duplication of archival records of land ownership and making the consultations concerning own-

ership of rural land easier and more economical. The land administration units of the Amlak will be combined with the Cadastral Survey Department in order to have a single land title recording system, including the graphical description of properties. It will also be necessary to integrate the title records and subdivision plans administered through the municipalities. These institutional modifications will result in the creation of a new Land Administration General Directorate, located directly under the president of the country, since it will administer urban and rural land records pertaining to the ownership, use and value of all land in the country.

The property tax offices could either be integrated into the Land Administration General Directorate (LAGD), as was the case in the 1960s, or could be given access to the property information data base which will be maintained by the LAGD.

A three part strategy would be appropriate to construct a new land administration system:

Initiative 1: Improve the technical capacity for mapping of land parcels

- Introduce the teaching of modern information and communication technologies in technical institutes.
- Provide equipment and working tools for the use of these technologies to the training centres, and encourage the gradual acquisition of these technologies by the private and public sectors.
- Launch a national program for the mapping of village and gozar boundaries, which could be called "tax units" as was done in the past, so that future parcel and subdivision surveys can result in properly numbered and identified parcels for administration by the LAGD.

¹ See Dr. J. David Stanfield and M.Y. Safar, *Capacity Building for Land Policy and Administration Reform*, Ministry of Agriculture, Irrigation and Livestock/ADB / DFID: "A Study of the General Directorate of Land Management and Amlak of the Ministry of Agriculture, Irrigation and Livestock"

Initiative 2: Making Modern Institutions out of Tradition

In actual practice, for most transactions of rural and urban land (and other real property, such as apartments), copies of transaction agreements are kept only by the parties to the transaction.

The approach we adopt is to build on what people presently do to carry out transactions using “customary deeds” prepared by the parties to transactions. We propose to add to this present practice in two ways:

- Create the capability to record and archive information about the customary deeds, if not actual copies of such deeds, at the local level in villages or combinations of villages, where local elders and respected people can oversee and verify the continuous accuracy of the locally archived property rights information. This capacity is presently
- being developed through the Rural Land Administration Project (RLAP) of the Ministry of Agriculture, Irrigation and Livestock for the recording of information about rights to pasture and forest land parcels by the village shuras. The secretary of the shura, under the supervision of shura members, is archiving the pasture and forest parcel land agreements in hard binders, and the original of the satellite image showing the boundaries of each parcel also being kept in the Village.
- In municipalities, the local unit of document recording may be the gozar, a process which is being explored presently in the pilot efforts of the LTERA project.
- Documents recorded locally will be given in law a preferential legal status over documents not recorded. Those individuals who prefer to prepare their transaction documents through the Primary Courts would be encouraged to do so, but leaving a copy of the title deeds so

prepared to be recorded in the local document recording unit (village or gozar). Individuals who prefer to carry out transactions through customary deeds would leave a copy of such documents to be recorded in the local recording unit (village or gozar).

- Provide the village shuras and gozars with satellite images with sufficient precision to organize the delineation of pasture, forest and private agricultural parcels as well as the boundaries of villages and sub-units of villages in the larger villages, and gozars in urban areas.

Initiative 3: Integrated Land Administration Functions

The Land Administration General Directorate will build a national technical and financial property information infrastructure as support for the decentralized land records administration at the local level. The functional departments of this LAGD would be:

- a) Land Registration and Cadastre Support Department (provide support to the local recording offices, to monitor their operations, and provide archive services if desired by the local recording offices.)
- Rural recording support for village shuras
 - Urban recording support for gozar committees.
 - Cadastral Mapping Unit, combining Cadastral Survey, amlak and municipal property information into a land parcel information system for support of local recording activities.
- b) The Property Tax Department for supporting the local assessment and collection of property taxes, urban and rural land parcels.
 - c) The Clarification Department: For assisting the adjudication of conflicting claims to land.

d) The Planning and Training Department for preparation of annual and five year plans, and for support of the Land Registration and Cadastre and Property Tax Departments.

e) Legal Unit for monitoring draft legislation affecting rights to land and other immovable property, for drafting legislation needed by the LAGD, and for assisting with organizational restructuring of the LAGD and related agencies.

f) Judiciary Liaison Department to help build capacity of Judiciary to incorporate cadastral information, at a minimum the Tax Unit location of the properties, into deeds and provide copies to NLA.

g) Land Inventory Department, which will work with priority areas to estimate the approximate areas of different types of land: irrigated, orchard, cultivated rain fed, pasture, forest, etc according to the needs of the ministries (agriculture and urban development principally), municipalities, land tax officials.

- Establish priority provinces, woluswalies, and gozars for the tax unit boundary surveys and for the establishment of village land information recording.
- Acquire satellite images of these priority areas.
- In consultations with village elders and leaders establish legitimate claims to village and public pasture and forest land, using the methods developed under the RLAP. Prepare forms and procedures for community property legitimization programs in urban and rural areas. Establish Support Units for assisting communities to conduct community property legitimization programs.
- Prepare cadastral maps and updated amlak ledgers and municipal ledgers of property owners for Tax Unit for those villages and

woluswalies and gozars which want to participate in community legitimization of rights to agricultural, pasture and forest lands.

The Government will conduct an inquiry on the status of women's ownership of property and develop insight into the cultural and social constraints existing in Afghanistan around this issue. This insight would have recommendations on how the system can support some kind of a more balanced concept about owning property by both women and men.

State Agricultural Land Management Authority

A State Agricultural Land Management Authority has to develop procedures for overseeing the proper use of state owned agricultural land, which is a very different orientation from the provision of land and property information to the general public by the Land Administration General Directorate. The state rural land management institution will be separate from the land administration institution, not combined in one amlak as is now the case, and which is prepared technically and administratively for the efficient and effective management of state owned agricultural land.

A special State Land Management Authority Organization Commission will be formed, with international assistance to define the responsibilities of a new State Agricultural Land Management Authority.

K. Sub National Governance

By end-1389 (20 March 2011), the Government will ensure formulation and implementation of sub-national governance policy and, its legal and regulatory framework. This will be done through a national dialogue on sub-national governance and, with technical support of international community. The Government will clarify rules, procedures, functions, inter-relationships and resource allocations for local governance entities i.e. Provinces, Districts, Municipalities and Villages and, their relationship with the Central Government at Kabul by enacting a Law on Local Governance and a Law on Municipal Governance.

By end-1389 (20 March 2011), the Government will encourage and ensure popular representation and peoples' participation in sub-national governance.

The Government will strengthen the capacity of Provincial Councils, support knowledge sharing and exchange among Provincial Councils. The Government will establish relationship between Provincial Councils and executive administration at provincial level by law.

The Government will enact laws constituting District Councils, Municipal Councils and Village Councils, laying down their powers, responsibilities and financial mechanism.

The Government will hold elections and constitute elected District Councils, Municipal Councils and Village Councils by holding free, general, secret and direct elections every three years. The Mayors of the municipalities will be elected by free, general, secret, and direct elections.

The Government will strengthen the elected sub-national representative bodies enabling them to perform their roles and fulfil their responsibilities towards their constituent citizens.

By end-1389 (20 March 2011), the Government will build institutional and administrative capabilities in provincial, district and, municipal administrations to manage basic service delivery through reforming organizational structures, streamlining management processes, developing essential skills and knowledge of civil servants and, improving management of public service delivery.

By end-1389 (20 March 2011) all sub-national governing units will have in place trained human resources recruited in accordance with merit based gender-sensitive recruitment policy, defined objectives of service delivery, revised systems, procedures, guidelines achieved through ongoing Public Administration Reform.

1. Program Strategy:

The policy on sub national governance will be evolved through extensive dialogue and consultation far and wide with national and sub national stakeholders. Our sub national stakeholders are citizens of the provinces and municipalities, re-

ligious leaders, tribal elders, tribal leaders, kuchi community, village heads, local shuras and jirgas, citizen and civil society groups, women and youth organizations, provincial governors, provincial council members, district governors, mayors, officers and staff at provincial, district and municipal level, NGOs, interest groups, political parties, political leaders, members of CDCs, DDAs and PDCs, media community, research organizations and universities, legal and medical fraternity, student community, the physically challenged community, widows, families of martyrs. In fact, any Afghan citizen who is willing to contribute in this policy and law making exercise is our rightful stakeholder. Our national stakeholders are national counterparts of the sub-national stakeholders and members of the National Assembly, other ministries and offices of the Government of the Islamic Republic of Afghanistan and the international community.

The *Independent Directorate of Local Governance (IDLG)* is mandated to regulate and improve the quality of sub national governance in Afghanistan and, it does so with the technical support from the UNDP's Afghanistan Sub National Governance Program (ASGP). Within this context, a policy on sub- national governance reforms will be developed. This will form the basis for legislation on local and municipal governance and its implementation during the next three years. A policy group will be established in the *Independent Directorate of Local Governance (IDLG)* under the chairmanship of Director-General of the *Independent Directorate of Local Governance (IDLG)*. This policy group will draft a policy action proposal based on outcomes of these sub national and national consultations. A high level inter-ministerial committee with the Vice-President as Chair will be constituted with representation from stakeholder ministries and high offices to discuss and produce a final draft policy for the consideration of the Cabinet, National Assembly and, the President.

The *Independent Directorate of Local Governance (IDLG)* will complete the first round of national

and sub national consultations by the end of March 2008 i.e. by the end of SY1386. The High Level Inter-Ministerial Committee will finalize its draft policy on sub national governance by the end of June 2008 i.e. at the conclusion of the first quarter of the SY1387. Final Approval to the policy by the President and subsequent drafting of organic local and municipal governance laws and regulations, enacting of these laws by the National Assembly will take next two years. Implementation will begin before or by the end of March 2010 i.e. by the end of SY1388.

The Government will encourage and ensure popular representation and peoples' participation in sub-national governance.

The Government will strengthen the capacity of provincial councils, support knowledge sharing and exchange among provincial councils. The Government will establish relationship between provincial councils and executive administration at provincial level by law.

The Government will enact laws constituting district councils, municipal councils and village councils, laying down their powers, responsibilities and financial mechanism.

The Government will hold elections and constitute elected district councils, municipal councils and village councils in the year 2010 by holding free, general, secret and direct elections every three years. The mayors of the municipalities will be elected in the year 2010 by free, general, secret, and direct elections.

The Government will strengthen the elected sub-national representative bodies enabling them to perform their roles and fulfil their responsibilities towards their constituent citizens.

The Government will build institutional and administrative capabilities in provincial, district and, municipal administrations to manage basic

service delivery through reforming organizational structures, streamlining management processes, developing essential skills and knowledge of civil servants and, improving management of public service delivery.

All sub-national governing units will have in place trained human resources recruited in accordance with merit based recruitment policy, defined objectives of service delivery, revised systems, procedures and, guidelines achieved through ongoing Public Administration Reform.

All the line ministries of the Government of Afghanistan will delegate appropriate powers and functions of the line ministry to sub national level.

The Government will provide sufficient resources to the sub national entities to discharge their responsibilities.

One of the main goals to be achieved by local governance is improved public *service*. Improvements in *service delivery* to the inhabitants of Afghanistan especially the poor will be one of the focus and priority areas of the sub national governance policy. The lack of public service delivery is a major obstacle for the government in obtaining legitimacy among its people. Service delivery will be improved in a variety of sectors. The Government will mandate development of the standards for quality/level of performance of the service delivery. In addition, the roles and responsibilities for service delivery by the different levels of governmental entities will be clarified. The sub national governance policy will guide and will require sub national public institutions to follow structured approaches in delivering responsive and efficient service to the citizens especially the poor. The sub-national governance policy among other things will include the following:

- The rights and responsibilities of citizens in requesting a particular service from any pub-

lic institution at sub national level

- complaints handling mechanisms
- mandating the development of service standards in various sectors
- mechanisms of involvement of civil society in service delivery

2. Regional Co-operation in Sub National Governance

LOGOTRI is the Network of Local Government Training and Research Institutes in Asia and the Pacific. Its members are both governmental, autonomous and private sector institutions and organizations involved primarily in local government training and research. The Independent Directorate of Local Governance (IDLG) will collaborate with the LOGOTRI with a view to organize training and study tours of Afghan sub-national governance policy makers and Afghan officials at LOGOTRI member-institutions in Asia and the Pacific.

The primary objective of these international training and study tours is to build the capacity in the Independent Directorate of Local Governance (IDLG) and its sub-national units to design and implement a legal, regulatory and institutional framework for sub-national governance in Afghanistan. In addition, these study tours are expected to build capacity for: (1) conducting national dialogue, (2) drafting laws on local and municipal governance, rules and procedures, functions, intergovernmental relationships, and resource allocations; (3) planning, budgeting and resource mobilization from the grassroots and up to national level; (4) establishing governance at sub-national level; (5) establishing an efficient and equitable inter-governmental fiscal framework in Afghanistan, (6) ensuring *popular representation and people's participation, transparency and accountability, gender sensitivity, openness, subsidiarity, effectiveness-efficiency, coherence, consensus, equity and inclusiveness, private sector and civil society participa-*

tion and the rule of law in sub-national governance; and (6) strengthening the elected sub-national governance institutions in Afghanistan.

This International Training Program will consist of a series of seven two-week international training and study tours to be conducted by the end of SY 1387 i.e. up to March 2009. There will be fifteen participants in each tour including one translator and one coordinator. The study tours will be organized in the countries in the Asia Pacific Region and Eastern Europe where local governance institutions are functioning with efficiency and effectiveness. Each tour will be organized in a different country. This will widen the knowledge base and exposure of the Afghan officials and policy-makers. The training will be conducted at premier Local Governance Training Institutions having a high level of credibility and experience in international training on urban and local governance.

Each training and study tour will have a general focus on urban and local governance, and a special focus on particular aspects of urban and local governance e.g. central-local relations, planning from the grassroots and up to national level, Budget and Resource Mobilization for sub national governing units, establishment of efficient and equitable inter-governmental fiscal framework, conflict sensitive governance, participation of women and marginalized groups in the urban and local governance, *popular representation and people's participation, transparency and accountability, openness, subsidiarity, effectiveness-efficiency, coherence, consensus, equity and inclusiveness, private sector and civil society participation and rule of law in sub national governance*, and the role of elected councils at sub-national level.

At the end of the program, the Afghan officials will have critically assessed their own way of governance at sub national level, have ideas to take back and try out in their sub national governance policy and law making process, and have a list of network partners, with whom they can keep in touch with for future interaction.

This will create a critical mass of individuals within the Government of Afghanistan and within the Independent Directorate of Local Governance (IDLG) and various sub national units functioning under the Independent Directorate of Local Governance (IDLG) who can undertake the task of delineating their broader vision of sub-national governance in the form of appropriate sub national governance policy for Afghanistan.

L. Provincial Planning and Budgeting

By end-1389 (20 March 2011), Provincial Planning and Budgeting will be established in all the provinces and, these provincial plans and budgets will have integral linkage with national planning and budgeting. The Provincial Planning and Budgeting process will be institutionalized through development of a sub national governance policy.

The Government will promote participatory and inclusive decision-making processes by introducing planning and budgeting processes at district level

Program Strategy:

Accelerating economic development and improving delivery of public services in the provinces is considered by the Government of Afghanistan as a high priority. Approval of the I-ANDS intensified the process of national development planning. The Government of Afghanistan views the preparation of the Provincial Development Plans (PDPs) as the best way to ensure that the Afghan national development process will be based on a bottom up rather than a top-down approach. To date most PDPs have been formed in different formats. Past experience has revealed many weaknesses in the preparation of PDPs. The Government has supported preparation of the PDPs through the ANDS consultative process. With time, formulation of PDPs will not lead to the formulation of wish-lists, but to the preparation of prioritized and fiscally sustainable development plans. The Ministry of Finance will ensure that prioritization will be conducted against the fiscal envelope defined by the Midterm Fiscal Framework. The highest priority needs of the PDPs have been integrated into the ANDS, and in the midterm budget framework resulting into more effi-

cient integration of needs into the national budget and, in equitable development and better public service delivery.

The Government of Afghanistan is committed to reforming existing budget procedures to ensure a better linkage between budget formulation and provincial planning. The progressive introduction of program budgeting will simplify existing budget procedures and improve service delivery by line ministries.

The outcomes of the provincial budgeting pilot projects introduced in July 2006 have been positive. Important lessons have been learned and pilot projects will be expanded in phases to cover all the provinces and all the ministries.

The Provincial Budgeting process in the longer term will be determined by the sub national governance policy and inter-governmental fiscal framework to be decided by the Government of Afghanistan in consultation with people of Afghanistan.

Provincial and Program Budgeting are inherently linked. Provincial and Program budgeting will be implemented in the wider context of budget integration. Within the framework of the budget integration reform, Provincial Units will be created in line ministries for assisting in program implementation in the provinces, monitoring program indicators, ensuring linkages with ANDS and PDPs and providing essential reporting on their ministries' activities. Based on their sector strategies, ministries will prepare gender sensitive Provincial Strategies or Provincial Implementation Plans defining how programs will be implemented in the provinces, setting geographic priorities and determining provincial performance indicators based on Millennium Development Goals and ANDS benchmarks. Provincial strategies will provide rationale to allocate funds across the provinces.

Development of sub-national governance policy and legislation based on this policy will bring institutional clarity and will lay down equitable and efficient inter-governmental fiscal framework which will define the long term approach for provincial budgeting.

A specific capacity-building plan will be put in place at the national and sub-national level to assist line ministries and provincial directorates to achieve budget reforms and meet objectives of budget reforms.

The Provincial Development Planning process, which was linked to the ANDS Sub-National Consultation process was not simply a one-off exercise to inform the production of sector strategies for the Final ANDS. On the contrary, the PDP process was specifically designed to lay the foundations for a sustainable development planning process at sub-national level by setting a standard framework based on creating dialogue between government and communities and between national and sub-national levels, which are core to effective governance.

At present, the Provincial Development Planning process is one mechanism in place in Afghanistan which systematically seeks to link government planning and resource allocation processes at the national and provincial levels with community driven development planning processes at the district level, through District Development Plans (DDPs) formulated by District Development Assemblies (DDAs), and through these to the village and community level (as DDAs are formed by Community Development Councils where these exist). Moreover, the Provincial Development Plan is one vehicle which sets out a clear statement of the goals, needs for development and prioritized activities articulated and agreed by communities and local stakeholders which provides clear guidance to support the alignment of available government resources (controlled from the centre) and donor resources (the majority of

which are decentralized) to ensure that these are targeted to addressing the core problems for communities in each province.

The responsibility for the definition and institutionalization of provincial development planning processes has a clear institutional home in the Independent Directorate of Local Governance (IDLG). There is an immediate need to draw together the many and varied activities related to PDPs currently underway into a single coherent framework. The Independent Directorate of Local Governance (IDLG) will develop and implement the sub-national governance policy, and its legal and regulatory framework over the next two years through a national dialogue on sub-national governance, with the technical support of the international community. The process for institutionalizing the Provincial Development Planning process will be one of the core elements of this sub-national governance policy.

The sub national governance policy will define the roles and responsibilities regarding provincial development planning of the various governance actors at sub national level; specifically: provincial governors, provincial line departments, Provincial Development Committees (PDCs), Provincial Councils (PCs), district governors, municipalities, District Development Assemblies (DDAs) and Community Development Councils (CDCs).

The clear definition and institutionalization of provincial development planning processes is also particularly important in addressing the issue of donor coordination, both in the area of development assistance at the sub-national level and in relation to support and capacity building for sub national governance. There is currently increasing interest in the donor community in targeting funding and activities towards building capacity in sub-national governance.

However, these initiatives target a range of structures and organizations active in the governance

arena at the sub-national level (governors' offices, individual line departments, PCs, PDCs, DDAs etc) and there is little coordination between them. The formulation of a clear framework institutionalizing the development planning process at sub national level defining the roles and responsibilities of the core institutional actors within it, is an essential basis for achieving the coherence and coordination of donor-funded initiatives. This will be a central success factor for the achievability of the governance strategy, particularly in the area of capacity building at the sub national level.

Linkages between budgeting and planning processes at district level: The strategy envisages that elected district councils and village councils will be established. The political and administrative decision process will be eventually decentralised to local level. This will allow communities to participate in decision making process. The priority needs of communities will be reflected and incorporated in the provincial level decision-making processes. In course of time, the Government will promote participatory and inclusive decision-making processes by introducing planning and budgeting processes at district and village levels. District and village level institutions (district and village councils) are the local governance institutions from where local communities get services and hence these will be strengthened.

District Development Assemblies and Community Development Councils: The Ministry of Rural Rehabilitation and Development has been establishing District Development Assemblies and Community Development Councils in the districts and villages respectively. These institutions are playing a vital role in implementing development projects in a participatory manner at local (district and village) levels. CDCs and DDAs have created valuable social capital in the process. The Government recognizes and appreciates these efforts and expects that this social capital will enrich civil society at local level. The Government will promote CDCs as community-based organiza-

tions that implement local development projects in a participatory manner.

M. Municipalities

By Jaddi 1392 (end-2013), municipal governments will have strengthened capacity to manage urban development and to ensure that municipal services are delivered effectively, efficiently and transparently; and in line with Afghanistan's MDGs. Capacity of municipal governments will be strengthened to manage urban development and to ensure efficiency and transparency in delivering municipal services, that includes implementation of a "National Urban Policy," adequate municipal budgets for priority reforms which are in line with the National Urban Policy and meet immediate needs of upgrading, Revenue Improvement Programs for 34 provincial and major municipalities developed with supportive capacity building components, Infrastructure Investment Plans prepared for 34 provincial and major municipalities with necessary capacity building programs and, enhanced institutional capacity supported by Institutional Reform Action Plans for effective urban governance in 34 provincial and other major municipalities.

Program Strategy:

The core strategy for the urban sector will follow a three-pronged approach:

- Strengthen urban governance, finance and management
- Improve access to developed land, tenure and housing
- Improve infrastructure and services

The cross-cutting strategy includes capacity development and institutional reform of municipal entities, information and knowledge management, promotion of public-private-community partnerships, gender empowerment, poverty reduction, counter narcotics, environmental protection and awareness, regional cooperation and anti-corruption

Municipal financial management initiatives will improve the municipal revenue generation capacity and expenditure management; upgrade accounting and budgeting frameworks and processes.

Institutional development initiatives will include institutional restructuring and reform of the ministry and municipalities; institutionalizing public involvement in urban governance and service delivery, including partnerships with the private sector, civil society, and academia.

The Government will encourage and ensure popular representation and peoples' participation in urban governance.

The Government will strengthen the capacity of municipal councils, support knowledge sharing and exchange among municipal councils. The Government will further strengthen the elected municipal councils enabling them to perform their roles and fulfil their responsibilities towards their constituent citizens.

The Government will hold elections and constitute municipal councils in the year 2010 by holding free, general, secret and direct elections and subsequently every three years. The mayors of the municipalities will be elected in the year 2010 by free, general, secret, and direct elections and subsequently every three years. The Government will establish relationship between elected municipal council, elected mayor and executive administration by law.

The Government will build institutional and administrative capabilities in municipal administrations to manage basic service delivery through reforming organizational structures, streamlining management processes, developing essential skills and knowledge of municipal workforce and, improving management of public service delivery. All municipalities will have in place trained human resources recruited in accordance with merit based recruitment policy, defined objectives of service delivery, revised systems, procedures and, guidelines achieved through ongoing public administration reform.

N. Upgrading of Government Office Facilities and Amenities

By Jaddi 1387 (end-2008), a full scale review of the facilities available in all the Councils, government offices including municipalities will be undertaken. By end-1392 (20 March 2013), all the Councils and offices including municipalities will have basic facilities and amenities including adequate built up space, toilets for women, child care facilities, computers, communication facility and furniture. The key officials at national and sub national level will have adequate means of mobility to make connection with the communities they are serving.

Program Strategy:

The Government will enhance the operational performance of all the sub-national governing entities by providing them with the physical facilities and amenities and means of communication they require.

O. Communication Strategy

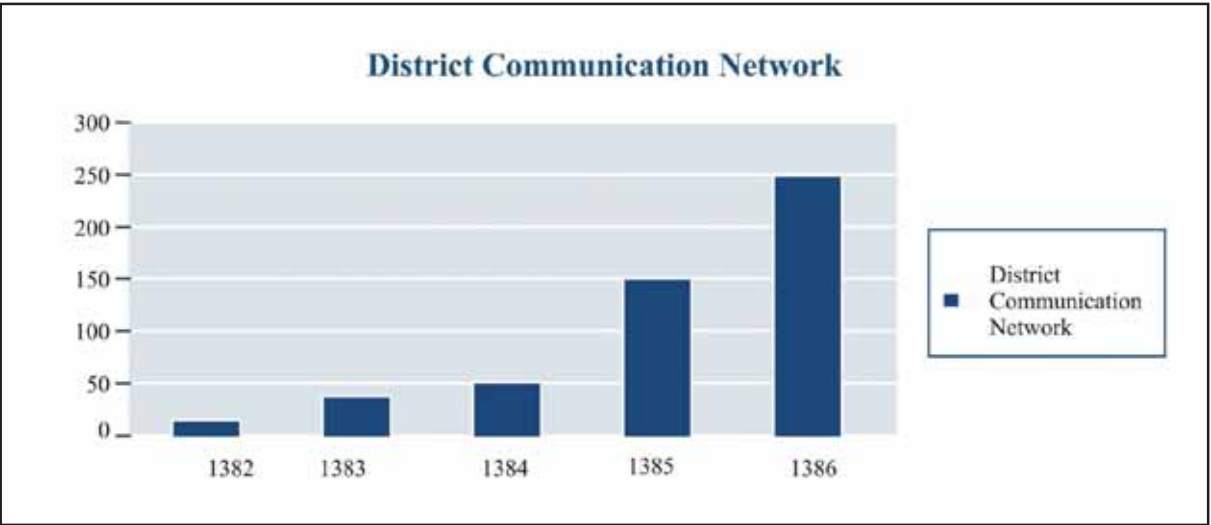
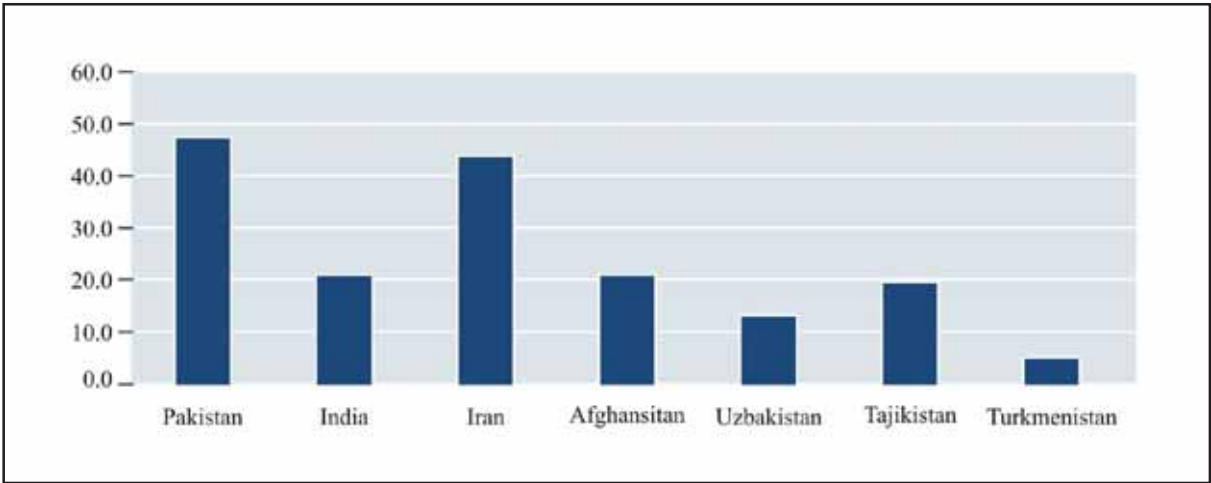
By end-1389 (20 March 2011), all the district centers of the country will have internet facility to facilitate the flow of information between the districts, municipalities, provinces and, the centre i.e. Kabul.

By end-1389 (20 March 2011), all the ministries and high offices of the Government of Afghanistan will establish their web site in Pashto, Dari and English for communication of their policies and programs to Afghan citizens and to the international community. These websites will have facility to receive comments from the stakeholders.

Program Strategy:

Today all the communities of Afghan people face the “tyranny of distance” and the alienation associated with remote geography. To restore free

flow of information throughout the country and especially throughout the public sector, it is essential that all 365 districts, major villages and rural areas be integrated with Kabul, with each other, and with the rest of the world.



By end-1389 (20 March 2011), all the district centres of the country will have internet facility to facilitate the flow of information between the districts, municipalities, provinces and, the centre i.e. Kabul.

By end-1389 (20 March 2011), all the ministries and high offices of the Government of Afghanistan will establish their web site in Pashto, Dari and English for communication of their policies and programs to Afghan citizens and to the international community. These websites will have facility to receive comments from the stakeholders. In the beginning, a high level of illiteracy and general low-education in the country and limited access to internet will limit the target audience of this result. Nevertheless, the Government is committed to continuously engage with its stakeholders that include the Afghan citizens and the international community.

Reliable communications will enable the government to successfully execute the broad reconstruction effort. A modern telecommunications sector, incorporating e-government initiatives wherever possible, will enhance the effectiveness, efficiency and transparency of the Afghan public sector and the provisioning of social services.

Through the District Communications Network (DCN), Afghan Telecom will continue its satellite system to reach all of the 435 districts with at least a basic level of telephone services. In many cities, where demand warrants it, the DCN will offer additional community services, such as distance learning and access to microfinance. Village Communications Network (VCN) will be a further extension of the DCN satellite network, which will eventually reach 5-6,000 communities throughout Afghanistan.

MoCT introduced e-government projects with cooperation of governmental institutions throughout the country, these projects will pave the way for wide access to information, increased effectiveness of public functions and enhanced speed of works, transparency, on time monitoring and

control, facilities in performance without wasting the time and physical existence of the employee.

Following implementation of national information center project of Afghanistan, the information electronic bank of the country will be established and all governmental institutions will have access to information related to their scope of work throughout the country.

Expansion of information technology across the country is one of the MoCT responsibilities, along with ICT growth and development, the reconstruction opportunities will be enhanced, male and female will equally work in public institutions and better income sources will be generated in the future.

MoCT in close cooperation with MoF, MoFA, and other related ministries and institutions, will implement the National IDs project. All ICT projects throughout the country will be implemented under the supervision of Afghanistan ICT council. The Afghanistan ICT council is trying to expand and develop this important technology and will pick up effective steps towards encouragement and formalization of this sector. This council will block all the ways leading to misuse of ICT by issuing guidelines and developing required legislations.

P. Youth in Governance

By end-1389 (20 March 2011), definite mechanisms will be provided for the youth to participate in the local, provincial and national governance.

Program Strategy:

Demographically Afghanistan is a very young nation. Nearly half of the population is under the age of 16 and 67 percent are under 25. Lack of educational facilities and a stable economy have meant that many young people have been deprived of an education and employment opportunities.

The Strategy aims to help Afghanistan's youth in ensuring its due place in the development and in the governance of Afghan democratic institu-

tions. Afghan youth shall be closely associated in local, provincial and national governance. Definite mechanisms will be provided for the youth to participate in governance. The Government of Afghanistan will:

- i. develop the school as an important common arena for young people's participation and democratic learning process;
- ii. promote "children's council" and "youth council" type initiatives at municipal level, as genuinely useful means of education in local citizenship, in addition to opportunities for dialogue with the youngest boys and girls of society;
- iii. encourage youth associations and, in particular, promote the development of flexible forms and structures for community involvement, such as youth centres, making full use of young people's capacity to design projects themselves and to implement them;
- iv. Youth associations and youth volunteers will be encouraged through specific components within the National Youth Program of the Ministry of Culture and Youth.

Q. Human Rights

By Jaddi 1389 (end-2010): the Government's capacity to comply with and report on its human rights treaty obligations will be strengthened; Government security and law enforcement agencies will adopt corrective measures including codes of conduct and procedures aimed at preventing arbitrary arrest and detention, torture, extortion and illegal expropriation of property with a view to the elimination of these practices; the exercise of freedom of expression, including freedom of media will be strengthened; human rights awareness will be included in education curricula, and promoted among legislators, judicial personnel and other Government agencies, communities and the public; human rights monitoring will be carried out by the Government and independently by the Afghan Independent Human Rights Commission (AIHRC), and the UN will track the effectiveness of measures aimed at the protection of human rights; and the AIHRC will be supported in the fulfilment of its objectives with regard to monitoring, investigation, protection and promotion of human rights.

The implementation of the Action Plan on Peace, Justice and Reconciliation will be completed by Jaddi 1387 (end-2008).

Program Strategy:

The Government will work with the AIHRC and the international donor community to develop and

strengthen capacities to protect and promote human rights, including awareness training for civil servants. The Ministry of Foreign Affairs will continue to develop the capacity required to report to appropriate treaty bodies on the implementation of international legal instruments signed and ratified by Afghanistan. The Government will continue to promote and protect women's rights through harmonizing the women's provisions in the major policy frameworks of the country, improving access to justice, and raising awareness on issues such as child marriage, domestic violence, sexual harassment and women's employment. To strengthen the protection of children's rights, the

Government will introduce laws and policies to protect children, establish preventative measures against sexual abuse of children and strengthen measures to counter child-trafficking. The Government will promote and protect rights of the differently abled by working towards removal of barriers that deter them from full participation in society, through advocacy and increasing awareness of their special needs and promoting their hiring in the work force.

The Government of Afghanistan commits itself to take steps towards full realization, respect, protection and promotion of all human rights of all citizens. The Government is committed to fulfil its treaty reporting obligations as well as ensuring that domestic legislation are enacted and implemented in line with the provisions of those human rights treaties that Afghanistan is party to. The Government through this strategy clearly assigns and indicates overall coordination responsibility over human rights to the Ministry of Justice. The Ministry of Justice shall take up the role of, among others, co-ordination and monitoring of the government-wide effort and, the Government in collaboration with the international community will give the Ministry of Justice the financial and other resources to be able to carry out this important role.

For the Government of Afghanistan to fulfil its human rights obligations, coordinated actions of all ministries, justice and law enforcement institutions and governmental agencies will be needed. The Government will identify the human rights responsibilities of different ministries, institutions and agencies, and these ministries and agencies will be held accountable for non-action in realization and protection of human rights. For example, MoWA in respect of women's rights; MoLSAMD for children's rights as well as rights of persons with disabilities; and it is not only the capacity of MoFA that needs to be developed in respect of Afghanistan's treaty reporting obligations – all ministries involved in the implementation of the provisions of those treaties that Afghanistan is party to will be required to report on their progress – and this includes MoJ, MoWA, MoLSAMD, and MoRR, among others.

MoJ and MoI will ensure that all Government security and law enforcement agencies adopt corrective measures including codes of conduct and procedures aimed at preventing arbitrary arrest and detention, torture, extortion and illegal expropriation of property. The Ministry of Education will ensure that human rights awareness is included in education curricula. The MoJ and AGO will ensure that human rights awareness is promoted among legislators, judicial personnel and other government agencies, communities and the public.

The Government will pay additional attention to freedom of the media, as this constitutes a critical component in realization and promotion of Human Rights. The Ministries and Agencies will include civil society as a significant human rights monitoring, investigating, reporting and accountability mechanism.

The following elements of a human rights-based approach will inform the implementation of all the projects and the activities under the Governance Sector Strategy as well as other sector strategies of ANDS:

- Implementers identify the human rights claims of rights-holders (the Afghan citizens, residents, etc.) and the corresponding human rights obligations of duty-bearers (the Government of Afghanistan) as well as the immediate, underlying, and structural causes of the non-realization of rights.
- Implementers assess the capacity of rights-holders to claim their rights, and the capacity of duty-bearers to fulfil their obligations. They then develop strategies to build these capacities.
- Implementers monitor and evaluate both outcomes and processes guided by human rights standards and principles.
- Women and men are recognized as key actors in their own development, rather than passive recipients of commodities and services.
- Participation is both a means and a goal.
- Strategies are empowering, not disempowering.
- Both outcomes and processes are monitored and evaluated.
- Analysis includes all stakeholders.
- Implementers focus on marginalized, disadvantaged, and excluded groups.
- The development process is locally owned.
- Implementers aim to reduce disparity.
- Top-down and bottom-up approaches are used in synergy.
- Strategic partnerships are developed and sustained.
- Implementers are accountable to all stakeholders.
- Implementers aim for the progressive achievement of all human rights.

Social indicators provide an important indication of the state of human rights observance, particularly in relation to economic, social and cultural rights. It is important to provide sex-disaggregated data, including for race, gender and other criteria, so that the incidence of discrimination is apparent. Where such indicators and information are not available, the Government will make plans to collect the necessary data regularly.

The Commission (AIHRC)'s work programme will continue to be focused on three central pillars: protection, promotion, and monitoring of human rights, with an additional focus of organizational strengthening and capacity-building, which will ensure the achievement of the three main objectives. These objectives are in compliance with the Law of Structure and Mandate of the Commission, adopted by the cabinet ministers in 2005. In setting priorities, the Commission focused more on those activities to easily achieve the objectives of promotion, protection and monitoring human rights.

The Commission (AIHRC) will work to maintain a balance between activities directed at promoting, monitoring and protecting human rights, however in most circumstances and in accordance with the Commission's position in relation to other specialized agencies, promotion of human rights will take priority.

In management terms, the Commission (AIHRC)'s work-plan will continue to be categorized thematically as such: women's rights; child rights; rights of people with disabilities; education and awareness raising, monitoring and investigation of the cases of violation, monitoring of human rights at the field level, and transitional justice. The management structure and operational authority as well as the Five-Year Strategy Plan and current financial system reflect this division of responsibility.

The Commission (AIHRC) will continue to work in an increasingly decentralized manner. Although the head office is located in Kabul, the re-

gional and provincial offices, using the principle of elasticity in planning, will have considerable autonomy to determine their priorities in accordance with the conditions that prevail in their locality and the within the framework of the Five-Year Action Plan. This may mean that implementation of some of the activities in this document will vary to account for specific circumstances.

The Commission (AIHRC) will work in a flexible manner with the capacity to respond to emerging issues. This may mean that elements of the action plan annexed to this document will be advanced, delayed or modified in order to account for new priorities.

The Commission (AIHRC) will continue to focus and build its capacity to nurture partnerships with local organizations and civil society groups in Afghanistan. This is recognized as critical if a sustainable and large impact is to be made on the way human rights are understood and if the government is to begin to effectively protect the human rights of its citizens. The strategic focus on partnership is embedded in the Five-Year Strategic Plan, and all AIHRC offices are directed and encouraged to develop partnerships at the regional and local level. The area that the AIHRC is able to work together with civil society would be **1)** conducting research studies on different thematic issues/patterns of human rights, advocacy and lobbying to guarantee the respect and protection of human rights through improvement in the state's rule and regulations, code of conduct, and legislation, **2)** raising human rights awareness among the NGO workers and train their trainers in the field of human rights education, **3)** monitoring the political rights of citizens before the election, during the election and after the election, and **4)** raising the capacity of NGOs and other civil society members to report to the AIHRC's offices about the cases of human rights abuse in order that the AIHRC can take prompt steps to immediately protect the rights of victims by using its influence and authority.

R. Environmental Governance

National Environmental Governance:

There are two sources of environmental rights in Afghanistan:

(a) The Constitution provides that the state must take necessary measures to safeguard forests and the environment. The corollary of this right is that Afghanistan's citizens have a right to force the state to take such measures.

An example would be; if the government authorized the construction of a large factory in a residential area, where that factory will produce very noxious emissions that are likely to make the residents of that area sick, the citizens concerned would have the right to demand that the government withdraws its authorization.

(b) The Environment Law contains a number of environmental rights, which elaborate on the environmental and other constitutional rights. These include the right to:

- use natural resources in accordance with customary traditions and practices;
- create environmental NGOs;
- have access to information held by the government (including NEPA) regarding environmental issues;
- protest and participate in demonstrations regarding environmental issues;
- complain to the government regarding environmental issues;
- participate in environmental impact assessment processes;
- refuse to undertake any dangerous work; and

- appeal decisions made by NEPA under the Law.

While the Environment Law is currently the only existing legal instrument addressing conservation, use and regulation of the environment and natural resources, it provides the direction for NEPA to function as the regulatory, policy-making and coordination body while line Ministries and other governmental authorities are responsible for the management of environmental resources.

- The overall purpose of the Environment Law, (which is humane given the Afghan people's dependence on the country's environmental resources) is to:
- ensure that environmental and natural resources are used in a sustainable manner (in other words, that they are not used faster than they can be replenished, and that a sufficient quantity of such resources will remain for the this generation's children, and their children's children); and
- prevent further degradation of and rehabilitate the environment and natural resource base.

The Government hopes that this approach will result in:

- improved livelihoods for Afghan people, now and in the future;
- improved protection of human health;
- sustainable reconstruction and development of the national economy;
- conservation of Afghanistan's natural and cultural heritage; and
- protection of ecological processes and functions.

The Ministry of Agriculture, Irrigation and Livestock (MAIL) has a Master Plan and an Imple-

mentation and Investment Plan in respect of natural resources. The Ministry of Agriculture, Irrigation and Livestock (MAIL) is working with international partners to draft a Forestry Law and a Rangeland Law in addition to developing a natural resource management programme that will rely on national land tenure and registration process as well as the eventual Land Tenure law for successful implementation.

Going beyond the Environment Law, the Government of Afghanistan will establish a number of rights of the public (individuals and their associations) with regard to the environment. The Government of Afghanistan will make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective. These will include:

- the right of everyone to receive environmental information that is held by public authorities (“access to environmental information”). This can include information on the state of the environment, but also on policies or measures taken, or on the state of human health and safety where this can be affected by the state of the environment. Applicant citizens will be entitled to obtain this information within one month of the request and without having to say why they require it. In addition, public authorities will be obliged to actively disseminate environmental information in their possession;
- the right of both women and men to participate in environmental decision-making. Arrangements are to be made by public authorities to enable the public affected and environmental non-governmental organizations to comment on, for example, proposals for projects affecting the environment, or plans and programmes relating to the environment; these comments to be taken into due account in decision-making, and information to be provided on the final decisions and the reasons for it (“public participation in environmental decision-making”);

- The right to review procedures to challenge public decisions that have been made without respecting the two aforementioned rights or environmental law in general (“access to justice”).

Local Environmental Governance:

The Government of Afghanistan stresses the

crucial role of competent, transparent, efficient, gender sensitive and accountable local governments in achieving many of the MDGs. Along with a growing number of donors, the Government of Afghanistan supports a wide range of local mechanisms, from decision-making to monitoring and evaluation and data collection.

Natural resources can make a significant contribution to sustainable growth and poverty reduction when they are properly managed through community-based mechanisms and with the support of legitimate local governments.

Natural resource management-related interventions will be based on broad consultations with local communities (that include marginalized groups like pastoralists or indigenous groups) and will reflect local values. These will form an essential part of a sustainable process of poverty reduction, since improved productivity will directly increase rural livelihoods, food security and market participation.

Accepting the environmental role of local communities, user groups and governments in decision-making, the Government of Afghanistan will adopt the ‘local environmental governance’ paradigm that supports the school of opinion that the environment must be used in a manner that is ecologically sustainable, responsive to the needs of the poor and in accordance with local values and culture.

Environmental interventions are more likely to be successful if they are linked to broader develop-

ment objectives and local concerns and guided by cross-sectoral strategies; and if the women and men who depend on environmental resources participate in environmental decision-making.

Decentralization will make environmental decision-making more accessible to communities and their representatives, in turn increasing the relevance of those decisions and the likelihood they will be implemented. The only way to develop effective solutions to environmental problems is to allow the populations concerned to lead the process. The Government of Afghanistan will be committed to end the marginalization of key stakeholders and ensure equitable political, economic, social and civil rights, as well as access to basic social services and the assets required to secure livelihoods. The decentralization will improve environmental governance since it will be accompanied by efforts to increase the capacity of local communities to manage environmental resources and influence planning and policy-making.

Natural resources are used and managed at various societal levels: by individual farmers and other local users, individual communities, clusters of communities, different levels of local government and regional and national institutions. Each level of society has its own 'sphere of governance' and its own interests and priorities. Local governments will play a potentially very important role at the lower level.

From an environmental perspective, local governments will play a significant role in the delivery of efficient services, since they will have:

- Have a certain degree of authority and will not be tightly constrained by central government;
- Have the capacity to play a catalytic role in increasing environmental awareness at the local level; and will be able to mobilize civil society organizations (community groups, user groups, farmers groups, womens' groups and other interest groups) around key environ-

mental issues. Women's participation in these groups will be ensured.

- Have access to essential environmental information;
- Have the resources required (funds, materiel, equipment) to carry out effective decentralized service delivery, inform local communities and train their representatives;
- Have the power to levy fines and enforce environmental rules defined by central government or formulated by local user groups;

Have the fiscal authority to generate revenue from the use of environmental services and state or common resources.

More particularly, as far as environmental governance is concerned, the Government of Afghanistan will aim to support an appropriate institutional and administrative framework that allows local government and civil society (user groups, producers associations, etc.) to play a critical role in decision making and the management of renewable natural resources.

The Government of Afghanistan is fully committed to working towards sustainable livelihoods, lasting progress in poverty reduction and attainment of the MDGs. This will be done by adopting a comprehensive approach that will:

- Help provide local governments with sufficient authority and adequate financial resources to achieve local environmental goals and efficiency;
- Promote procedures and mechanisms that respect the rights and interests of all local stakeholders, including the right to participate in environmental decision-making;

- Operate in a gender sensitive manner;
- Establish a viable institutional framework and support governance structures built on traditional values and local social capital; keeping in mind the transformation desired in women's role in terms of their fuller participation at every level;
- Ensure that conservation practices contribute to the well-being of local communities and legitimate local authorities.

Local government units will deliberately promote the participation of women in environmental management and ensure that their views are considered in policy and decision making.

S. Labour Market Governance

Labour market governance refers to the totality of policies, norms, laws, regulations, institutions, machinery and processes that influence the demand and supply of labour in a given territory. The respective capacities and relations between those who demand labour (employers) and those who supply labour (workers) also constitute integral aspects of labour market governance. Labour market reform implies reviewing the various elements of labour market governance including discrimination and non-inclusion of women and vulnerable groups, to ensure that the outcomes they produce are

perceived to be efficient, fair and equitable.

To make decent work a reality in today's context of global production systems, intensified competition and changing patterns of work and employment relationships, it is crucial to adapt and modernize labour market governance. Numerous assessments of countries in the region have stressed that a major barrier to further economic and social progress is weak governance in both public and private sector institutions. Corruption is a common challenge. The quality of institutions is country-specific, but what is common across countries is the lack of attention to the role of la-

bour market institutions.

The Government of Afghanistan will address the following issues in labour market governance:

- Implementation, promotion and enforcement of the Labour Code and other labour legislation
- Ratification of fundamental ILO Conventions covering subjects that are considered as fundamental principles and rights at work including the effective abolition of child labour, freedom of association and the effective recognition of the right to collective bargaining
- Rules/institutions to develop and implement certain active labour market policies.
- Compliance with ILO's convention 100 and 111 to ensure just working conditions for women which are free of sexual harassment and gender discrimination.
- Further development of sound industrial relations (tripartism¹ and social dialogue, collective bargaining, wage setting
- mechanism, labour-management (bi-partite) cooperation, labour dispute settlement)
- Further development of labour administration, including labour inspection, employment service, vocational education and skills development, social security, measures to address the issues of informal economy
- Further capacity building among social partners
- Development/articulation of labour market monitoring
- Research and statistics
- The gender dimension of labour market governance

¹ Referring to the dialogue among government and employers' and workers' organizations

CHAPTER 2

NATIONAL GOVERNANCE PROGRAM

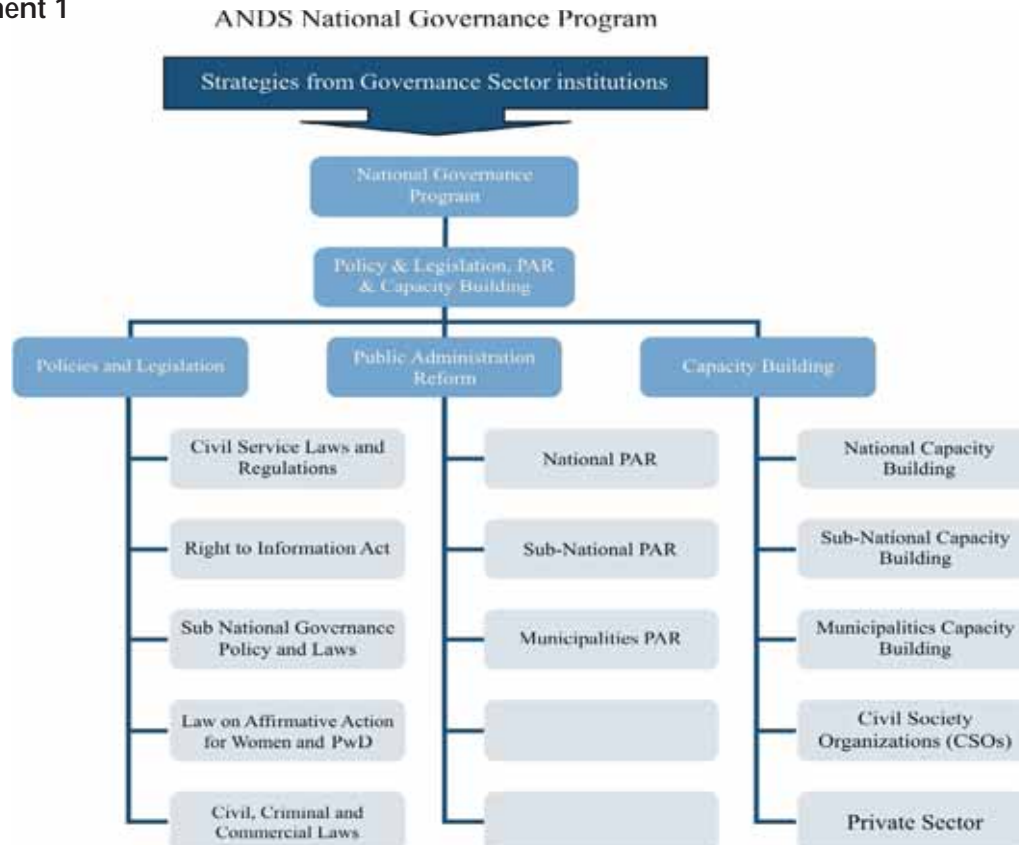
The implementation of the Governance Sector strategy is comprehensive Governance Sector program.

A National Governance Program that collectively establishes and delineates the functions to be performed, defines programs and goals consistent with the functions, and sets forth specific projects has been defined. The program will also ensure commitment to gender equity. This program will address gender issues and make an effort to over-

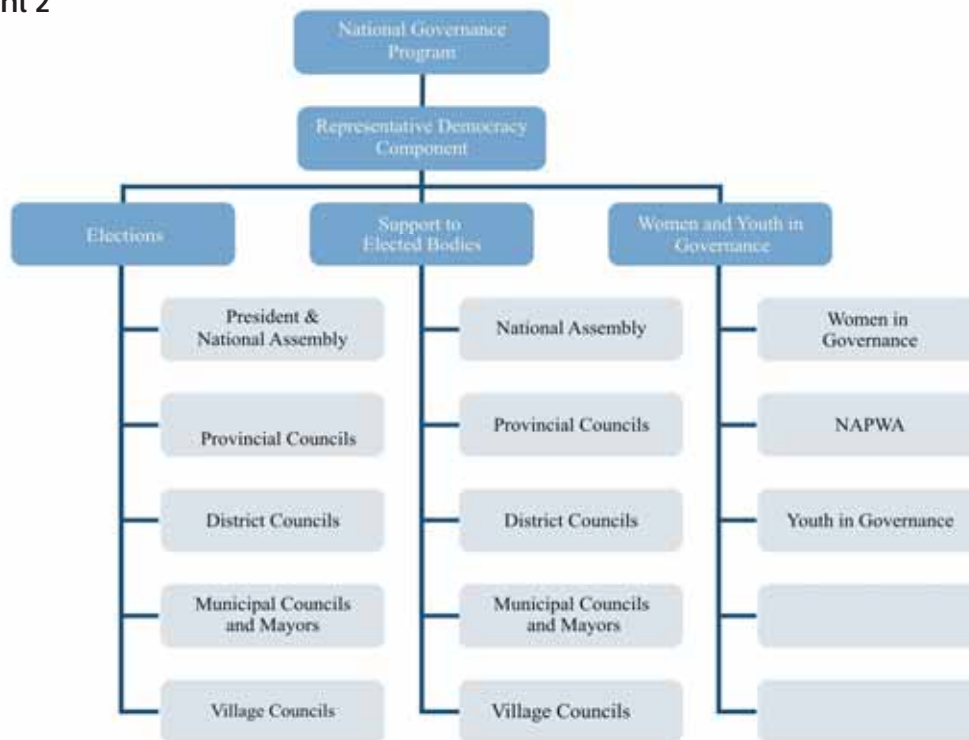
come the gender gaps of the past. Professional advice on gender will be secured in various stages of the process. It is further recommended that a implementation be undertaken through a leadership team comprising of high level officials from each agency supported by an expert mentors.

This National Governance Program (NGP) outlined below defines manageable programmatic themes that are fulfilled by individual projects.

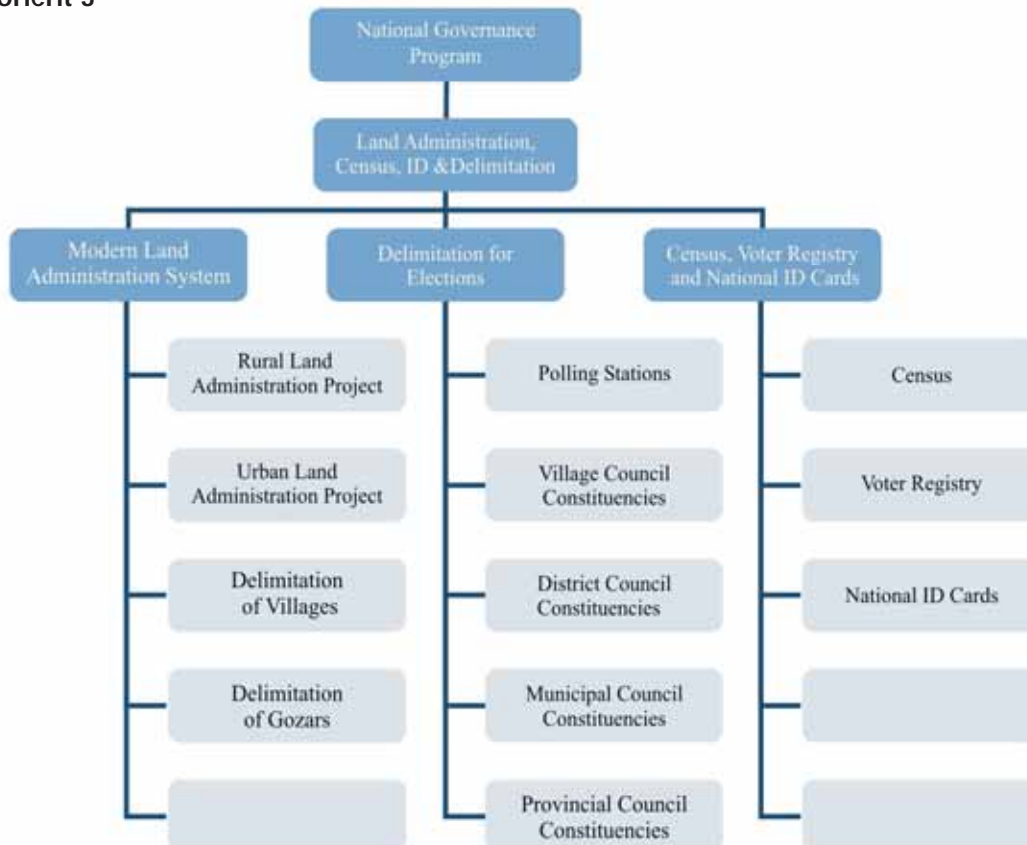
Component 1



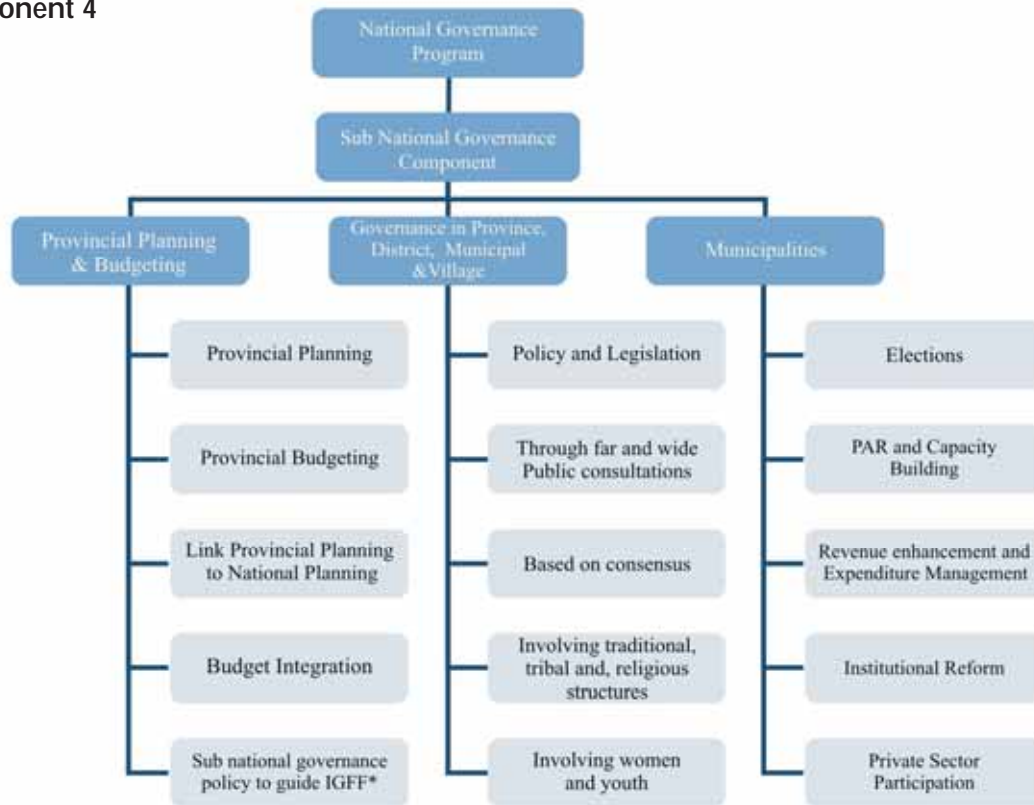
Component 2



Component 3

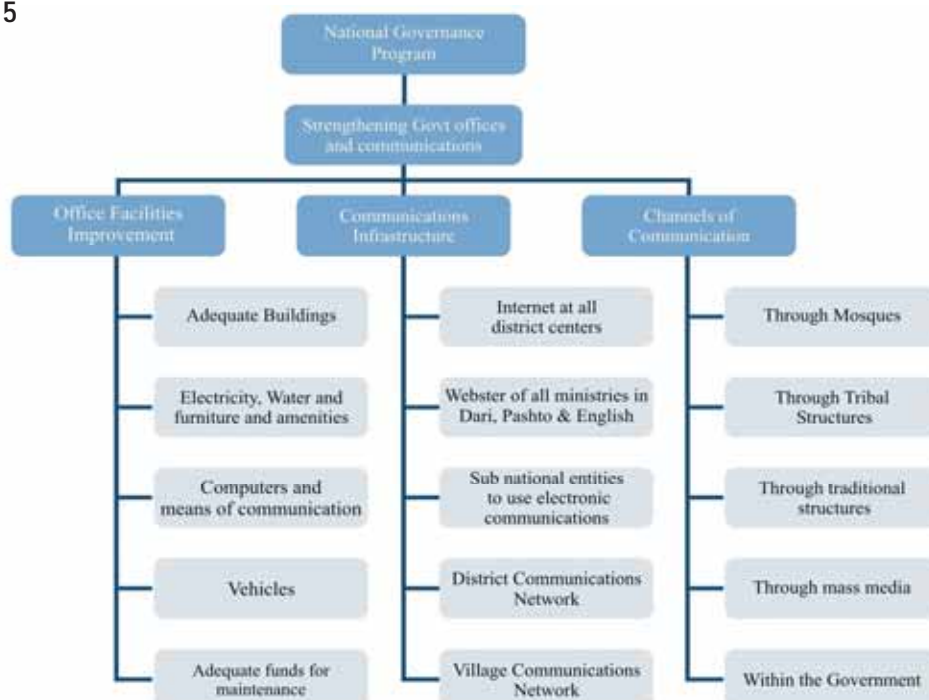


Component 4

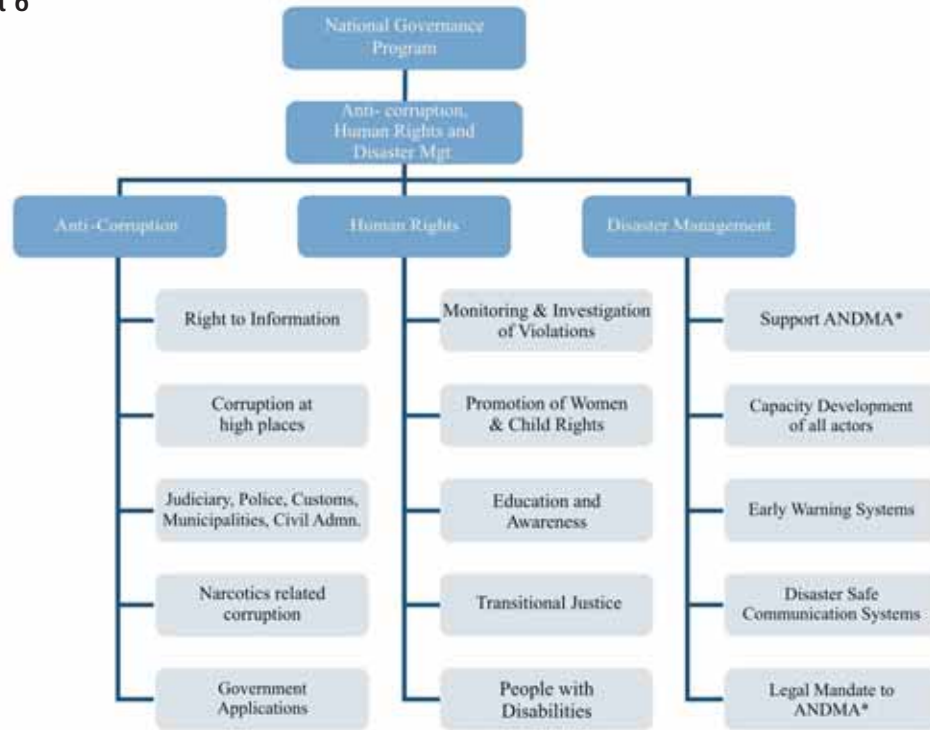


* Development of Subject: national governance policy ANDS legislation based on this policy will bring institutional clarity and will lay down equitable and efficient inter-governmental fiscal framework (IGFF) which will define the long term approach for provincial budgeting.

Component 5



Component 6



*ANDMA is Afghanistan National Disaster Management Authority.

CHAPTER 3

IMPLEMENTATION AND MONITORING FRAMEWORK

Significant change in any organization first requires the philosophical endorsement by the highest levels. In Afghanistan such endorsement will come from the President, Ministers, Leaders of Parliament, and the heads of the relevant independent agencies. The leadership will own the mission statement for the process and an endorsement of principles that are to be followed; in this case the principles of good governance. The endorsement will be communicated to all Governance Sector participants and employees and to the public at large.

The following elements of a human rights-based approach will inform the implementation of all the projects and the activities under the National Governance Program:

- Implementers identify the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers as well as the immediate, underlying, and structural causes of the non-realization of rights.
- Implementers assess the capacity of rights-holders to claim their rights, and the capacity of duty-bearers to fulfill their obligations. They then develop strategies to build these capacities.
- Implementers monitor and evaluate both outcomes and processes guided by human rights standards and principles.

- People are recognized as key actors in their own development, rather than passive recipients of commodities and services.
- Participation is both a means and a goal.
- Strategies are empowering, not disempowering.
- Both outcomes and processes are monitored and evaluated.
- Analysis includes all stakeholders.
- Implementers focus on marginalized, disadvantaged, and excluded groups.
- The development process is locally owned.
- Implementers aim to reduce disparity.
- Top-down and bottom-up approaches are used in synergy.
- Strategic partnerships are developed and sustained.
- Implementers are accountable to all stakeholders.

IMPLEMENTATION STRUCTURE

This segment constitutes an essential element of the program. It details the governance structure for implementing the program. The success of the National Governance Program depends on the

effective functioning of its component parts and their successful interaction with other relevant institutions, both institutionally and operationally.

STRUCTURE

The National Governance Program involves multiple actors. The program implementation structure is designed to be sufficiently flexible to accommodate this complexity. To ensure organic development, sustainability and Afghan ownership of the program, this document specifies a “process,” rather than an “implementation,” methodology. That is, the document defines organizational composition and broadly defines the roles and responsibilities of participant institutions, but does not seek to specify the precise steps that each participant will follow in fulfilling assigned duties. It is essential that all program participants, including those with oversight or management responsibility, be allowed to define and clarify those steps after program oversight and implementation structures are formed. It is also imperative that these structures be able to integrate into, or conform to the larger ANDS context.

This document recognizes the imperative that the National Governance Program incorporates the input of bilateral and multilateral donors, while being led by a single decision-making body, which in turn is supported by an effective implementation unit and the requisite technical expertise. There is a clear need for a single decision-making body to provide an interface between the program implementation and its political and administrative context. This context comprises the Afghan institutional framework, the donors and all other actors that may be involved in the program at any given time.

PROGRAM IMPLEMENTATION BODIES

With this need in mind, two bodies will be created; one policy-making and the other operational. The policy-making body will be called the Program Oversight Committee (the POC). The POC

may be assisted with an administrative support function, which may be in the form of a modest Secretariat. A second body, called the Program Implementation Unit (the PIU), will be the single and central operational arm of the program, and will act according to POC’s guidelines.

A. Program Oversight Committee

POC will provide overall leadership, guidance, and policy direction, and will manage donor relations. In effect, the POC will function as a Board of Directors for the National Governance Program.

Composition, Duties and Responsibilities

The POC will be composed of representatives designated by the governance institutions. The Director-General, Independent Directorate of Local Governance will be the first Chairperson of the POC. Chairmanship of the POC may rotate regularly among the institutions in accordance with procedures to be set by the POC in its first meeting.

The POC will be responsible for establishing the overall policy direction of the National Governance Program. The POC shall adopt such rules and practices as are required to ensure the POC functions effectively and in accordance with its mandate. The duties of the POC will include the following:

- Ensuring the regular and smooth course of National Governance Program activities;
- Maintaining regular and effective communications with administrators of multilateral trust funds, donors and donor-coordinating bodies;
- Overseeing the drafting of a detailed proposal regarding the PIU start-up process;
- Selecting and appointing members of the PIU, and ensuring that it remains fully staffed;
- Receiving, reviewing and endorsing regular reports of National Governance Program programmatic activities and financial status

from the PIU, and generally supervising work of the PIU;

- Providing policy direction on the establishment of NGP priorities;
- Ensuring synergy and harmony among multilateral and bilateral project activities;
- Establishing and supervising all technical assistance required for program implementation, which may include a project to set up a POC Secretariat.

POC Relationship with Stakeholders

As the main policy organ of the National Governance Program, the POC will communicate and coordinate closely with other stakeholders, including donors and other interested Government entities, such as the Ministries of Finance, Kabul Municipality and the Afghanistan National Development Strategy Secretariat (ANDS).

The POC will manage donor relations, including ensuring a consistent link with the

Donor Coordination Group on Governance (DCGG: to be established), or other donor coordination mechanisms. Regular contact with the members of the donor community participating in the multilateral or bilateral funding mechanisms will be encouraged in order to facilitate cooperation in the implementation of the Program and consultation on points of mutual concern to the Government and donors. To this effect, the National Governance Program encourages donor coordination mechanisms, such as the Donor Coordination Group on Governance (DCGG) to provide a focal point for communications, reporting and feedback with the POC.

POC Relationship with PIU

The POC's rules of procedure will detail all aspects of its relationship with the PIU. At a minimum, it is anticipated that the POC will select and appoint members of the PIU and oversee its activities, including exercising approval authority over the PIU's budget. It is further anticipated that POC will require PIU to submit regular reports on programmatic, technical, and financial aspects of the National Governance Program. The rules

of procedure will also specify how POC will communicate to PIU its decisions prioritizing proposed programmatic activities. When additional needs not covered by active National Governance Program projects are proposed for inclusion in the Program, the POC will be responsible for selecting a funding mechanism, and ensuring that all formalities required by the designated funder are satisfied by PIU.

POC Secretariat

Given the complexity of National Governance Program oversight, it is anticipated that the POC would benefit from sustained technical assistance and administrative support. While this document does not mandate that such support take any particular form, one promising possibility would be the creation of a POC Secretariat. The following text offers guidelines for the composition, duties, responsibilities and financing of such a Secretariat. In the event the POC determines that a Secretariat is not the optimal mechanism for securing needed support, or is unable to find financing to support such a function, it is recommended that any alternative structure encompass the same functional capabilities described below.

a) Program Implementation Unit

The PIU will be the single operational arm of the National Governance Program. It is a permanent body, which provides continuous technical support, including coordination of planning, execution, monitoring, and evaluation functions, to the POC and the National Governance Program. PIU's specific responsibilities may differ, depending on the source of funding associated with a project. In respect of multilateral activities, PIU will be charged with implementation, monitoring, and evaluation consistent with applicable legal agreements. However, regarding bilateral activities, PIU will serve primarily in a coordinating and tracking capacity. In these and other responsibilities, PIU will act according to guidelines established by the POC.

Implementation arrangements are given in Annexure I i.e. Sector Activity Matrix.

MEASURES AND BENCHMARKS

Sound gender sensitive data measurement and collection is a critical aspect to the effective implementation of the governance reform plan and to on-going good governance.

Measurement of the effectiveness of governance has both qualitative and quantitative components. Qualitative measures can be captured over time through the use of attitude surveys and monitoring of factors such as policy adoption. Monitoring over time allows the relative change in qualitative factors to be converted to quantitative measurement. Quantitative measures usually focus on the productivity of government. Again measurement over time is essential to determine whether improvement is being made. Productivity is output per unit of input. Change in productivity is thus the change in output for change in input. Governments usually track total government expenditure per resident; expenditure in specific categories – health, education, financial management – per person. Within the scope of an agency, it is usual to track services produced per fulltime employee as well as in monetary measure. For example, the election commission could measure number of employees per election. There will be attempts to generate measures to assess progress on the gender front and develop more clear and concrete measures for that purpose.

Four primary types of sex-disaggregated measures for project plans that can be utilized are:

Outcome measures:

- Percentage of surveyed customers (clients) respondents expressing overall satisfaction with services received

Percentage of surveyed customer respondents identifying ways to improve service delivery

Output measures:

- Number of customers served

- Number of services delivered – e.g., number of audits performed

Efficiency measures:

- Cost per customer served
- Cost per service delivered

Explanatory measures:

- Number of customers or clients identified
- Number of client groups identified

Implicit in any measure is the identification of appropriate clients group. It is important to ensure the universe sampled has the full representation of clients. For example, simply using the number of students in a certain age group attending school would ignore that a large percentage may not be attending school. Measures should be clearly defined including:

- A general description for general understanding and why the measure is appropriate and important
- A description of methodology used for calculation, a description of the source of the data and how it is collected
- Any limitations of the measure should be noted, including factors outside the agency's control
- An explanation whether the data is cumulative or not
- An explanation of any change in methods since the prior period data collection
- Establishment of level of performance as a part of goal setting
- The definition of technique allows the measurement to be replicated. We often focus on

ensuring that the correct techniques of measurement are being used to provide reliable data. However, the most critical factor in data collection is to first determine the validity of the proposed measure. In other words, does it measure what it is intended to measure and does it truly indicate the performance of government. It is also useful to have certain baseline measures that are common across agencies to allow comparisons. Similarly the use of agreed upon measures such as population statistics by province or district will mean for example that measures of percentage of population served will be calculated using the same base.

Benchmarks are special measures set in relation to meeting goals. It is common and indeed desirable to look at relative performance of other governments in the region or those of similar size and in similar stage of development, to set benchmarks that are believed to be achievable. These benchmarks have additional relevance in that countries can measure progress against other countries rather than simply looking at their own improvements, in process judging efficiency.

Accurate baseline data are critical to assessing the correct goals and to determining whether programs are effective in meeting the chosen goals. Data collection can be an expensive and time consuming undertaking. To make the efforts as efficient as possible, agencies should work together to determine which sex-disaggregated data are most critical and to focus their efforts accordingly. Certain data are needed by virtually all agencies in determining the costs of their programs and in the evaluation of their effectiveness. For example, the census data will fulfill this role. If a goal is set for a certain percentage of the population to have a certain service, effective governance would require knowledge of the number of women and men comprising the population as well as the number actually served. Further, accurate baseline data allows better estimation of the cost of attaining the goal.

The Government will give emphasis on how it can monitor and follow up the implementation of this strategy. A prerequisite will be to obtain sex-disaggregated baseline data against which recommended benchmarks/indicators/operational goals could be monitored. The Government will mandate its ministries and agencies to establish systems for gender sensitive data collection on operational goals/benchmarks and relevant indicators.

PROVINCIAL DEVELOPMENT PLANNING (PDP) PRIORITIES FOR IMPLEMENTATION ON PRIORITY BASIS:

This Sector Strategy incorporates feedback and comments from the Sub National Consultations (SNCs) and as such is a response to the people of Afghanistan's vocalized needs and development goals, both nationally and with provincial emphasis. The Sub National Consultations ensured public participation in the country's development process. Provincial representatives were invited to ask for their perception of the state of development in the eight ANDS pillars in their province, and were presented with representative Ministry Strategies for each Sector to contribute constructive local input on their content and process. With representatives from all levels of Afghan society, including 47% participation by women, the Sub National Consultations and the resulting Provincial Development Plans have contributed public support to the development of the Strategies.

For the eight ANDS pillars, provincial projects have been selected by the working groups during the SNCs in line with existing ministry strategy and planned national programmes. The Provincial Development Council's Provincial Development Plans from the previous year were used as a basis, in combination with input from local governance structures comprising Community Development Plans from Community Development Councils, and District Development Plans from District Development Assemblies (DDAs). The resulting identified potential activities were prioritised into ten project ideas per sector, per province. These

have been further ranked into four tiers of descending order of urgency and impact on numbers of beneficiaries. The Government will implement these projects on a top priority basis.

Establishing and strengthening government institutions at the central and sub-national levels is essential to achieve measurable improvements in the delivery of services and the protection of rights of all Afghans has emerged as one of the priorities from the Balkh Provincial Development Planning Process. The Governance, Public Administration Reform and Human Rights Sector Strategy addresses this concern in the fullest manner.

The priorities that emerged out of sub national consultations are attached in annex IV.

OBJECTIVE MEASURABLE GOVERNANCE INDICATORS (OMIS) IN NATIONAL AND SUB NATIONAL GOVERNANCE:

A. More Transparent and Accountable Government Institutions:

Indicators :

1. % citizens in target local government units who feel that local government is addressing their priority concerns; or b) % citizens showing confidence in their local government.
2. % of eligible voters (female and male) voting in local elections.
3. # or % of women or minority elected local councilors (or members of task forces, joint commissions or other non-elected bodies set up to provide citizen input).
4. # or % of major local government decisions in which input from participation mechanisms taken into account; or b) # or % of target **local government units** (LGUs) in which the majority of key decisions take into account citizen input

5. # or % of citizens (female and male) who make use of, or are served by, programs, benefits, services of local councils.
6. Gender sensitive service delivery indicators.
7. example(s) of decisions being taken at central government level as a consequence of pressure from either individual local government or organizations or associations of local government. (This indicator could be configured as the # or % of target LGUs that can name 2 or more decisions they have impacted at the central level in the previous 12 months. It might also be possible to put together a critical events agenda based on known issues that have come up between local government and central government. It could be useful to disaggregate local government associations from individual local government).
8. of targets local government units implementing investment or development plans a) with citizen input; and b) that meet quality criteria.

B. Increased Government Responsiveness to Citizens at the Local Level:

Indicators :

1. # of key reforms passed in comparison with a list of recommended or promoted reforms. (Necessary characteristics of reforms include: Scope of responsibilities clearly defined for each level; regular local elections with universal suffrage (there should be no provisions which have the effect of excluding women or minority groups); substantial scope of decision-making including budgetary authority; financial authority to raise & spend money commensurate with capacity and
2. responsibility; appropriate number of tiers; equitable formula for allocation of revenues; public access to local government information).

3. a) # or % of laws which seek to devolve power being implemented by the central government; or b) level of implementation of key laws.
4. # or % of target local government which notes little or no interference in internal legislative affairs by the central government; or b) # or % of local councils' laws passed without hindrance from central government. (Not all monitoring or reasonable delays to check on legislation should be seen as "hindrance"; the early process of decentralization might involve a certain amount of "paternalistic" monitoring of expenditures over a certain amount; or prevention of local discrimination against minorities might require this. It could be informative to look at the content of laws rejected to see if there is a pattern at the local or central level of discrimination against women and/or other minority groups).
5. # of laws or key reforms passed to strengthen or promote women's participation and leadership.

C. Local Government Capability to Act Increased:

Indicators :

1. degree to which legislative authority transferred to local councils to levy local taxes and fees. (Local expertise necessary to determine which are more important sources of revenues necessary to meaningful decentralization).
2. % of all local government staff completing skill training courses who say they are using their new skills on the job.
3. a) average % of local government middle and senior level civil servants hired by local government or local government public service commission; or b) % of local government in which the majority of middle and senior level civil servants are hired by local government. (There is a possibility of great difference between local government of the main urban city & the poorest rural district. Possibly a median might be more appropriate than an average or some other refinement might need to be added).
4. incorporation of merit principles, based on the following 3 (illustrative) questions: a) are there merit principles in place; b) are there clear job descriptions in place for key positions; and c) # complaints about violations of merit principles in hiring.
5. a) % local civil service positions which are advertised or posted; or b) % of local government staff who are replaced after local elections.
6. % of total local revenue generated by local government; or amount of local revenue generated by local government.
7. % of locally generated revenue retained locally.
8. a) % of centrally collected revenue delivered to, for use by, local government; or b) amount.
9. a) # times/# months government transfers fall into arrears; or b) % local government salaries in arrears or average # months not paid on time or not paid at all.
10. a) % of (target) local government improving collection of taxes by at least x%; or b) tax collection rate.
11. a) ratio of capital to recurrent expenditure; or b) # target LGUs improving the ratio.
12. 12) a) % (target) local government units that belong to a local government association; b)

level of financial support to local govt. associations by (target) local government units.

D. Mechanisms of Participation Increased:

Indicators :

1. a) % of local government elections that are failed elections; or b) % of local government units in which competitive elections are held regularly.
2. a) total # or average # of people (female and male) attending town meetings organized by local government; or b) % of local government holding more than X town meetings in the last year with more than Y people attending. (Another possibility is to count the percentage of (target) local government making regular use of legally-provided participation mechanisms. "Regular" would need to be defined. Another option might be the % of citizens (male/female) who can name at least two mechanisms for participation. This measures knowledge of ways to participate rather than actual participation. It would be expensive to collect this data unless a survey was being conducted to gather other data. If a survey is being done anyway, actual participation rates can be examined. Keep in mind that in heavily rural and largely illiterate societies, participation rates (except in elections) may be low. Significant change could be difficult to bring about).
3. budgets/financial reports of local councils available in good time to councilors, the public, the media and NGO; or b) # or % of councils that bring out these materials in time.
4. 5) a) internal & external audits of local government expenditures a) takes place in accordance with required schedules and b) are published and available or c) # or % of local government in which both a) and b) above are met.

E. Increased Citizen Access to Improved Government Information:

Indicators :

1. citizens believe they have adequate information on political & economic issues and on key aspects of Government proceedings/activities.
2. journalists believe that government is providing them with full opportunity to observe & pursue issues or other key user groups believe.

F. Laws and Regulations Reformed:

Indicators :

1. a) laws and regulations requiring government information sharing on key issues are in place; or b) improvements made in the requirements for information sharing compared to a list of reforms promoted.

G. Improved Dissemination of Information:

Indicators :

1. # or % of occasions (for which it is required to do so) for which government agencies provide adequate notice of public hearings.
2. # or % of occasions (for which they are required to do so) for which government agencies provide adequate notice to the press of public hearings.
1. # of target agencies (or % of agencies out of those required to do so; or in a specific locality; or functional area) providing full information to the public about the services they are required to deliver.
2. # or % of government jobs advertised in a set number and category of news channels and in good time.
3. # or % of government contracts or % of monetary amount of government contracts adver-

tised in a set number and category of media channels.

4. budgets available in good time to legislators, the public, the media, and civil society. With reference to budget information, progress could also be measured by the type of budget produced, from line item (least informative) to program (more informative) to performance (most informative).
5. financial reports on government expenditures available in good time to legislators, the public, the media, & civil society.

H. Ethical Practices in Government Strengthened:

Indicators :

1. public perceptions of corruption in the delivery or provision of selected government services, as reported in opinion polls.
2. perceptions of corruption by surveys of businesses or firms attempting to do business with the state.
3. a) time and b) real cost to customers of getting a license(s) from a selected government regulatory or licensing agency (ies).
4. Policies for misconduct including anti sexual harassment policies in place and operational with cases addressed.

I. Laws and Regulations Reformed:

Indicators :

1. does country have a code(s) of conduct and other necessary supportive and legally binding rules and regulations requiring ethical behavior of elected and government officials? or improvements made in the legal requirements aimed at strengthening ethics compared to a list of requirements promoted.
2. does the country have freedom of information and financial disclosure laws?

J. Oversight Mechanisms to Maintain Ethical Standards Strengthened:

Indicators :

1. does the country maintain an independent (a) auditor general's office or equivalent organization that regularly (i.e., annually) audits government accounts; (b) inspector general's office that regularly monitors govt. contracting & procurement practices;
2. office of government ethics to monitor and implement the code of ethics In government; d) anti-corruption agency to provide public education about, prevent breaches of, and enforce all laws, codes, etc. regulating corrupt practices?
3. availability of adequate resources providing for the existence & staffing of offices of an auditor general, an inspector general, ethics or anti -corruption.
4. administrative capacity of the auditor general's, inspector general's, ethics & anti-corruption offices' equal to the task.
5. % of government budget audited according to required standards in the last financial year and/or % of government contracts & procurements reviewed by the inspector general's office.
6. either % or # of government departments & agencies with major audit findings (i.e., that find a major error) and/or equivalent for inspections of contracts & procurements.
7. % or # of examples of full investigation of significant breaches of procedures or ethics at relatively high level being pursued fully and fairly to transparent outcome, & if necessary to enforcement.
8. effectiveness of legislative oversight
9. # of NGOs with specialized expertise & capacity to monitor, analyze, and publicize government corruption.

K. Quality of media investigation and reporting of corruption.

Indicators :

1. % of new officers hired by competitive exam conducted in a “fair” manner.
2. % of women promoted to managerial or high level positions in government
3. average salaries of selected levels of civil servant as percentage of salaries of roughly the equivalent levels in the private sector.
4. # or % of government financial/accounting systems operating under Integrated Financial Management System (IFM).
5. time and real cost to customers of “connection” to utilities by a government utilities company or agency.
6. 5) transparent procedures for a) licensing, b) procurement, c) privatization, d) tax collection, & e) customs. (One “collective” measure or 5 separate measures.)

L. Increased Civilian Competence in Defence and Security Affairs:

Indicators :

1. # of civilian legislators, legislative staff and government staff (female and male) trained in military & security issues who say that the training improved their skills and they are making use of the skills.
2. amount of resources available for the functioning of legislative agencies responsible for military oversight
3. # of NGOs which are actively engaged in working on military and security issues.
4. # of publications by NGOs on civil/military & military/security issues. (Could also develop a scale combining quantity (coverage of all ma-

jor issues) and quality (use of facts and figures, analysis, exam). of different points of view, projection of implications of particular policies for the country, etc).

5. # of civilian non-government experts with specialized training in military & security affairs who say they make use of their training.
6. # of media representatives with specialized training who report use of training.
7. assessment of the quality of legislative debates on military policy.

M. More Accurate Information Publicly Available:

Indicators :

1. # of public meetings on military and security issues and civilian/military relations.
2. # of TV & radio shows discussing the military and security issues.
3. # of newspaper and journal articles.
4. NGO rating of availability/quality of military provided information.
5. itemization of the military budget.(May be more interested in the degree of itemization).
6. 6) # publications on military or security affairs published by think tanks, NGOs, watchdog groups.

N. More Effective, Independent, and Representative Legislatures:

Indicators :

1. a) level of confidence among political actors (or maybe just legislators) that legislature has the capacity to perform its function; b) level of confidence among legislators that legislature acts as an independent body; c) level of confidence among citizens that legislature acts as

- a check against the executive (in presidential system); d) level of confidence among citizens that legislature represents their interests.
2. degree of legislature's oversight of executive branch behavior.
 3. a) % of total, substantial legislative bills emanating from the legislature; b) the % of bills drafted by the executive that are substantially amended by the legislature. (It is possible that the number or percentage of bills initiated by the legislature will increase when the same party is in charge of both the executive and legislative branches. May be useful to examine a) in conjunction with % of those bills passed).
 4. % of new laws which, as bills, were a) accompanied by a written technical analysis,
 5. opinion papers, and/or legislative study; and b) were the subject of a congressional public hearing.

O. More Effective and Democratic Internal Management Systems:

Indicators :

1. regulations & procedures passed enabling legislature to operate more efficiently & democratically in comparison with a list of reforms proposed.
2. extent of implementation of regulations & procedures enabling legislature to operate more efficiently & democratically.
3. # of months each year that MPs and staff receive promised remuneration in timely manner or average delay in payment of salaries to MPs and staff in # of days per month.
4. % of plenary meetings, with advance agendas, are convened as scheduled.
5. number or % of laws benefitting during drafting from the use of improved information systems.

6. % of MPs & staff who say they are able to obtain information when they need it.
7. a) rules permit equitable participation by opposition (yes/no); b) % of time used by opposition members in key debates, or % of speakers in those debates who are from the opposition; c) opposition members are given resources comparable to ruling party members (e.g., resources for meetings with constituents); d) % of (key) committee members from the opposition in key committees; or e) bills of opposition members are given due consideration.

P. Increased Legislative Capacity to Influence National Policy and Budget Priorities:

Indicators :

1. a) laws or constitutional reforms passed enabling legislature (thru contribution to legislation or oversight) to operate as an independent & democratic body (yes/no); or b) improvements in laws or constitutional provisions in comparison with a list of reforms proposed.
2. a) extent of implementation of laws or constitutional reforms & procedures enabling legislature (thru contribution to legislation or oversight) to operate as an independent & democratic body (yes/no); or b) improvements in the implementation of such laws and constitutional provision in comparison with a list of reforms proposed.
3. % of legislative sessions (plenary & committee) during which translation services are provided.
4. adequacy of legislative review processes: a) executive submits budget;
5. b) legislature has sufficient time to consider budget; c) appropriate committee reviews budget; d) budget analysis prepared; e) legislature holds hearings on budget; and
6. f) legislature amends budget.
7. 5)index of committee capacity: a) committee structure appropriate for issue area (i.e., an

education committee considers only educative issues); committees have sufficient resources (i.e., professional staff) at their disposal; c) committees have the authority to initiate & amend legislation; d) committees exercise their authority.

8. 6)index of committee oversight: a) are there oversight hearings? b) do oversight committees have sufficient resources to conduct independent investigations? c) do oversight committees have authority to question executive branch?
9. % of legislature's budget (or amount) devoted to a) modernization; b) research information.
10. # of staff per legislator or per committee.

Q. Increased Citizen Access to Legislative Processes:

Indicators :

1. # of public hearings open to citizens, citizen groups & the press: a) inside the capital, & b) outside the capital. (Requires qualitative analysis of who is participating and in what manner).
2. a) average # of meetings legislators hold w/ constituents; or b) % of MPs who meet with NGOs & constituents more than x times a year.
3. % legislators (female and male) with functioning regional or local offices of MPs.
4. % of legislative committee meetings in selected issue areas in which citizens participate.
5. scorecard of citizen access: a) do citizens have access to records of meetings; b) are citizens able to find out who or what group is responsible for particular areas and decisions; c) are citizens able to obtain voting records of MPs; d) are citizens granted access to meetings of the parliament; e) are citizens granted access to committee meetings; f) are plenary and committee meetings open to the press?

6. a) legislature permits the operation of periodicals devoted to the reporting of legislative activities; and if so, b) extent and quality of the coverage.
7. % of bills which incorporate the proposals made by the opposition.
8. degree to which legislature manages societal conflict, and attempts to reduce sources of the conflict.
9. perception of a) political actors or b) NGOs regarding the legislature's role in managing societal conflict.
10. content of public participation in committees factored into legislation & budget.
11. Improved Capacity to Reconcile Societal Conflict in an Institutional Framework:

Indicators :

12. % of citizens (female and male) who believe that the executive branch has transparent, participatory, and thoughtful policy processes.
- 13.2) # of key executive branch policies which appear to be having their intended impact in comparison with a list of policies supported.

R. Rules Reformed for Making Policy Reform:

Indicators :

1. Improvements in the laws and rules on division of policy responsibilities compared to a list of reforms promoted.

Policy Formulation and Implementation Capacity Strengthened:

Indicators :

1. % of people (female and male) receiving TA/ training who say they have used their new knowledge and skills and can give examples.
2. # or % of users applying policy analysis tools to policy.

3. a) budget and b) personnel allocations to implement selected policies.
4. legal and institutional framework to implement selected policies.

S. Intra-Governmental Consultation and Information Improved.

Indicators :

1. a) % of policy makers who say they have sufficient information on which to make decisions, or b) # offices or Ministries whose policymakers agree that they have sufficient information
2. # of mechanisms used for intra and inter-ministerial consultation.

T. Opportunities for Public Participation Increased:

Indicators :

1. # of well publicized policy meetings open to citizens and citizen groups.
2. # of meetings of joint policy commissions between the executive branch and representatives of the for profit and/or not for-profit private sectors on selected policies.
3. # or % of private firms and/or NGOs who say they have experienced a valid engagement with the executive branch in the process of policy making and/or implementation.

U. Executive Leadership in Enhancing Democracy:

Indicators :

1. Example(s) of major initiative launched by the executive branch to enhance (broaden or deepen) democracy.

V. Executive Leadership in Resolving Divisive Conflicts:

Indicators :

1. a) example(s) of use of good offices of the executive branch to resolve/reduce/ prevent significant divisive conflicts or b) a critical events agenda for issues known to be divisive.

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ANNEX I: POLICY ACTIONS MATRIX

PILLAR : GOOD GOVERNANCE SECTOR : GOVERNANCE AND HUMAN RIGHTS					
Objectives or Outcomes	Policy Actions or Activities	Category	Timeframe	Responsible Agency	
Empowered National Assembly	Technical and Administrative Support Training	Institutional Development	Jaddi 1392 (end-2013)	Meshrano Jirga, Wolosi Jirga	
	Capacity Building	Institutional Development	Jaddi 1392 (end-2013)	Meshrano Jirga, Wolosi Jirga	
Reformed Public Administration	Public Administration Reform	Institutional Development	Jaddi 1392 (end-2013)	IARCSC	
	Oversee/Implement/Monitor Training and Capacity Building of Public Sector Workforce	Institutional Development	Jaddi 1392 (end-2013)	IARCSC	
	Appoint civil servants based on Merit	Institutional Development	Jaddi 1392 (end-2013)	IARCSC	
Corruption Reduced	Oversee/Implement/Monitor Performance-based Reviews	Institutional Development	Jaddi 1389 (end-2010)	IARCSC	
	Take effective measures to Reduce Corruption	Institutional Development	Jaddi 1392 (end-2013)	GIAAC, President's Office, other Ministries	
	Monitor Corruption at high places of Government	Institutional Development	Jaddi 1387 (end-2008)	GIAAC, President's Office, other Ministries	
	Launch E-Government Applications	Institutional Development	Jaddi 1387 (end-2008)	President's Office, MoICT	
	Implement Public Complaints Mechanism	Institutional Development	Jaddi 1387 (end-2008)	President's office, GIAAC, MoJ etc	
	Mid-term plans formulated and implemented	Development/ Gender Cross Cutting Issues	Jaddi 1387 (end-2008)	Inter-ministerial Consultative group	
	Credible institutional infrastructure established	Institutional Development	Jaddi 1387 (end-2008)	All relevant ministries	
	Enhance Research & Data management Capacity	Development/ AC Cross Cutting Issues	Jaddi 1387 (end-2008)	IARCSC, all ministries	
	Public sector reforms instituted incorporating anti-corruption issues	Institutional/ AC Cross Cutting Issues	Jaddi 1387 (end-2008)	IARCSC, all Ministries and Agencies	
	Regulations and monitoring mechanism for the private sector development developed and implemented	Institutional/ AC Cross Cutting Issues	Jaddi 1387 (end-2008)	Consultative group	
	Implement Public awareness programs on anti-corruption issues	Development/ AC Cross Cutting Issues	Jaddi 1387 (end-2008)	All Ministries and Agencies along with their sub national units	

PILLAR : GOOD GOVERNANCE SECTOR : GOVERNANCE AND HUMAN RIGHTS					
Objectives or Outcomes	Policy Actions or Activities	Category	Timeframe	Responsible Agency	
Enhanced Availability of Information to Public and Enforcement	Right to Information Available to People	Legislation	Jaddi 1389 (end-2010)	IDLG, GIAAC, OoP, MoJ, Cabinet, National Assembly	
	Enforce Sanctions against those involved in the drugs trade	Institutional Development	Jaddi 1389 (end-2010)	MoI (Police), MCN, AGO, IARCSC	
	Productivity Commission advising the Cabinet	Institutional Development	Jaddi 1389 (end-2010)	GIAAC, MoJ, Cabinet, National Assembly	
Improved Participation of Women in Governance	Implement National Action Plan for Women	Institutional Development	Jaddi 1389 (end-2010)	MoWA, All other ministries & Agencies	
	Affirmative action available to women	Legislation	Jaddi 1389 (end-2010)	MoJ, Cabinet, National Assembly, Office of President	
	Piloting of a Regional Leadership Institute for Women in 2 areas	Institutional Development/ Gender Cross Cutting Issues	Jaddi 1387 (end-2010)	IARCSC	
	Capacity Building Program for Women in Government at the level of National Assembly, provincial council and women laid off by the PRR processes Capacity Building for Ministries and LGUs on Gender Sensitive Budgeting	Development/ Gender Cross Cutting Issues	Jaddi 1389 (end-2010)	IARCSC	
Nation Prepared for Disaster Management	Establishment of Women's Councils at the District Level	Institutional Development/ Gender Cross Cutting Issues	Jaddi 1389 (end-2010)	IDLG	
	Gender awareness raising of senior officials of government	Development/ Gender Cross Cutting Issues	Jaddi 1389 (end-2010)	IARCSC	
	Establish an effective system of disaster preparedness and response	Institutional Development	Jaddi 1389 (end-2010)	ANDMA, IDLG	
	Independent Election Commission Capable to fulfill its Role	Institutional Development	Jaddi 1388 (end-2009)	Election Commission, IDLG, Police	
Strong and Capable Independent Election Commission holding regular national and sub national Elections as mandated by the Constitution	Permanent Voters Registry Available	Institutional Development	Jaddi 1388 (end-2009)	Election Commission, IDLG, MoI	
	Sub National Elections Regularly held	Institutional Development	in the year 1389 (2010) and 1392 (2013)	Election Commission, IDLG, Police	
Single National Identity Document	Establish civil registry with a single national identity document	Institutional Development	Jaddi 1392 (end-2013)	MoI, IDLG	

PILLAR : GOOD GOVERNANCE SECTOR : GOVERNANCE AND HUMAN RIGHTS					
Objectives or Outcomes	Policy Actions or Activities	Category	Timeframe	Responsible Agency	
Census and Statistical Baseline Data available for use of the nation	Census Completed and Results Published	Institutional Development	Jaddi 1387 (end-2008)	CSO	
	Statistical Baselines Established and the Statistical Capacity Built		Jaddi 1392 (end-2013)	CSO, MoF	
Villages and Gozars Mapped	Village and Gozar Boundaries Reviewed	Institutional Development	Jaddi 1387 (end-2008)	AGCHO, IDLG, MUD, MRRD	
	Mapping of Villages and Gozars	Institutional Development	Jaddi 1388 (end-2009)	AGCHO, IDLG, MUD, MRRD	
Modern Land Administration System	Establish Modern Land Administration System	Institutional Development	Jaddi 1387 (end-2008)	SC, MUD, MAIL, MoJ, AGCHO	
Established and A fair System for Settlement of Land Disputes Available	Establish A fair System for Settlement of Land Disputes		Jaddi 1386 (end-2007)	SC, MUD, MAIL, MoJ, AGCHO, IDLG	
Government Connected to People and Increased reach of the Government by strengthening sub-national governance	Develop Sub National Governance Policy	Legislation	end-1389 (20 March 2011)	IDLG, MoJ, OoP, National Assembly	
	Ensure Peoples' Participation in Sub National Governance	Institutional Development	end-1389 (20 March 2011)	IDLG, Election Commission, Prov. Councils, MoJ	
	Empower Provincial Councils	Institutional Development	end-1389 (20 March 2011)	IDLG, MoJ, Office of President, National Assembly	
	Law on District Councils, Municipal Councils, and Village Councils	Legislation		The President, IDLG	
	Regular Elections of District Councils, Municipal Councils, Mayors and Village Councils	Institutional Development		Election Commission, Prov. Councils	
	Empowered District Councils, Municipal Councils, Elected Mayors and Village Councils	Institutional Development		Office of President, IDLG	
	Capacity built, the structures reformed, the processes streamlined in the provinces, districts and municipalities	Institutional Development	end-1389 (20 March 2011)	IDLG, IARCSC	
	Reform Sub National Public Administration	Institutional Development	end-1389 (20 March 2011)	IDLG, IARCSC, Office of President	
	Institutionalize Provincial Planning and Provincial Budgeting	Institutional Development	end-1389 (20 March 2011)	IDLG, MoF, All ministries	
	Empower Municipalities	Institutional Development	Jaddi 1392 (end-2013)	IDLG, KM, MoF, IARCSC	

PILLAR : GOOD GOVERNANCE SECTOR : GOVERNANCE AND HUMAN RIGHTS					
Objectives or Outcomes	Policy Actions or Activities	Category	Timeframe	Responsible Agency	
Government Offices physically equipped to fulfill their Role	Facility and Amenities to the Government Offices Reviewed Basic Facility and Amenities Provided to all Government Offices	Development Development	Jaddi 1387 (end-2008) end-1392 (20 March 2013)	All ministries and agencies All ministries and agencies, MoF	
Free Flow of Information from all the District Centers	Free Flow of Information from all the District Centers	Institutional Development	end-1389 (20 March 2011)	Ministries, MoICT, IDLG, Office of President	
Communication with the Government made Easy	Communication with the Government made Easy through the websites	Institutional Development	end-1389 (20 March 2011)	All the Ministries and Agencies, MoICT	
Youth Involved in Governance	Provide Definite Mechanisms for youth involvement	Institutional Development	end-1389 (20 March 2011)	IDLG, Dept of Youth	
Human Rights Realized, Protected, Promoted and Extended	Human Rights Realized, Protected, Promoted and Extended	Institutional Development	Jaddi 1389 (end-2010)	IDLG, National Assembly, MoI, MoJ, MoUD, MoCI, MoWA, MoD, MoLSAMD, MoRR, MoE, AIHRC, and all relevant	
	Action Plan on Peace, Justice and Reconciliation Implemented	Institutional Development	Jaddi 1387 (end-2008)	AIHRC, Office of President, NA, SC, MoJ, IARCSC, others	

ANNEX II: MONITORING MATRIX

PILLAR: GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS SECTOR: GOVERNANCE			
Expected Outcomes	Indicators	Baseline	Targets
Empowered National Assembly	Index on the progress of empowering the National Assembly.	Under Assessment	Empowered National Assembly to fulfill effectively its constitutionally mandated roles (2013)
Reformed Public Administration	Index on the progress of reforming Public Administration.	Under Assessment	Reformed Public Administration (2013)
Trained and Capable Public Sector Workforce	Index on the progress of building capacity of Public Sector Workforce.	Under Assessment	By Jaddi 1392 (end-2013), a training policy for the entire public sector workforce shall be developed and implemented. Institutional arrangements shall be put in place to ensure that each member of the workforce gets trained at least once in two years in organization specific and job specific training along with the generic training.
Merit Based Appointments and Performance-based Reviews	Index on the progress of implementing systems, mechanisms and procedures to implement merit based appointments and performance-based reviews.	Under Assessment	By March 2011, in furtherance of the work of the Civil Service Commission, merit-based appointments, vetting procedures and performance-based reviews will be undertaken for civil service positions at all levels of government
Corruption Reduced	Index on the progress of introducing systems, mechanisms and procedures to reduce and monitor corruption at different levels in the government and the judiciary.	Under Assessment	By Jaddi 1392 (end-2013), the corruption in the judiciary and the government at all levels especially in security, customs, civil administration and municipalities will be significantly reduced.
Enhanced Availability of Information to Public and Enforcement	Index on the progress on enhanced availability of Information to Public and Enforcement.	Under Assessment	By Jaddi 1389 (end-2010), the legal framework required for exercise of this right provided under the constitution will be put in place, distributed to all judicial and legislative institutions, and made available to the public and, implemented.
Improved Participation of Women in Governance	Index on the progress of putting plans, systems and mechanisms in place for improved participation of women in governance.	Under Assessment	By Jaddi 1389 (end-2010) In line with Afghanistan's MDGs, female participation in all Afghan governance institutions, including elected and appointed bodies and the civil service, will be strengthened by providing a specific percent reservation of seats by enacting a law of affirmative action.
Nation Prepared for Disaster Management	Index on the progress of putting plans, systems and mechanisms in place at all levels for Disaster Management.	Under Assessment	By Jaddi 1389 (end-2010), an effective system of disaster preparedness and response will be in place.

PILLAR: GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS SECTOR: GOVERNANCE				
Expected Outcomes	Indicators	Baseline	Targets	
Strong and Capable Independent Election Commission holding regular national and sub national Elections as mandated by the Constitution	Index on the progress of creating a strong and capable Independent Election Commission holding regular national and sub national Elections as mandated by the Constitution.	Under Assessment	The Afghanistan Independent Electoral Commission will have the high integrity, capacity and resources to undertake elections in an increasingly fiscally sustainable manner by Jaddi 1388 (end-2009), with the Government of Afghanistan contributing to the extent possible to the cost of future elections from its own resources.	
Single National Identity Document	Index on the progress of providing single national identity to all citizens in the country.	Under Assessment	By Jaddi 1392 (end-2013), civil registry with a single national identity document will be established	
Census Completed and Results Published	Index on the progress of Census operations and publishing of results.	Under Assessment	Census enumeration fully completed during summer of 2008 in all districts. Publishing the full results of census in 2010	
Statistical Baselines Established and the Statistical Capacity Built	Index on the progress of building statistical capacity in the country and establishing statistical baselines.	Under Assessment	By Jaddi 1392 (end-2013), Reliable statistical baselines will be established for all quantitative benchmarks and statistical capacity built to track progress against them.	
Mapping of Villages and Gozars and reviewing their boundaries	Index on the progress of mapping and reviewing the boundaries of Villages and Gozars.	Under Assessment	By Jaddi 1388 (end-2009), Government will carry out political and administrative mapping of the country with villages and gozars as basic units and, the political and administrative maps will be made available at all levels for the purpose of elections, socio- economic planning and implementation of sub-national governance policy.	
Modern Land Administration System Established	Index on the progress of establishing a modern land administration system including settlement of land disputes.	Under Assessment	A community based process for registration of land in all administrative units and the registration of titles will be started for all urban areas and rural areas by Jaddi 1387 (end-2008). A fair system for settlement of land disputes will be in place by Jaddi 1386 (end-2007).	
Sub National Governance Policy Developed	Index on the progress of putting in place legal, policy, institutions and other systems and procedures for strengthening the sub-national governance.	Under Assessment	By end-1389 (20 March 2011), the Government will ensure formulation and implementation of sub-national governance policy and, its legal and regulatory framework. This will be done through a national dialogue on sub-national governance and, with technical support of international community.	
Government Offices physically equipped to fulfill their Role	Index on the progress of providing basic facilities and amenities to all government offices.	Under Assessment	By end-1392 (20 March 2013), all the councils and offices including municipalities will have basic facilities and amenities including adequate built up space, computers, communication facility and furniture. The key officials at national and sub national level will have adequate means of mobility to make connection with the communities they are serving	

PILLAR: GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS SECTOR: GOVERNANCE				
Expected Outcomes	Indicators	Baseline	Targets	
Free Flow of Information from all the District Centers	Index on the progress of development of a comprehensive MIS for free flow of information from all the District Centers	Under Assessment	By end-1389 (20 March 2011), all the district centers of the country will have internet facility to facilitate the flow of information between the districts, municipalities, provinces and, the centre i.e. Kabul.	
Human Rights Realized, Protected, Promoted and Extended	Index on the progress of putting in place legal, policy, institutional and other systems in place to realize, protect, promote and extend human rights in the country.	Under Assessment	By Jaddi 1389 (end-2010), the Government's capacity to comply with and report on its human rights treaty obligations will be strengthened	

ANNEX III: LIST OF PROJECTS

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
1	AFG/0677501	Construction of Residential Buildings for Vice Presidents, Chief Justices and Head of Head of WOLESI JERGA	1386	carry forward	0.211						0.211	0.211	0.000	Afg	Core	Office of Administrative Affairs
2	AFG/0809401	Design of Chehel Setoon Palace	1387	New	0.200						0.200	0.000	0.200		Core	Office of Administrative Affairs
3	AFG/0809501	Construction of Archive Building inside Arg	1388	New	0.219						0.219	0.000	0.219		Core	Office of Administrative Affairs
4	AFG/0646101	Support to Human Resources as basic structure of MoI and Attorney General	1386	carry forward	0.147						0.147	0.147	0.000	Afg	Core	Civil Service Commission
5	AFG/0711701	Establishment of Training center & Execution of a training program in Baghlan	1386	carry forward	0.017						0.017	0.017	0.000	Afg	Core	Civil Service Commission
6	AFG/0734901	Public Administration Reform (PAR)	1386	carry forward	1.434						1.434	1.434	0.000	WB	Core	Civil Service Commission
7	AFG/0735001	Public Administration Reform (EPAP-II)	1386	carry forward	1.130						1.130	1.130	0.000	WB	Core	Civil Service Commission
8	AFG/0809701	Capacity Building Project for Finance and Administration	1387	New	0.639						0.639	0.639	0.000	WB	Core	Civil Service Commission
9	AFG/0809801	Civil Service Training Center in Ghor province	1388	New	0.042						0.042	0.042	0.000	LIT	Core	Civil Service Commission
10	AFG/0644401	Repair of presidential palace	1386	Carry Forward	0.735						0.735	0.000	0.735	Afg	Core	Office of the President
11	AFG/0734301	طرح ، نيزاين و احياي برج هاي بنجگانه و تعمير بيرق ارگ	1386	Carry Forward	0.200						0.200	0.000	0.200		Core	Office of the President

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)							Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+							
12	AFG/0810401	Metal Roofing of Mosque, Yellow Building and Salam Khana Palace	1387	New	0.100							0.100	0.000	0.100		Core	Office of the President
13	AFG/0810501	Construction of New Building in the Area of Palace (No. 2)	1387	New	0.450							0.450	0.000	0.450		Core	Office of the President
14	AFG/0811301	Rehabilitation of DARWAZA JANGI Tower	1387	New	0.500							0.500	0.000	0.500		Core	Office of the President
15	AFG/0811401	Modernization of Service and Maintenance Department of Arg	1387	New	0.100							0.100	0.000	0.100		Core	Office of the President
16	AFG/0811501	Rehabilitation of Toilets and Construction of Kitchen and Container for Salam Khana Ruin	1387	New	0.100							0.100	0.000	0.100		Core	Office of the President
17	AFG/0811601	Construction of Building for Services of Presidential Palace	1387	New	0.100							0.100	0.000	0.100		Core	Office of the President
18	AFG/0832501	Re-construction of Dar-ul-Aman Palace and Tapa Taj Baig	1387	New	1.000							1.000	0.000	1.000		Core	Office of the President
19	AFG/0731701	Rehabilitation of Old Security Department Building in Darlaman (Rayasat-5) for Members of National Assembly	1386	Carry Forward	1.500							1.500	1.500	0.000	Afg	Core	Wolusi Jirga
20	AFG/0810201	Construction of Building for Members of Mesharano Jerga	1387	New	1.500	1.50						3.000	0.000	3.000		Core	Mesharano Jirga
21	AFG/0516601	Afghanisthan Stablization Programme(ASP)	1386	Carry Forward	22.00	22.00									ADB	Core	ILDG
															AFG	Core	ILDG
															JPN	Core	ILDG

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
															NLD	ILDG
															UNAMA	ILDG
		total			22.00	22.00					44.000	0.000	44.000		Core	ILDG
22	AFG/ 0810801	Construction of 10 Residential Buildings for Governors	1387	New	1.000	0.73					1.728	0.000	1.728		Core	ILDG
23	AFG/ 0811101	Purchase of Vehicles for District Administrators	1387	New	1.000						1.000	0.000	1.000		Core	ILDG
24	AFG/ 0811201	Purchase of Water Supply Equipment and Canalization	1387	New	0.400						0.400	0.000	0.400		Core	ILDG
25	AFG/ 0646601	Photogrammetry Equipment and Metadata	1386	Carry Forward	0.870	0.87					1.740	0.410	1.330	Afg	Core	Geodasy & Cartography
26	AFG/ 0648701	Construction of Karte- Ariana Road to Kabul University through Gardana Sakhi	1386	Carry Forward	2.000						2.000	2.000	0.000	AFG	Core	Kabul Municipality
27	AFG/ 0730301	Solid Waste Management	1386	Carry Forward	1.500						1.500	1.500	0.000	WB	Core	Kabul Municipality
28	AFG/ 0730601	Construction of Chel-sotoon Road (from Pul-e-Artal to Qasr-e-Chel-sotoon) 5.5km long and 30m wide	1386	Carry Forward	1.500						1.500	1.500	0.000	JPN	Core	Kabul Municipality
29	AFG/ 0739301	Sanitation Improvement in Kabul City	1386	Carry Forward	2.000						2.000	2.000	0.000	ARTF	Core	Kabul Municipality
30	AFG/ 0804801	Construction of Roads on North, south side of Kabul River of Kabul City	1387	New	2.930	2.93					5.860	0.000	5.860		Core	Kabul Municipality

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
31	AFG/0804901	Construction of Road from Ibne Sena to Baghe-Kazi & Chahmane Huzuri, Kabul City	1387	New	2.100						2.100	0.000	2.100		Core	Kabul Municipality
32	AFG/0805101	Construction of Rahman Mena Up to Part E of the Project Road, Kabul City	1387	New	1.500	1.75					3.250	0.000	3.250		Core	Kabul Municipality
33	AFG/0805201	Construction of Connecting Road between Badam Bagh Road & Continental Road Kabul City	1387	New	0.500						0.500	0.000	0.500		Core	Kabul Municipality
34	AFG/0805301	Comprehensive Project Area Development Kabul City	1387	New	5.000						5.000	0.000	5.000		Core	Kabul Municipality
35	AFG/0805601	Construction of 3 bridges on Kabul River.	1387	New	3.000						3.000	0.000	3.000		Core	Kabul Municipality
36	AFG/0805901	Kabul City Central Canalization	1387	New	7.000						7.000	0.000	7.000		Core	Kabul Municipality
37	AFG/0813401	Construction of Karte-Mamureen to Qargha Road	1387	New	2.200	2.20					4.400	0.000	4.400		Core	Kabul Municipality
38	AFG/0597904	Strengthening External Audit capacity.	1386	Carry Forward	0.100						0.100	0.100	0.000	WB	Core	Control and Audit Office
39	AFG/0611801	Construction of new building for Control and Audit Office	1386	Carry Forward	1.400	1.29					2.690	0.000	2.690	AFG	Core	Control and Audit Office
40	AFG/0803101	Purchasing of office equipments	1387	New	0.050						0.050	0.000	0.050		Core	Control and Audit Office
41	AFG/0803201	Support to external audit	1387	New	1.340						1.340	1.340	0.000	WB	Core	Control and Audit Office
42	AFG/0803401	Human Resources Training	1387	New	0.340						0.340	0.340	0.000	WB	Core	Control and Audit Office

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
43	AFG/0813301	Capacity Building and hiring of consultants	1387	New	0.669						0.669	0.669	0.000	WB	Core	Control and Audit Office
44	AFG/0810701	Purchase of Vehicles	1387	New	0.244						0.244	0.000	0.244		Core	Independend Election Commission
45	AFG/0681201	Contingency fund for development project.			0.000						0.000	65.000			Core	Contingency Fund For Development Projects
		Total									104.235	79.979	89.256			
External Funding projects																
1	AFG/0132801	Afghan Independent Human Rights Commission (AIHRC)	1386		5.40	0.00					5.400	6.500	-1.100	DNK	External	Administrative Affairs
2	AFG/0627002	National Human Rights Project	1386		0.81	0.00					0.808	0.808	0.000	Swiss	External	Administrative Affairs
3	AFG/0694901	Support to the Center of Government.	1386		0.20									UNDP	External	Administrative Affairs
			1386		2.90									USAID	External	Administrative Affairs
		Total	1386		3.10	0.00					3.100	3.100	0.000	///	External	Administrative Affairs
4	AFG/0831101	UNDP-ANDS JCMB Project	1386		0.20	0.00					0.200	0.200	0.000	NOR	External	Administrative Affairs
5	AFG/0691301	Building Capacity for Human and Legal Rights Activists	1386		0.20	0.00					0.200	0.200	0.000	DNK	External	Civil Service Commission
6	AFG/0691401	Danish Center for Human Rights/Civil Society and Human Rights Network	1386		0.26	0.00					0.260	0.260	0.000	DNK	External	Civil Service Commission
7	AFG/0700901	Initiative to Promote Afghan civil Society (I-PACS)	1386		2.00	0.00					2.000	2.000	0.000	USAID	External	Civil Service Commission

S/N	AFG Budget Ref	Programs /Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Require-ment (US\$ Million)	Total Fund-ing (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
8	AFG/0706501	Capacity develop-ment Program (CDF)	1386		51.00	0.00					51.000	51.000	0.000	USAID	External	Civil Service Commission
9	AFG/0771801	Support for Centre of Government	1386		1.34	0.59					1.925	1.925	0.000	UK-DFID	External	Civil Service Commission
10	AFG/0776701	Core Support to Civil Service Institute	1386		1.13	0.00					1.125	1.125	0.000	NOR	External	Civil Service Commission
11	AFG/0778701	Deputation of 30 civil servants as advisors with key Afghan ministries under UNDP's proposal for creating Capacity Develop-ment Facility for Afghanistan	1386		0.30	0.00					0.300	0.300	0.000	IND	External	Civil Service Commission
12	AFG/0783801	EC 6th Reconstruc-tion Programme , Support to PAR	1386		1.39	0.00					1.393	1.393	0.000	EC	External	Civil Service Commission
13	AFG/0785801	Recruitment of a Team European Consultants for Public Administra-tion and Reform in Afghanistan	1386		1.70	0.00					1.704	1.704	0.000	EC	External	Civil Service Commission
14	AFG/0821601	Public Adminis-trative Reform - Coaches & Advisors Program (CAP)	1386		1.67	0.00					1.667	1.667	0.000	CAN	External	Civil Service Commission
15	AFG/0750001	Afghanistan National Assembly Project (SUNY)	1386		3.00	0.00	0.00				3.000	3.000	0.000	USAID	External	National As-sembly
16	AFG/0778801	Construction of Afghanistan's Par-liament Building	1386		15.00	20.75	20.75				56.500	56.500	0.000	IND	External	National As-sembly
17	AFG/0816501	Support to the Establishment of the Afghan Legislature	1386		0.40	0.00	0.00				0.400	0.400	0.000	CAN	External	National As-sembly

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)							Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+							
18	AFG/0741501	Strategic Support to the Presidency and Independent Electoral Commission	1386		3.00	0.00						3.000	3.000	0.000	USAID	External	Office of the President
19	AFG/0771501	Support to ANDS Secretariat	1386		0.20	0.00						0.200	0.200	0.000	UK-DFID	External	Office of the President
20	AFG/0775301	ANDS/ JCMB Project	1386		0.14	0.00						0.142	0.142	0.000	NOR	External	Office of the President
21	AFG/0821901	Support to the ANDS/JCMB	1386		1.47	0.00						1.467	1.467	0.000	CAN	External	Office of the President
22	AFG/0700801	Local Governance and Community Development - PRT	1386		23.20	0.00						23.200	23.200	0.000	USAID	External	ILDG
23	AFG/0724901	SUPPORT TO PROVINCIAL GOVERNANCE	1386		0.39	0.00						0.390	0.390	0.000	EC	External	ILDG
24	AFG/0821801	Afghanistan Sub-National Governance Program	1386		1.67	0.00						1.667	1.667	0.000	CAN	External	ILDG
25	AFG/0825801	Management Cost of Local Governance and Community Development - PRT	1386		21.80	0.00						21.800	21.800	0.000	USAID	External	ILDG
26	AFG/0828301	Provincial Governance Fund for Poppy Eradication	1386		50.00	0.00						50.000	50.000	0.000	USAID	External	ILDG
27	AFG/0760001	Support to Afghanistan Provincial Governance	1386		4.02	0.00						4.017	3.770	0.247	EC	External	ILDG
28	AFG/0139601	Afghanistan Information Management Services (AIMS) : Support to Capacity Building for Information Management In Afghanistan.	1386		2.50	0.00						2.500	2.500	0.000	USAID	External	Central Statistics office

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)							Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+							
29	AFG/0819601	AFGHAN POPULATION AND HOUSING CENSUS	1386		2.40	0.00					2.400	2.400	0.000	NOR	External	Central Statistics office	
30	AFG/0828501	Afghan Elections	1386		102.00	0.00					102.000	102.000	0.000	USAID	External	Independent Election Com.	
31	AFG/0828601	Election - Voter Registration and Education Program	1386		1.00	0.00					1.000	1.000	0.000	USAID	External	Independent Election Com.	
32	AFG/0828701	Support to Election Process (STEP)	1386		5.00	0.00					5.000	5.000	0.000	USAID	External	Independent Election Com.	
33	AFG/0828801	Election Assistance (CEPPS)	1386		2.00	0.00					2.000	2.000	0.000	USAID	External	Independent Election Com.	
34	AFG/0627001	Afghan Independent Human Rights Commission(AHRC)			0.81	0.00	0.00				0.810	0.810	0.000	Swiss	External	TBD	
35	AFG/0627101	Afghanisan Civil Society forum			0.30	0.00	0.00				0.300	0.300	0.000	Swiss	External	TBD	
36	AFG/0722201	Technical Support to EC in preparation of EC's Strategic and Programming documents			0.02	0.00	0.00				0.020	0.024	-0.004	EC	External	TBD	
37	AFG/0754201	Decentralization City Links			22.00	0.00	0.00				22.000	22.000	0.000	USAID	External	TBD	
38	AFG/0775101	Core support to Integrity Watch Afghanistan			0.08	0.00	0.00				0.083	0.083	0.000	NOR	External	TBD	
39	AFG/0776801	Core Support to Afghanistan Research and Evaluation Unit			0.33	0.33	0.00				0.667	0.667	0.000	NOR	External	TBD	
40	AFG/0782401	Funds for Local Cooperation			0.50	0.00	0.00				0.500	0.502	-0.002	FIN	External	TBD	
41	AFG/0788301	Protecting the rights of Disabled Afghan Children			0.20	0.13	0.00				0.330	0.330	0.000	EC	External	TBD	

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
42	AFG/0820101	Support to Strategic Government Communications			0.86	0.86	0.86				2.573	1.715	0.858	UK-DFID	External	TBD
43	AFG/0820401	Strengthening Governance in Helmand Phase II			1.61	1.61	0.00				3.216	3.216	0.000	UK-DFID	External	TBD
44	AFG/0826201	Management Cost of USAID Governance Cost			14.90	0.00	0.00				14.900	14.900	0.000	USAID	External	TBD
45	AFG/0775201	UNDP Accountability & Transparency			1.23	0.00	0.00				1.233	0.617	0.617	NOR	External	TBD
		Total									398.396	397.781	0.615			

ANNEX IV: LIST OF PROVINCIAL DEVELOPMENT PROJECTS

No.	Project Name	Project Location Province	Responsible agency	Project Start- ing Year
	Establishment of an equipped training centre for women, in the provincial centre (50000 beneficiaries).	Balkh	MoWA	1388
	Construction of regional anti-corruption office.	Balkh	GIAAC	1388
	Construction of anti-corruption directorate in the centre of the province.	Bghlan	GIAAC	1388
	Establish of Independent Human Rights Commission in the centre of the province	Bghlan	MoJ	1388
	Construction of a conference hall for Developmental Council meetings.	Bghlan	ILDG	1388
	Construction of building for Provincial Council, in Dasht-i-Essa Khan, central Bamiyan.	Bamiyan	ILDG	1388
	Construction of an office for human rights at Wakhan.	Badakhshan	MoJ	1388
	Construction of district building in Argo .	Badakhshan	ILDG	1388
	Construction of a district Building in Khowahan .	Badakhshan	ILDG	1388
	Construction of a district building in Shaki	Badakhshan	ILDG	1388
	Construction of a district building in Drayam .	Badakhshan	ILDG	1388
	Construction of a district building in Darwaz Bala	Badakhshan	ILDG	1388
	Establishment of a central youth office in the provincial centre and related districts (450,000 youth as beneficiaries).	Badakhshan	MoCY	1388
	Establishment of human rights awareness campaign at provincial level.	Daikundi	MoJ	1388
	Construction of Independent Anti-Corruption Department building in the provincial centre (5 rooms)	Daikundi	GIAAC	1388
	Establishment of public awareness program in all districts of Faryab province (1.8 million beneficiaries)	Faryab		1388
	Construction of parent's council building and empowerment of council.	Jawozjan	ILDG	1388
	Construction of auditorium for arrangement of seminars for human rights information in centre of province (auditorium capacity 1200 participants).	Jawozjan	ILDG	1388
	Implementation of administrative reform in the entire province.	Parwan	IARCSC	1388
	Establish of public awareness courses in the centre of the province.	Parwan		1388
	Construction of auditorium, including two halls in centre of Paryan district.	Pajshir	ILDG	1388
	Construction of auditorium in centre of Khinj district.	Pajshir	ILDG	1388
	Establishment of human rights awareness courses in Paryan district. Three courses run three times.	Pajshir	MoJ	1388

No.	Project Name	Project Location Province	Responsible agency	Project Start- ing Year
	Capacity building for official government staff.	Pajshir	IARCSC	1388
	Construction of local shura (Shura is the gathering of local elders for solving local problems) building in Ghazni centre (15 room building with hall (20,000 beneficiaries).	Ghazni	ILDG, MRRD	1388
	Construction of Hall for seminars and work shops (1500 beneficiaries).	Ghazni	ILDG	1388
	Construction of Human Rights Office (5 room's 1 jerib land provincial centre).	Ghazni	MOJ	1388
	Establishment of cultural assembly in centre of Rabat Sangee.	Hirat	MoCY	1388
	Establishment of cultural assembly in centre of Enjel district.	Hirat	MoCY	1388
	Establishment of cultural assembly in centre of Shindand district.	Hirat	MoCY	1388
	Construction of building for administrative office of Dasht-i-Qala district.	Takhar	ILDG	1388
	Construction of complex building for Baharak district.	Takhar	ILDG	1388
	Construction of complex building for Chaa Aab district.	Takhar	ILDG	1388
	Construction of complex building for Dar Qad district.	Takhar	ILDG	1388
	Construction of complex building for Chaal district.	Takhar	ILDG	1388
	Construction of complex building for Bangi district.	Takhar	ILDG	1388
	Construction of complex building for wise council in the centre of the province.	Takhar	ILDG	1388
	Construction of a hall for conducting social affairs, meetings and conferences.20x30m	Wardak	ILDG	1388
	Construction of building. For conducting seminar Work shop of Ladies 8 Room	Wardak	ILDG	1388
	Construction of building for conducting meetings of local shura (CDC).	Wardak	ILDG	1388
	Construction of Human Rights office building in Daimirdad district (4 rooms)	Wardak	MoJ	1388
	Construction of DC (district council) building in Nirkh district.	Wardak	ILDG	1388
	Conducting of administrative reforms in Midan Wadak province.	Wardak	IARCSC	1388
	Construction of one building for PC sessions in Jaghato district.	Wardak	ILDG	1388
	Construction of building for PC sessions in Jalriz district.	Wardak	ILDG	1388
	Construction of a 25 room building for the Human Rights Workshops & Kuchis meetings.	Paktika	MoJ	1388
	Construction of anti-corruption sub-offices in Kabul.	Kabul	MoJ	1388
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, in Khak Jabar district.	Kabul	MoWA	1388

No.	Project Name	Project Location Province	Responsible agency	Project Start- ing Year
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, in central Shakar Dara district.	Kabul	MoWA	1388
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, in central Mir Bacha Kot district.	Kabul	MoWA	1388
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, in central Estalif district.	Kabul	MoWA	1388
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, at the centre of Baghman district.	Kabul	MoWA	1388
	Conducting of a public rights awareness campaign for women's and children rights and the problems of forced marriages, in Bagrami district.	Kabul	MoWA	1388
	Conducting Human Rights awareness seminars and campaigns in all districts of the province.	kundoz	MoWA	1388
	Establishment of a centre for gathering and coordination of the three branches of the government.	Samangan	ILDG	1388
	Construction of a peace building (Protection Home) with complete daily requirements in the provincial centre, (26,000 beneficiaries).	Badghis	ILDG	1388
	Establishment of anti-corruption office, provincial centre.	Sari pul	GIAAC	1388
	Establishment of election commission office, provincial centre.	Sari pul	IEC	1388
	Construction of building for Provincial Council in centre of Kandahar and all districts	Kandahar	ILDG	1388
	Construction of Human Rights offices in all districts (each building should have 18 rooms) (200,000 beneficiaries).	Kandahar	MoJ	1388
	Capacity building on counter-narcotics in all districts (200000 beneficiaries)	Kandahar	MCN	1388
	Advocacy & awareness on human rights & narcotics for all people in the province.(3,000,000 beneficiaries).	Kandahar	MoJ	1388
	Construction of human rights offices in all districts, especially in Dand district (2,000,000 beneficiaries).	Kandahar	MoJ	1388
	Creation and construction of a hall for Law Department	Logar	MoJ	1388
	Construction of meeting hall of 4000m (2000 beneficiaries)	Logar	ILDG	1388
	Conducting Capacity Building Workshops for government Officers in centre and Districts 7000Perso-n	Zabul	IARCSC	1388
	Establishment of Commission of Administrative Reform in Ataghar District	Zabul	IARCSC	1388
	Establishment of Joint Commission of Community Elders and Collision forces in Centre to Solving the Security Problems	Zabul	ILDG	1388
	construction of office for Human Rights in centre of Ataghar District Beneficiaries All Districts	Zabul	MoJ	1388
	Construction of building for General Independent Administration of Anti Corruption & Bribery (GIAAC)	Urozgan	GIAAC	1388
	Construction of district office Gizab district.	Urozgan	ILDG	1388

No.	Project Name	Project Location Province	Responsible agency	Project Start- ing Year
	Construction of public meeting hall in Chora district	Urozgan	ILDG	1388
	Construction of district office Dehrawod district	Urozgan	ILDG	1388
	Establishment & construction of Human Rights office in Tarinkot beneficiaries All Population of the province	Urozgan	MoJ	1388
	Establishment of Human Rights Office in Khas Uruzgan district	Urozgan	MoJ	1388
	Construction of a guest house in central Ghor province for MoJ (20 rooms).	Ghor	MoJ	1388
	Construction of Public conference hall in Gulistan district for 400 People.	Farah	ILDG	1388
	Construction of public conference hall in Bakwa district centre (300 beneficiaries).	Farah	ILDG	1388
	Construction of a big conference hall in the centre of the province for national day's governmental meetings & workshops. Beneficiaries Public 1000	Nimroz	ILDG	1388
	Construction of complex for government offices in Kang, Chaghnsor, Charborjak and Kashrod district Beneficiaries 90000.	Nimroz	ILDG	1388
	Establishment of Human Rights Office in centre. Beneficiaries All Province	Nimroz	MoJ	1388
	. Giving part for Kochiz to participate in Provincial Counsel.	Nimroz	ILDG	1388
	. Giving part for contribution to wise community members in all government affairs	Nimroz	ILDG	1388
	Construction of building for community shura in Grishk district.	Hilmand	ILDG, MRRD	1388
	Construction of building for district office in Musa Qala	Hilmand	ILDG	1388
	Construction of District Office Khanashin district	Hilmand	ILDG	1388
	Construction of district office Nad Ali district.	Hilmand	ILDG	1388
	Construction of district office in Washier.	Hilmand	ILDG	1388
	Establishment & Construction of an anti corruption office at provincial level.	Khost	GIAAC	1388
	Training Centre for Women About Rights (1150000 beneficiaries).	Khost	MoWA	1388
	Establishment.of.legalePublic.awareness centre hall for 100 person.	Kunar	MoJ	1388
	Construction of human rights office (centre, 5 rooms) provincial Level.	Kunar	MoJ	1388
	Construction of Civil Service Commission office (6 rooms, at provincial level)	Kunar	IARCSC	1388
	Implementation of administrative reforms in centre and districts.	Paktia	IARCSC	1388
	Construction of Conference Halls in Gardiz city and the centre of each district.	Paktia	ILDG	1388
	Creation of 18 Human Rights workshops, in Gardez Centre & all districts. 5,000 beneficiaries.	Paktia	MoJ	1388
	Implementation of anti corruption programs in Gardez Centre and rest of province.	Paktia	GIAAC	1388

No.	Project Name	Project Location Province	Responsible agency	Project Start- ing Year
	Construction and equipping of Human Rights building in district 17 th of Kabul.	Kabul Urban	MoJ	1388
	Creation of branches in all districts of Kabul for distribution of ministry of justice newsletters and brochures.	Kabul Urban	MoJ	1388
	Construction of a kuchi conference room (10 rooms + big hall) in Qalai Naw city (60,000 beneficiaries).	Badghis	ILDG	1388
	Establishment of human rights awareness workshops in centre of Ghor province.	Ghor	MoJ	1388
	Construction of public conference hall (centre of Jaween district, 400 beneficiaries).	Farah	ILDG	1388
	Construction of public conference hall (centre of Pusht Koh district (300 beneficiaries).	Farah	ILDG	1388

Religious Affairs Sector Strategy

1387 - 1391 (2007/08 - 2012/13)



Pillar II - Good Governance

Religious Affairs Sector Strategy

Approved by:

Sector Responsible Authorities

<i>Ministry/Agency</i>	<i>Name of Minister/Director</i>
Ministry of Haj and Endowment	H.E. Nematullah Shahrani
Ministry of Education	H.E. Mohammad Haneef Atmar
Ministry of Higher Education	H.E. Mohammad Azam Dadfar
Science Academy	H.E. Abdul Bahary Rashid

Date of Submission

8th October 2007

Glossaries

Madrassa	An educational center in which often religious science is taught.
Darulhefaz	An educational center in which the holy Quran is learnt by heart.
Talib	The student of Madrassa and Darulhefaz, the student of religious school.
Mudaress	A person who teaches in Madrassa as a professional teacher of religious subjects.
Mula Imam	A religious leader in the community who is sitting in the mosque and leading the daily, Friday, Eid and funeral congregational prayers, while the people silently stand behind him and follow his act.
Mawlawi	The title for the religious expert and scholar as well as it is a high rank in Islam.
Masjed	Mosque, the special place where the Muslims perform their daily, Friday and Eid prayers together.
Husainia	The special place where the followers of Asna Ashari (Shiite) sect preach in.
Takia Khana	Special place where the followers of Asna Ashari (Shiite) sect preach in.
Wahez	Preacher, one who preaches religious affairs to the people through Mosque, Husainia and Takia Khana.
Ruhani	Cleric, a person who is respected by the people in terms of his intellectual behaviors.
Khanqa	Specific place where sufies are gathered for worshiping and mortification.
Zeyarat	Shrine
Hajj	The fifth pillar of Islam, every eligible Muslim is to go to Mecca which is located in Saudi Arab at least once in their life to perform Hajj in specific days of the year (Eid Qurban).
Omra	Perform Hajj in other days (not specific Eid Qurban days).
Karbala	The specific place where Imam Husain, the grand son of Prophet Mohammad PBH martyred.
Ayat	Verse of the holy Quran, one or more than one sentence of the holy Quran which indicates a specific meaning.
Hadith	Sayings, actions and confirmed points by Mohammad PBH.
Jamat Khana	Specific place where the followers of Ismailia sect worship in.
Daramsal	The specific place where the followers of Sikhism worship in.

EXECUTIVE SUMMARY

VISION AND OVERALL GOAL

VISION:

The sacred religion of Islam builds up the foundation of belief and culture of the majority of the Afghans.

The I-ANDS recognizes the all pervasive role of Islam as an essential element of all social, economic and political spheres of life in Afghanistan as well as a tool for the development and growth and poverty reduction in the country.

Significant reforms have to be initiated in the next ten years in the provision of religious services, establishment of religious schools, public awareness, empowerment of religious entities and the capacity building of scholars and clerics.

OVER ALL GOAL

Provide competent religious services; raise religious awareness in order to fully contribute and engage in the development programs leading to poverty reduction.

INTRODUCTION OF RELIGIOUS AFFAIRS SECTOR:

Religious Affairs sector despite being considered pervasive in all areas of development, it mainly falls under pillar two (security, governance and rule of law) and part of the five programs (strengthening national assembly- justice, religious affairs, administrative reforms and human rights)

OVERALL IMPORTANCE OF ISLAM IN THE SOCIETY:

According to the constitution, the majority of Afghans are Muslims. National unity builds upon Islam.

A: the importance of religious affairs sector for the overall development of Afghanistan

The ANDS focuses on the important role of religion and religious institutions in the realization of development goals. The implementation of development programs without active participation of the public and the religious scholars is not possible.

B: importance of religious sector in poverty reduction

Engagement of religious scholars in raising awareness and encouraging the enrolment of girls at schools as well as raising their awareness regarding their rights, environment protection and encouraging people towards work will be helpful in supplementing government efforts in poverty reduction.

A. Section Two: Current Status

This section deals with the existing problems within the religious sector which covers issues like deprivation of women from religious knowledge, lack of coordination and non alignment with the actual needs, lack of participation of religious

scholars in the political and social arenas, lack of knowledge about the contemporary sciences, lack of coordination and planning within religious institutions.

The strategy focuses on the role of existing institutional, legal, financial and administrative organization which include Ministries of Haj and endowment, Education, Higher Education, Information and Culture, Supreme Court, Academy of Science and other related agencies

As regards to the existing legal framework, the Afghan constitution, penal and civic codes are based on the principles of the Islamic. This section also deliberates on the issue of pilgrims, institutional issues relating to establishment of madrassas and religious institutions, human resources development issues, the need for developing a uniform curriculum for all religious schools of the country and lack of coordination between Sharia faculties of Afghanistan universities.

B. Section Three - Cross-cutting issues:

This section deliberates on cross cutting issues covering capacity building, gender equity, environment, counter narcotics and regional cooperation. It considers the important challenges like the issue of security, budgetary support, lack of external assistance, lack of professional staff, lack of awareness and prevalence of corruption in realizing the development objectives as envisaged in the strategy. It also explains the vision of Islam towards encouraging education & literacy, in discouraging the use of narcotics, in reducing poverty, views of Islam on the culture of violence and terrorism and the promotion of rule of law and protection of human rights and women rights.

C. Section four - Basic strategies and programs:

This section elaborates the development programmes and projects proposed by the government to achieve the desired goals outlined in the strategy which are organized under the following three areas:

1. Primary priority programs for the coming two years
2. Secondary priority programs for the coming five years
3. Tertiary priority programs for the coming ten years above

D. Section five - Role of stakeholders:

Role played by the various stakeholders involved in the development and implementation of development programmes of religious sector has been elaborated in this section. The agencies involved cover various ministries of the Government of Afghanistan, private institutions and NGOs and international agencies. Expected contributions from all such agencies include financial support besides providing institutional and professional support.

E. Section Six – Monitoring and Evaluation:

Mechanisms to monitor and evaluate the process of project implementation during its different phases, from the start to the end, in respect of the expenditures, savings, effectiveness, prevention of any faults and appointment of eligible people with clear terms of references to timely execute and implement the designed programs having an appendix for evaluating the planned activity.

Annex I is the policy and action plan

Annex II includes Monitoring and Evaluation of the strategy

Annex III includes the list of projects

Annex IV includes Provincial Development Priorities (PDPs)

INTRODUCTION

By the Name of Allah, the Most compassionate the Most Merciful

ليس للانسان الا ما سعى

Man can have nothing but what he strives for (Holy Quran)

Undoubtedly the firm faith on holy religion of Islam is central to and dominant in Afghan culture. The history of Islam and the history of Afghanistan have proved that Afghans have devoted their lives and properties in defending their faith, but did not let anybody to invade on their Islamic territory and beliefs. The loyalty of our people towards Islam is not for earthly personal, partisan gains in military and political areas, but for complete adherence to sacred principles of Islam covering every aspect of individual and social life. Emam Abu Hanifa Parwani, Abu Dawood Seestani, Ebn Sena Balkhi, Mawlana Jami Herawi, Hakim Sanayee Ghaznawi and tens of others similar to them are the torch bearers of Islamic culture who have successfully spread this message all over the World.

On the other hand, it is undeniable fact that the holy religion of Islam commands love, peace, mercy, compassion and friendship. The blessed phrase of : « بسم الله الرحمن الرحيم » which is the message of infinite mercy and compassion of Allah, is recited at the beginning of recitation of Quran and beginning of all good things. This message of mercy and compassion has been reiterated in several verses of the Holy Quran.

Unfortunately, Afghans were the prime victims of more than two decades of turbulence and conflicts witnessed in the country. Actions of few extreme individuals during the period of turmoil are as-

sumed to be justified by Islam in the minds of some people. The actions of few such fanatical individuals and heinous crimes committed by them are against the spirit of Islam and traditional Afghan culture, and the period of conflict and violence destroyed the cultural, social and economic heritage of the country.

Without any doubts, the key to lasting peace and long term development of Afghanistan lies in following the path of peace as commanded by Islam. This path will lead us towards better development and growth and building a prosperous Afghanistan.

Fortunately, with the recent changes in the country, all the people of Afghanistan, particularly religious scholars all together with the rest of their countrymen under the leadership of their government, are making efforts in rebuilding the economic pillars of their country, so that this will lead to the recovery of our beloved country from all disasters and let our country stand among the rest of peaceful and developed nations of the world.

VISION AND GOALS

A. OVERALL VISION

The sacred religion of Islam builds up the foundation of belief and culture of the majority of the Afghans. It is believed that, none of the programs, not considering Islam will be implemented successfully. The essence and spirit of Islam supports all spheres of social development and opposes all efforts causing backwardness.

(A strong and healthy man is better than a weak person¹)

Islam is a religion of peace, love, kindness and mercy. It is a comprehensive religion, which covers all aspects of life, including worship, faith, education, social relations, economic growth, peace, mutual respect and social security of all individuals. But, unfortunately, during the era of war and crises, the culture of extremism has raised and led to many be unaware and ignorant of the deep peace and mankind loving teachings of Islam.

With no doubts, our better understanding of the Islamic values and acting in accordance to that will guide us towards building a prosperous Afghanistan, will prove to be the best guide in giving us relief from poverty, backwardness and crises of the centuries.

The time has come, that all the people of Afghanistan, particularly the religious scholars all together with the rest of their countrymen make efforts in rebuilding the economic pillars of their country, so that this will lead to the recovery of our beloved country from all disasters and let our country stand among the rest of peaceful and developed nations of the world.

The ANDS recognizes Islam as a powerful factor of national unity which supports social development and progress and seeks poverty reduction.

¹ From the sayings of the prophet Mohammad (PBUH)

And recognizes its presence in all affairs of the society, believes that, the role of the people of Afghanistan has always been critical towards building a prosperous society. "إِنَّ اللَّهَ لَا يُغَيِّرُ مَا بِقَوْمٍ حَتَّى يُغَيِّرُوا" ² Verily Allah never changes the condition of a people until they change it themselves.

Freedom of the followers of other faiths in the exercise and performance of their religious rituals is respected and it is tried to prepare suitable ground for them.

Within five or ten coming years, the ANDS will provide opportunity for realizing the national development, poverty reduction, empowerment of religious institutions, public awareness in terms of Islamic principles and support for the clerics and scholars.

Constitution of the Islamic Republic of Afghanistan has repeatedly insisted on serving Islam and condemned all acts opposing Islamic teachings. It also urges all social institutions, governmental and none governmental, to support Islamic values and follow it.

Five year strategic benchmarks of the government:

1. Ensure that religious institutions and scholars including men and women participate regularly at development policy issues.
2. Adopt tangible measures to ensure that the status and participation of women is enhanced in Islamic affairs at both national and international level.

OVERALL GOAL:

Provision of competent religious services and raising religious awareness of the public in order to promote their participation in the development programs of the government which ultimately leads to poverty reduction and development of Afghanistan.

² Verse No. 11/ Al-Raad/Holy Quraan

The government's goal is to ensure that all Afghans have equal opportunities in religious affairs and Islamic issues are discussed in the framework of the country's economic development. The government will improve religious infrastructures including mosques and shrines. It will also develop religious schools and will train imams, preachers and religious teachers and will finalize overall culture curriculum for primary and higher education. The government will provide training opportunities in terms of Islamic teachings and will also strengthen Haj arrangement systems for the Afghan pilgrims.

EXPECTED OUTCOMES:

Islamic Republic of Afghanistan, with the help of Almighty God and support of people, will try to achieve the following goals within the coming years:

- Provision of religious services, enhance the capacity of the Imams, preachers and increase religious awareness of people including Women's awareness of Islamic issues and their Islamic rights.
- Strengthen educational, scientific and cultural institutions, support Islamic education, encourage families in regards with children education and enhance the capability of young religious learners in the areas of the Islamic teachings
- Reduction of Social problems (such as poverty, drugs, administrative corruption, illiteracy and other negative phenomena) through active preaching and participation of clerics and religious scholars and efforts for self-sufficiency of religious institutions.
- Establish good relations between religious institutions of the country and Islamic World, establish the proper position of Afghanistan in Islamic World.

- Close relations between Islamic sects as an effective factor of national unity, stability of the country, and participation of clerics and scholars in social life.

INTRODUCTION TO RELIGIOUS AFFAIRS SECTOR:

Islam is pervasive in all spheres of life of Afghans and thus becomes an integral part of overall development strategy. Keeping in view the importance of Islam, the religious sector strategy is placed in the second pillar (Governance and Rule of law) of ANDS. This pillar comprises of five sections as follows:

1- Strengthening national assembly 2- justice and rule of law 3- religious affairs 4- administrative reforms 5- human rights.

These five sections are prerequisite and in many cases have cross cutting issues within each other which make parts of this pillar. Below is an introductory elaboration on relations of religious affairs sector with other parts of this pillar.

A. Religious Affairs Sector and Strengthening National Assembly:

The essence of Shura in Islam is a recognized and valid principle. The holy verse of Koran states that: Those who (conduct) their affairs by mutual Consultation. The Affairs of Muslims is based on consultations. The history of Islam also witnesses different examples of this consultation. The selection of caliphate was based on this approach. Therefore, election for the political purposes and establishment of political entities at the capital and provinces is supported by Islam. When People in rural areas and outskirts of the country get to know that voting and candidacy is an Islamic imperative, they will sincerely cooperate and will endeavour in strengthening their elected bodies and election and shuras will become part of their customs.

B. Religious Affairs, Justice and Rule of Law Sector:

Three categories of rules exist within the daily living affairs of our people:

- Enacted legislation
- Customs and traditions
- Islamic jurisprudence and scholars and clerics decisions

It has been observed that, in many cases based on socio-economic situation, the prevailing

customs and traditions undermines both the enacted laws and Islamic jurisprudence. Our constitution mandates that, no law which violates Sharia can be applied and enforced. We have to eliminate such unacceptable traditions and customs which are against the basic tenants of justice and Islamic jurisprudence from the Afghan society. The religious scholars and uelmas can play a proactive role in the campaign against such negative traditions. This sector strategy is a step in that direction enhancing the religious awareness in the society which will enable the majority of the people to be aware of their rights and respecting the rights of the others.

C. Religious Affairs and Administrative Reform Sector:

Corruption, embezzlement, nepotism and other injustice forms are the problems which hinders the transformation of an administration towards good governance. A vigorous religious campaign is essential for encouraging people to observe the rights of the people, ensure social justice and help fight bribery and corruption. This will also encourage people to earn legitimate income, work for wage and feel responsible for the work being assigned to them.

The culture of receiving wage for work and earning lawful income strengthen the sense of responsibility of faith and consciousness in civil servants and reduce the extent of invisible idleness and waste of time during office hours.

In addition to this, adhering to the very essence of merit as reflected by this holy verse (Allah command you to render back your Trusts to those to whom they are due) encourages the competent authorities to recruit people on the basis of merit.

D. Religious affairs sector and human rights:

Afghans were prime victims of conflict and destruction in the country contributing to violation of human rights of the people and has posed a major obstacle in adhering to human rights. It goes without saying that it is of vital importance prior to any thing, to observe and ensure the rights of the citizens. The religion of Islam supports many articles of the human rights and severely condemns the violation of human rights; the Islamic declaration on human rights signed by Islamic conference indicates this issue. The religion of Islam is supportive towards realization of human rights in different aspects of social life particularly saving up lives of human being. The prophet of Islam states that “whoever does not caress the children and does not respect the elders is not one of us”

The issue of violence against women, forced marriages, etc can all be reduced and eliminated through Islamic campaigns.

E. Overall importance of Islam in the Afghan Society:

There is no doubt that the religion of Islam is of significant importance in the Islamic Republic of Afghanistan. The factors which reflect this importance are as follows:

1. The Afghan constitution builds upon the provisions and principles of Islam and this fact is explicitly outlined in the introduction, second and third article.
2. The Afghan society is religiously integrated. About 99 of the population are Muslims. The other minorities are free in practicing their faiths but are obliged to respect and adhere to the rules and principles enacted by Islam and undoubtedly they also need to respect the general traditions and customs. In such a society, the religion of Islam has an important and outstanding status.
3. The unity and alliance of different ethnic groups have been badly affected by years of conflicts and disputes. In order to address backwardness and initiate new changes, overall cooperation and the unity of all ethnic groups is essential. Islam plays an important role in this regard which seeks for disputes resolution and calls for unity and coexistence. In one of the holy verse, the Koran states that: whoever seeks discrimination is not from us)
4. The influence of Islam is explicitly clear in all social areas including legal, cultural, economic and political areas. We cannot find an area in the education, culture, courts and other fields which does not relate to Islam.
5. Religious scholars, religious school teachers, clerics and preachers enjoy particular trust in the society and the public listen to their speeches. Experience has shown that this group plays an important role in building public opinion against or in favor of the government.

1. Importance of religious affairs sector for the overall development of Afghanistan

- 1– ANDS has been drafted for the overall development of the country, including the interests of the religious institutions. It is in the interest of the country to ensure that religious institutions also get benefited from this development process.

- 2– Social development relates a number of factors; in order to implement a development program, different dimensions need to be taken account. Islam and other religions will contribute to the implementation of these programs.
- 3– Development programs without active participation of every section of the society will not be successfully implemented. The vast participation of religious scholars in the cities and villages and their support for development programs is very important for the success of the Afghanistan national development strategy.

2. The importance of religious affairs sector in poverty reduction:

- 1– Inadequate infrastructure for general education coupled with higher level of illiteracy and lack of girls' access to schools in many parts of Afghanistan, particularly in rural and remote areas, are some of the important factors for the prevailing level of poverty in Afghanistan. With the active support from religious institutions and personalities, we can gradually improve the literacy and general education level and help reduce the poverty.
- 2– The deplorable legal, cultural and economic situation of the women which make half of population is another factor of poverty and regretfully in many cases these deprivations of women are thought to have been connected with religion. On the contrary, Islam advocates equal respect for women and condemns violence against them. Adoption of such an approach giving equal opportunities to women based on teachings of Islam can play an important role in reducing poverty. Death of children under the age 5, bad condition of pregnant women, violence against women, and forced marriages ... are examples of common forms of poverty.

- 3– Islam focuses on addressing improper environment which is a factor of poverty through encouraging people for horticulture, cultivation, ensuring green environment and observing cleanliness. All such activities are supported by Islam in building a clean environment and reducing poverty.
- 4– Unemployment, dependency, idleness among the young generation is another factor of poverty. Islam encourages its followers for earning a licit living with dignity and honor.
- 5– Inappropriate use of resources and carelessness is another factor contributing to poverty

in the society. Heavy sums paid as dowries for marriages and heavy expenses incurred at funerals, unnecessary decorations in the offices, unnecessary costs at invitations and parties etc are some of the examples badly affecting the economy of families, government and the society. Islam discourages excessive expenses and considers it the work of devil., There is a verse in the holy Quran in this regard which states: **وَكُلُوا وَاشْرَبُوا وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ** “You are allowed to Eat and drink, but do not excessively, because Allah Almighty does not love one who excessive expenses excessively”. Campaign in this regard helps improve the economy of the country.

3 Sura Ehraf/verse # 31

CHAPTER 2

CURRENT STATUS

CURRENT STATUS AND THE VISION OF THE SACRED RELIGION OF ISLAM

The people of this country are not only deprived of development benefits but have also lost many of their valuable scarce resources because of two decades of crisis and misery. Today Afghanistan faces a host of challenges and without addressing these challenges, it will be difficult to pursue the desired development goals. The most important challenges are as follows:

- General illiteracy in the society
- Extensive poverty
- Physical and psychological violence.
- Violation of human and women's rights
- Lack of rule of law and legal justice
- Narcotics
- Terrorism and insurgency

Islam encourages the development of healthy societies where everyone has equal opportunities. Essence of Islamic teachings encourages us to fight against all the above challenges and prevailing evils in the society.

Islam's perspectives regarding these problems are described below:

A. Islam and Education:

Islam strongly supports literacy, education and

science. One of the verses of the holy Quran in this regard states: *هل يستوى الذين يعلمون والذين لا يعلمون* "are the educated and not educated people the equal". According to Hadith of

Mohammad PBH: *طلب العلم فريضة على كل مسلم ومسلمة* "every Muslim both male and female is required to Learn and educate". The first verse of the holy Quran descent by Allah almighty to Mohammad PBH states: *اقرا باسم ربك الذي خلق...الذي علم بالقلم علم الانسان ما لم يعلم* "Read In the name of thy Lord and Cherisher, Who created, created man, out of a (mere) clot of congealed blood"

Read: in the name of the Lord that created you. Who taught by pen. Thought man what that he knew not.

The Holy Koran and prophet's traditions emphasizes on acquiring education. An illiterate person has been resembled to a blind from religious view point.

It is an undeniable fact that level of education and knowledge of science is the main driver of development in a society. The Islamic Republic of Afghanistan has a number of programs for promoting education, higher education and science. The cooperation of religious scholars in implementing these programs which face problems from conservative and traditional groups can be very effective. The religious scholars can cooperate in the following areas:

1 *Sura zamar/verse # 9*

2 *Sura Alaq/verse # 1-5*

- Explain the advantages of enrollment at schools by both girls and boys and its support from Islamic view point
- 2- Provide access to mosques for children's learning and education
- Raise public awareness with regards to the education of the girls which is a religious duty and discouraging illiteracy.
- Their involvement as literacy teachers.

B. Islam and poverty:

The religion of Islam encourages its followers to earn a licit livelihood. It encourages Muslims to pursue various professions like agriculture, horticulture, vocational training and industry essential for life and to reap the benefits from the bounties and favours spread on earth by the Almighty. In fact Allah mentions those who travel for the purpose of trade side by side with those who fight in His cause. The annual Hajj season brings together at one place millions of Muslims from all over the world. Commercial activity is unquestionably one of the benefits from such huge gathering. Thus Islam has provided a great opportunity for international trade each year.. The holy verse in Koran states that" so that they might experience much that shall be of benefit to them, and that they might extol the name of God on the days appointed". Islam calls for poverty reduction. The prophet of Islam always prayed and asked Allah to save him from poverty.

"This sin is enough for a man that he withholds the subsistence from one whose master he is". Hadith of the prophet Mohammad PBUH.

Religious scholars can cooperate in the following areas:

1. To help the rich in giving charities for the deserved people.

2. Encourage people for work and discourage them from being a burden on the society
3. Explain about the risks of poverty which hinders religious practices and one of the causes for increased crimes in the society.

C. Islam and violence:

Islam is a religion of mercy. The Holy Koran describes religion and prophet as mercy for the world. The sacred religion of Islam calls on all Muslims to treat people with kindness and mercy and always try to forgive and avoid bad deeds. The prophet of Islam states that: "Using lovely words for the person you are meeting is part of the charity. Greeting Salam when two Muslims are meeting each other is part of the prophet's Sunnat which means good wishes for the day, peace and prosperity. But unfortunately, due to ignorance, poverty and other factors existed in the society the issue of love and mercy has been replaced with violence and envious behaviour directly affecting the day to day affairs of the society. Violence in the families, violence of men against women, violence of government with clients and other forms of violence have become common in the society. Unfortunately, the conflicts have severed these violence and religious scholars can play significant roles in fighting all forms of violence.

- Many illiterate people consider parts of this violence as Islamic. Religious scholars can play an active role in correcting such wrong perceptions prevailing in the society.
- The consequences resulting from violence have negative impacts on different aspects of life. We have to work towards progressively eliminating such trends in our society.

D. Islam and human rights particularly women's rights:

Islam recognizes the basic human rights conferred on the human beings, as Islamic Declaration of Hu-

man Rights accepts those human right conforming with Islamic teachings: The right to live, work, and education, right to travel, the right to choose life partner, the right to select and elect, the right to have defence lawyer in the courts, the right to do business, the right to have entertainment, the right to sports and other rights which are enjoyed by men and women in the light of Islamic teachings. Quraan Says: "Every man and woman who does good deeds and who is a believer, their place will be paradise and they will not be punished". Due to conflicts and crisis in the country during the past two decades, many of these rights have been extensively violated and common people are deprived of their basic human rights. The human rights abuse observed is due to:

- Majority of the people are not aware of their rights
- This violence is mostly caused by illegally armed groups
- Ineffectiveness of many institutions involved in rule of law and justice.

E. Islam and rule of law and social justice

Islam considers justice very important and advocates equal social status and equal rights for all human beings. Justice can be ensured through a legal framework which is equal for all. From view point of Islam, judiciary and governance system must ensure that justice is within the reach of every common man. Quraan says: "Ensure justice as Allah loves the just". Oppression has been repeatedly condemned in Koran and Hadith of the prophet Mohammad P.B.U.H. Religious scholars and institutions can play important role in raising awareness among the masses about rule of law and benefits of adhering to the concept of social justice as given by Islam. The following points are notable:

- Ensuring of justice will bring prosperity in this world and the hereafter

- Equal implementation of law is a main cause of securing cooperation between people and the government
- All shall work for the rule of law and help government

F. ISLAM AND COMBAT AGAINST NARCOTICS AND ALCOHOLIC BEVERAGES:

According to Sharia taking care of mind and health is the responsibly of every Muslim. Mohammad (PBUH) states in this regard: "كل مسكر حرام" – any thing make you drunk is forbidden". Narcotics as big contemporary menace is the enemy of health and economy and finally prevents growth and development of society, Islam is against this phenomenon. Therefore cultivation, production, trafficking and usage of narcotics are forbidden by Islam. Mohammad (PBUH) says: "ولنفسك عليك حق" – your soul and body have the equal rights on you". The meaning from the rights of soul and body is to care of them appropriately, any thing they need should be provided to them on time and avoid anything that harm them. All kinds of narcotics which is harmful for society especially young generation and infect them with psychological, ethical and spiritual corrupt behaviours as well as prevent them from providing their personal requirements and feeding their families and dependants is forbidden.

Eventually they would fail to perform their Islamic responsibilities and worship the God almighty and deserve the anger and punishment of God and detestation of the community members. "نهى" – the prophet of Allah has prevented all of his followers from any thing that makes the human drunk and mentally derange them³, in this regard the scholars of Islam can help the relevant institutions by:

- In raising awareness about the health hazards and risks involved with the consumption of the drugs and narcotics

3 Hadith of Mohammad PBUH conveyed by Masnad Ahmad

- Cooperate with the related institutions in discouraging with regards to the introduction of those who are involved with the production and trade of the narcotics.
- Through advice and consultation, discourage the addicts from using drugs.

G. Islam and terrorism:

Murder and killing is considered a major sin in Islam. The holy verse of Koran explicitly states that: "Whoever kills a person [unjustly]...it is as though he has killed all mankind. The prophet of Islam states that: people who are involved in the killing of a person will be placed in Hell. Suicide and suicide bombing is haram and illicit in Islam. Persons who due to psychological or personal reasons commits suicide are condemned in Islam and they are considered great sinners let alone a person who commits suicide bombing and causes deaths of many others as well as destruction. The worst thing is that suicide bombings are carried out in the name of Islam which by no means is affirmed by Islam. Religious scholars can explain the facts behind Islam, discourage those who are committing this big crime and ask families to supervise and prevent their young children from committing these offences.

H. Islam and environment:

The sacred religion of Islam also focuses on environment and natural resources and has drawn the attention of Muslims to this important and vital issue. Encouraging people for planting saplings and ensuring the ever greenery of the environment has been reflected in many verses and Hadiths. The prophet of Islam has also forbidden the cutting of trees, blazing of farms during war and battles. Maintaining the cleanliness of streets, passages have been frequently stated in the traditions of the prophet Mohammad P.B.U.H. Avoid the two actions that bring peoples curses!" He was asked: "What are these?" "The one who defecates in the road and the shade used by others."

THE CURRENT RELIGIOUS AFFAIRS SECTOR:

A. Religious schools:

Afghanistan does not have adequate infrastructure to promote quality religious education in the country. As a result of this, a number of children and youth go abroad for acquiring religious knowledge. After spending a long period of study in the neighbouring countries and Arab countries, they come with new ideologies some of which are against the local culture. Such people with the new found ideologies have been, in certain cases, created problems for the implementation of plans and activities of the government in rural areas. Counterproductive activities of such elements has undermined the development efforts of the Government in sectors such as security, human rights, gender, narcotics and etc.

B. Education for females:

Prophet Mohammed (P.B.U.H) said: » «⁴ طلب العلم education is incumbent for males and females. One of the major challenges faced by the country is the lack of attention to Islamic education for females. As a result of this deprivation, most of the women are unaware of their humanitarian and natural rights leading to violation their rights. Participation of females in social, political and cultural affairs based on appropriate condition is not forbidden by Islam, but lack of their access to education, especially Islamic education prevent them from taking part in different essential activities in the economic, social and political spheres of life. This could be one of the reasons for the prevailing high level of poverty in the community.

C. Preaching by Mullah & Imams:

Mullahs can play a constructive role in propagating the benefits of development programmes

4 Hadith of Mohammad PBUH

undertaken by the government for the masses, particularly in sectors such as counter narcotics, human rights, corruption, environment and etc. Regular awareness programmes could be an effective way of realizing this goal.

D. Lack of scholars participation:

Unawareness of scholars from government's development plans and activities could be one of the reasons in creating difference of opinion between them and the government. Such a divide would not be in the interest of the country and in certain cases could become a major obstacle for implementing of state's public utility programs throughout Afghanistan. This could severely affect government's efforts in security, counter narcotics, anti corruption, expansion of education and other activities.

E. Lack of contemporary knowledge of scholars:

Lack of update teaching programs, unawareness of imams and preachers from modern sciences and lack of access to new religious resources have been the reasons for the scholars being inactive in research, not proposing new ideas and confront issues and new phenomena with old approaches. This is also the reason for scholars' prejudice against new ideas and sceptically looking at different views. These approaches negatively influence different sectors.

F. Lack of qualified cadre in religious institutions comparing to other Islamic countries:

Disruption of educational and scientific systems during the years of conflicts in the country caused serious tolls on the religious scholars. This is one of major reasons that we do not have a cadre of qualified and experienced Islamic scholars in the country as compared to other Islamic countries as well as neighbours.

G. Lack of program and cooperation between religious institutions:

The previous regimes did not pay much attention to the development of religious institutions and related aspects. Thus, lack of clear program to support these institutions and the lack of cooperation among state agencies and religious institutions led to the degradation of all such institutions and deprivation of people from the rich culture of Islam and scholars' capability. There is a need to take up specific programmes to preserve such institutions.

H. Baseless beliefs contrary to Islam:

The people of Afghanistan are loyal to Islam. Historically, this sacred religion is the factor of their life, unity, believes and thoughts. They believe on Islam cordially, but the low level of awareness from Islam among many people put them vulnerable against influences of some unacceptable and baseless traditions that became a religious element and the people follow those as religious issues. For example, the big dowry which emerging from misinterpretation of the Mahr (marriage portion) or preventing females from education that emerges from misinterpretation of ethical issues, kept the people far from the real concept of Islam.

EXISTING INSTITUTIONAL STRUCTURES OF RELIGIOUS AFFAIRS SECTOR:

Following institutions are involved in religious affairs in the government machinery:

A. Ministry of Hajj and Endowment:

This ministry is working on the issues related to Hajj and Karbala and management of mosques and endowment at all 34 provinces of Afghanistan with having () staff and () annual budget. The main task of this ministry is delivering governmental services in religious affairs, the research center for Islamic educations, scholars' forum, de-

partment of Hajj affaires, department of mosques and Khanqas and two publications for Haq and Islamic guidance messages are the major sections of the ministry.

B. Ministry of Education:

A The department of Madrassa and Darul Hefaz (theological schools): this department has (295) Madrassas Daru Hefazs. These schools absorb students graduated from grade 6 and have graduation programs from grade 12 and 14. This department is responsible for development of curriculums for Madrassas and Darul Hefazes as well.

B. Theology section of compilation and translation department: This section is working on providing syllabus and the religious text books for schools from grade1 to grade 12 as well as it convenes seminars on teaching religious science in schools.

C. Theology section of general department of teacher training institutions: These institutions have two years educational program (grade 13 and 14), beside of other subject taught in schools they teach theological subjects as well, in which teachers are trained for preliminary and secondary schools.

D. Academy of science:

The centre of Islamic science is one of the sections of science academy comprising the following departments:

- The center of Hadith and Interpretation; comprising of interpretation and hadith institutes.
- The center of religious jurisprudence and law; comprising institutes of principles of jurisprudence and Law, and
- The center of theology and culture comprising of theology, mysticism and Islamic culture.

Where each of these centres would comprise various departments.

This centre researches on theological issues and publishes books and brochures as well as hold seminars, workshops and conferences for elaboration and introduction of Islamic science researching issues.

E. Ministry of higher education:

The ministry of higher education has 19 universities. There are 8 Sharia faculties in the centre and provinces (Kabul, Balkh, Heart, Nangarhar, Khost, Al Biruni, Takhar and Qandahar) in chart of these institutions Islamic educations, religious jurisprudence and law subjects are taught and absorb males and females graduated from Maddrasas and general schools and provide them with legal and legislative educations as well as train teacher in theology and deliver administrative cadre to religious institutions. Moreover, the subject of Islamic teachings is taught in all faculties of Afghanistan as an important and independent course.

F. Supreme Court:

1. Since Afghanistan courts are Islamic courts, judges issue most of their verdicts based on religious jurisprudence books and provisions of Sharia, therefore all courts are linked with Islamic science, religious jurisprudence issues and provisions of Islam. It has been reiterated in the constitution of Afghanistan as well.
2. Centre for issuing verdicts of Supreme Court: There is a centre in Supreme Court which issues verdicts on Sharia affairs required for solving problems and complicated issues emerging in courts and other institutions. This centre is consisting of expert and qualified scholars of Islamic jurisprudence.

G. Islamic scholars and clerics council:

This forum comprises Islamic scholars and clerics and based in Kabul. The council holds discussion on social and political issues and takes decisions and sometimes helps government in different issues and also criticizes on some issues.

H. Ministry of Information and Culture:

1. Department of Islamic educations of radio television: It broadcasts religious provisions and issues relating to Islamic educations and culture as per the policy
2. MOIC pays special attention to theological programs. It has designated specific people for every printing, publication as well as for all provincial radio and TV networks.

I. The commission for religious affairs of national assembly (Wolosi Jirga & Meshrano Jirga):

This commission ensures that all the proposed legislations comply with the spirit and provisions of Islam. Its mandate also covers addressing the problems of theological institutions, scholars and clerics as well as guide the governmental and nongovernmental institutions in performing their responsibilities relating to Islamic issues.

J. Ministry of Justice:

According to constitution, this ministry is responsible to ensure compatibility of all received legislations and regulations for process with the provisions of the sacred religion of Islam and has the authority to reject any legislation contrary to Islamic values.

K. Khatamal Nabiyeen Islamic Seminary

This new established and reputable seminary is equipped with the state of the art of facilities and

offer quality education for both male and female students as well as holds academic seminars and conferences and has valuable publications in the field of Islamic culture.

K. NGOs:

Beside of governmental institutions there are some nongovernmental institutions functioning in religious affairs as well. Some institutional mechanism is required to be set up coordinate their activities with the public sector programmes. In case the programmes implemented by NGOs are in other areas, the government should be at least aware of their activities.

Note: (There is no particular institution for guidance and management of these organizations under an integrated and cooperated system so far, hence they have individual and irrelevant activities.)

B. ACCOMPLISHMENTS (ASSESS THE ROLE OF MINISTRIES, DIFFERENT INSTITUTIONS AND PRIVATE SECTOR IN TERMS OF THEOLOGICAL SECTOR)

A. Ministry of Hajj and Endowment:

Since establishment of interim, transitional and republic administrations, the ministry has achieved considerable successes, but due to shortage of adequate budget and lack of assistances by international organizations and foreigner countries it has failed to meet all principle requirements of Hajjies and pilgrims (establishment of operational centres and improvement in the capacity of Mullahs and preachers). Also due to inadequate funding, the ministry failed to absorb qualified staff to perform the affairs related to the centre for researches of Islamic science and required publications.

B. Ministry of Education

Despite the prevailing problems and shortage of

budget as well as security problems in some parts of the country, the Ministry of Education could provide educational policy for development of curricula and take steps in building and reconstruction of general and theological schools as well as provision of teachers and trainers. Implementing reforms in religious schools is the priority of the Government but may take some more time due to paucity of funds and other resources. The priorities of the Government cover: bringing appropriate changes and amendments in curricula and syllabus of theological subjects in the schools of general education, bringing all theological schools under the framework of ministry of education and providing integrated curricula for them and providing equipments as well as constructing buildings for theological schools which requires time and fund, are the priorities of the ministry in theological sector. Also it is essential for ministry of education to bring considerable changes in theological

subjects of schools of general education to teach the students moralities, social conducts, reality and information about Islam.

C. Science Academy:

The academy of science which was paralyzed during the years of conflict and nothing remained except the name. This scientific and research institution has now been rehabilitated and widely functionalized as we are the witness of holding seminars and publishing a number of books and brochures by this scientific institution. But due to financial problems, this reliable scientific centre failed to publish and have considerable research on works of Islamic scientists as well as provide and purchase the reliable Islamic reference books.

D. Ministry of Higher Education:

Currently thousands of youth both girl and boy have access to higher education system which is an important success in a war torn and poor country like Afghanistan. In addition to establishment of new faculties of Sharia in some national

universities and teaching the subject of Islamic studies and culture in all universities throughout the country, the Ministry of Higher Education entails to ensure that there is a consolidated Islamic studies and culture subject for academic activities in all Sharia faculties under a single system. The Ministry is also addressing the issue of buildings construction through financial tie up from donors' assistances ensuring more successes in strengthening of scientific theological activities.

E. Supreme Court:

Fortunately, along with establishment of Islamic republic system and three independent bodies in chart of Islamic Republic of Afghanistan, we have an independent judiciary system which gradually reaches to new achievements as well as rapidly moving towards a modern judiciary force based on scientific principles. In addition to strengthening of Supreme Court, it is required to equip the Centre for issuing verdicts of Supreme Court and increase the awareness of judges on Islamic jurisprudence and recent researches of Islamic scholars and scientists in Islamic jurisprudence. The Centre needs to address issues relating to traditional beliefs by acquiring modern knowledge of science and technology which is foreseen by Islamic scholars centuries ago.

F. MoJ, MoIC, MoI, governors of provinces and administrators of districts:

Everyone has considerable role in improvement of theological services and assistance of related institutions considering their authority and financial viabilities. They can support the theological institutions through solving their problems related to security, cadre, finance, and etc as well as contribute in implementation of state programs.

G. Islamic Countries:

International organizations, welfare organizations, tourist agencies, private travel agencies,

nongovernmental scientific associations, theological institutions and all citizens of Afghanistan including Hindus and Secks in close cooperation and coordination of government and responsible institutions have specific role within the circle of their activities in providing considerable services to Muslims and the followers of other religions.

C. GENERAL VISION FOR RELIGIOUS AFFAIRS SECTOR AND POLICY FRAMEWORK

Islam is the religion of absolute majority of Afghan people. The interim Afghanistan National Development Strategy has considered Islam as the main element in all areas and the essential element for poverty reduction. It is hoped that with the implementation of the strategy during the coming years, considerable progress takes place in provision of religious services, construction of religious schools, promotion of public awareness of Islamic teachings and capacity development of religious leaders' professional knowledge and skills.

Overall Goal:

1. Provision of religious services, building the capacity of preaches and Imam (religious leaders) and expansion of religious awareness of the public including women of their Sharia-given rights
2. Strengthening of religion education institutions, scientific and cultural, support to Islamic education, encouraging of families for their children education, and evolving of their capacity in the domain of Islamic sciences
3. Reduction of social problems such as (poverty, narcotics, corruption and illiteracy) through active participation of preaches and striving for self-sufficiency of religious institutions
4. Establishment of relation among the religious institutions of the government with those of neighboring religious institutions and the

world and revival of Afghanistan's important position within the Islamic world

5. Close-link among the Islamic religious as the effective factor for the establishment national union and countries stability and participation of Islamic scholars in the social life.

Role of Religious Affaris in Developing the Economy and Poverty Reduction

Efforts made for the self-sufficiency generating revenues for the agency and that of the government. With the establishment of the alms-and-tithes organization within the government, the money and the alms-property shall be collected and distributed through an organized planning to most vulnerables, which in itself is plays a crucial role in reduction of poverty. The result of the preach of Ulema (religious leaders) would incorage for service and production, the level of production and living of the public would boost that is effective in betterment of the country's economy and reduction of poverty.

Encouraging people to literacy programs and Islamic education by religious scholars is considered an important step toward poverty reduction in Afghan society. Restitution of endowed properties to Ministry of Hajj will increase the revenues of government and positively influences the lives of people, in particular, religious scholars. On the other hand endowed properties belong to the public and it is per se an step toward strengthening of the rule of law and justice in society. Combat against financial extravagance in personal and social life, in public and private sectors will strengthen the economy of families, office and organizations and people will take care of their economy according to religious guidelines.

In policies related to poverty reduction, provision of equality refers to the fact that based on the constitution and other laws of the country, govern-

ment, taking into consideration the priorities, shall provide services equally for all citizens including

Muslims and Hindus, Shi'a and Sunnis. Services shall be delivered in different parts of Afghanistan based on identified needs and priorities including cultural and religious needs.

Policies:

1. Reconstruction of educational system in public and private religious schools.
2. Implementation of administrative reforms in Ministry of Hajj and its branches in provinces.
3. Reform in the system of sending pilgrims to Mecca and other sacred and religious places.
4. Reform and coordination in approaches and activities of theology faculties all over Afghanistan.
5. Support mosques as social centers for worship, literacy programs, conflict resolution and promotion of unity.
6. Take necessary measures for making religious institutions self-sufficient through establishing commercial centers in vicinity of mosques and sacred places and opening bank accounts for collecting alms from Afghanistan and other countries.

CURRENT LEGAL FRAMEWORK FOR THE MANAGEMENT OF RELIGIOUS AFFAIRS SECTOR.

A. Constitution:

1. All Afghans (the vast majority) have to abide by Islam; it is stated in preamble of constitution "We the people of Afghanistan, with firm faith in God Almighty and relying on His law-ful mercy, and believing in the sacred religion of Islam approved this constitution".

2. The government is to consider the sacred

religion of Islam in all its operations and activi-ties, but should not overlook the citizenship, civil, political and social rights of the follow-ers of other religions, they are fully free in their own religious affairs, **Article 2** of the Constitu-tion states that "The religion of the state of the Islamic Republic of Afghanistan is the sacred religion of Islam, Followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provi-sions of law", the president of Afghanistan should be a Muslim, the followers of other re-ligions cannot be the president of Afghanistan at all. **Article 62** of the Constitution states that "Presidential candidates should posses the following qualifications: 1. should be citizen of Afghanistan, Muslim and born of Afghan parents, and should not have citizenship of another country; 2. on the day of becoming a candidate, his age should not be less than forty years; and 3. should not have been convicted of crimes against humanity, criminal act, or dep-ri-va-tion of the civil rights by a court. No one can be elected as President for more than two terms. The provision of this Article is applies to the Vice Presidents as well".

3. Legislation: in legislation Islamic values should be fully considered, the government should not enact such a law to be contrary with Islam in any means, **Article 3** of the Constitution states that "In Afghanistan no law can be contrary to the beliefs and provisions of the sacred religion of Islam".

4. Education and theological centres: the govern-ment along with judiciary and legislative forces is responsible for expansion of Islamic educa-tion, upgrading theological schools and all the-ological institutions and centres,

5. **Article 17** of the Constitution states that "The state shall adopt necessary measures for pro-

- motion of education in all levels, development of religious education and organizing and improving the conditions of mosques, *madrasas* and religious centres”.
6. Calendar: The basis of work for state offices shall be based on the migration of the
 7. Prophet (PBUH) comprising solar and lunar colander. Fridays are sacred religious days which include Friday pray, in order to respect it, this day will be a public holy day. **Article 18** of the Constitution states that “The calendar of the country shall be based on the migration of the Prophet (PBUH). The basis of work for state offices shall be the solar calendar. Fridays and the 28th of *Asad* and the 8th of *Sawr* are public holidays. Other holidays shall be regulated by law”.
 8. Insignia: insignia is the highest symbol for identification of a state as well as believes of its people. It is designed by the sacred phrase of “لااله الا الله محمد رسول الله” (There is no God but Allah and Mohammad is his prophet) and the images of Mehrab and Member (a special place in the mosque through which the Mullah preaches to the people) to reflect the influence of Islam in the social and political life of afghan people. **Article 19** of the Constitution states that “The Afghan flag is made up of three equal parts, with black, red and green colours juxtaposed from left to right perpendicularly. The width of every collared piece is equal to half of its length. The national insignia is located in the centre of the flag. The national insignia of the state of Afghanistan is composed of *Mehrab* and pulpit in white colour. Two flags are located on its two sides. In the upper-middle part of the insignia the sacred phrase of “, and Allah is Great” is placed, along with a rising sun. The word “Afghanistan” and year 1298 (solar calendar) is located in the lower part of the insignia. The insignia is encircled with two branches of wheat. The law shall regulate the use of national flag and emblem”.
 9. National Anthem: The word of “Allahu Akbar” has been included in the national anthem which is a collective slogan and an exciting national song, this word has been reiterated three times in it.
 10. **Article 20** of the Constitution states that “The National Anthem of Afghanistan shall be in Pashto and mention “Allahu Akbar” and the names of the ethnic groups of Afghanistan”.
 11. Political parties: based on constitution no group can establish a political party contrary to Islam.
 12. **Article 35** of the Constitution states that “The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of law. The citizens of Afghanistan have the right to form political parties in accordance with the provisions of law, provided that: The mandate and charter of the party are not contrary to the principles of sacred religion of Islam, and the provisions and values of this Constitution; The organizational structure, and financial sources of the party are made public; The party does not have military or paramilitary aims and structures; and should have no affiliation to a foreign political party or sources. Formation and functioning of a party based on ethnicity, language, religious sect and region is not permissible. A party set up in accordance with provisions of the law shall not be dissolved without lawful reasons and the decision of an authorized court”.
 13. Educational curriculum: Inclusion of theological subjects in the curricula is the responsibility of ministry of education and related institutions to provide the students with theological science along with other educations. **Article 45** of the Constitution states that “The state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and

in accordance with academic principles, and develops the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan”.

14. Family: required care and support should be provided for child and mother, they should not suffer any violation and they should fully enjoy of rights as mentioned by Islam about family members, especially child and mother. **Article 54** of the Constitution states that “Family is a fundamental unit of society and is supported by the state. The state adopts necessary measures to ensure physical and psychological well being of family, especially of child and mother, upbringing of children and the elimination of traditions contrary to the principles of sacred religion of Islam”.

15. Taking Oath: The president, members of government and the members of supreme court for expressing their sincere and cordial commitment and serving of people, mentioning the God almighty and swear, the first words of their oath is following and abiding by the sacred religion of Islam (Articles 63 and 119).

16. **Article 63** of the Constitution states .

17. that “The President-elect, prior to resumption of his/her duties, performs the following oath in accordance with the rules of procedures prescribed by law: *In the name Allah, the Merciful, the Compassionate. In the name God Almighty, in the presence of you representatives of the nation of Afghanistan, I swear to obey and safeguard the provisions of the sacred religion of Islam, to observe the Constitution and other laws of Afghanistan and supervise their implementation; to safeguard the independence, national sovereignty, and the territorial integrity of Afghanistan and the fundamental rights and interests of the people of Afghanistan, and with the assistance of God and the support of the nation, to make great and sincere efforts for the happiness and progress of the people of Afghanistan*”.

18. **Article 119** of the Constitution states that “Members of the Supreme Court take the following oath in the presence of the President before occupying the post: *In the name Allah, the Merciful and the Compassionate I swear in the name of God Almighty to support justice and righteousness in accord with the provisions of the sacred religion of Islam and the provisions of this Constitution and other laws of Afghanistan, and to execute the duty of being a judge with utmost honesty, righteousness and non-partisanship*”.

19. Courts’ procedures: While processing the cases the courts should follow the regulations enacted in accordance with provisions of sacred religious of Islam, if there is no provision in the laws for solving the case, they should refer to Islamic jurisprudence which contains all sects of Islam.

20. **Article 130** of the Constitution states that “the courts apply the provisions of this Constitution and other laws. When there is no provision in the Constitution or other laws regarding ruling on an issue, the courts’ decisions shall be within the limits of this Constitution in accord with the *Hanafi* jurisprudence and in a way to serve justice in the best possible manner”.

21. **Article 131** “The Courts shall apply Shia school of law in cases dealing with personal matters involving the followers of Shia Sect in accordance with the provisions of law. In other cases if no clarification by this constitution and other laws exist, courts will resolve the matter according to laws of this Sect”.

B. Penal code and civil law:

Penal code and civil law are widely enacted in accordance with Islamic jurisprudence and religious provisions in terms of crimes and punishment such as provisions of Hudud and Qesas (take retaliation and execution of a murderer), inheritance law, family law, commercial

law, qualification and specification of judges and etc.

C. Regulation on essential institutional structures of government:

In essential institutional structures of government in which the ministries are on the top, the ministry of Hajj and endowment is responsible

for execution of all activities related to theology as a governmental ministry and performs its duties in accordance with related TOR and regulation.

This ministry is active in centre and 34 provinces of the country. Regulations of ministries of education, higher education and justice are also clear in this regard.

CROSS CUTTING ISSUES

CAPACITY BUILDING:

Educational institutions and academic organizations have undergone severe damages during the years of conflict. Consequently general education as well as scientific and research achievements are insignificant as compared to other developing countries. The situation is similar in case of theological scientific institutions i.e. faculties of Sharia and Science Academy and are way behind the natural growth and development. Following initiatives are required to reach similar levels:

- Strengthen the theological schools and build the required infrastructure;
- Strengthen the Sharia faculties and build capacity of faculty members ; and
- Strengthen the science academy and build the necessary physical and human infrastructure

There is no regular organized educational system for Mullahs and preachers of mosques and Takia khana due to lack of specific resource. They carry out their responsibilities based on personal capabilities and knowledge. Such an approach sometimes undermines the theological and religious facts.

Due to the lack of regulated theoretical and religious educational centres, most of the aspirants and youth go outside the country for religious education. It has been observed that some of them

get influenced of different inclinations which may against the interests of the local cultures. Hence, it is required to establish educational and training centres for Mullas and preachers in the country to preach in mosques and Takia khana.

GENDER EQUITY:

Women constitute roughly 50% of the population and women as basic managers of a family could play a vital role in the human development of societies. Their levels of education and general awareness has strong and sustainable effect on children's education and have direct impact in building healthy societies. Since family life revolves around women, their active participation in social life and development of their full potential forms the core of the social growth and human development. The sacred religion of Islam gave equal rights to men and women and emphasizes that women's dignity and development is synonymous with human development. But due to backwardness and unfair social practices in the country, they are deprived from their legal rights given to them by Islam. Religion plays a vital role in enhancing women's and the family's involvement in human development, and therefore, scholars and responsible government institutions should initiate measures for active participation of women in all affairs, especially the fundamental rights of the women in the following areas:

1. Access to literacy, general educations and higher educations. The holy prophet of Allah

(Mohammad PBUH) said “¹خذوا دينكم من هذه حميراي - learn about the religion from Humaira (hazrat be Aisha);

2. Participating in Economic, manufacturing and income generation Activities which has a major role in strengthening the economy of the family;
3. Reducing and annihilating of violence and misbehavior against women in the family and society as well as preventing of any behavior contrary to Islamic directions on women “² - “The best among you is he who is best for his family. For my family, I am the best of all of you”.
4. Practicing their rights including choosing spouse and matrimonial and divorce rights as well as terminating forced marriage, selling and buying girls, girls being given as bet to settle disputes and other unacceptable traditions.
5. Taking part in political, cultural and social activities and in governmental institutions with Hejab.

ENVIRONMENT:

Islamic directions and cooperation of scholars could play important role in improvement and preservation of environment. The sacred religion of Islam encourages its followers to work towards maintaining a clean and sound environment system.. There are a lot of Quranic verses and sayings of Prophet Mohammad (PBUH) supporting environment. For example:

1. Islam considers cleanness a part of faith (cleanness of body, cleanness of accommodation, cleanness of food and so on). Performing five times ablution in a day for prayers, performing ghusul, washing fruits and foods and etc,

¹ Hadith of Mohammad PBUH

² Hadith of Mohammad PBUH

are the obligations of every individual Muslim contributing in cleanness of environment. “³النظافة شطرا الايمان - cleanness is a part of faith”.

“⁴ان الله يحب التوابين ويحب المتطهرين - The God almighty loves repentant people and those who love cleanness”.

2. Prophet Mohammad (PBUH) encourages the mankind to greening environment, planting saplings and protecting trees, while the holy Quran swears on trees and forests and avoiding cutting trees, materializing of these facts will guarantee a green and sound environment for living human beings. Hazrat Anas conveyed a saying of Prophet Mohammad (PBUH) says: “⁵ان قامت الساعة وفي يد احدكم فسيلة - فان استطاع ان لا تقوم حتى يغرسها، فليغرسها - if you have a sapling in your hand and the resurrection begins, if you have any chance to plant please plant it”.
3. Taking away obstacles from the way of people is an element of faith, following this element will help in cleanness of ways, alleys, streets and roads.
4. Observing sanitation, health care, treatment of diseases, being careful about infectious and epidemic disease and their sites are recommended in Islam as Mohammad (PBUH) prevented Muslims from travel to Egypt because of existence an infectious disease there.

COUNTER NARCOTICS AND ALCOHOLIC BEVERAGES:

According to Sharia taking care of mind and health is the responsibly of every Muslim as God almighty says in holy Quran: “⁶يا ايها الذين آمنوا انما الخمر والميسر والانصاب والازلام رجس من عمل الشيطان فاجتنبوه لعلكم تفلحون - avoid drinking hard drinks, gambling and pounding sticks and throwing spears for chance and luck to be blessed” and also says: “⁷ولا تهلکوا بانفسکم الى التهلكة” - do not murder your self

³ Hadith of Mohammad PBUH

⁴ The holy Quran/Sorai Baqara/ verse # 222

⁵ Hadith of Mohammad PBUH conveyed by Hazrat Anas

⁶ The holy Quran/Sorai Mayeda/ verse # 90

by your own hand”⁷. Mohammad (PBUH) states in this regard: “كل مسكر حرام – anything make you drunk is forbidden”. Narcotics as big contemporary menace is the enemy of health and economy and finally prevents growth and development of society, Islam is against this phenomenon. Therefore cultivation, production, trafficking and usage of narcotics are forbidden by Islam. Mohammad (PBUH) says: “ولنفسك عليك حق – your soul and body have the equal rights on you”. The meaning from the rights of soul and body is to take care of them appropriately, anything they need should be provided to them on time and avoid anything that harms them. All kinds of narcotics which are harmful for society especially young generation and infect them with psychological, ethical and spiritual corrupted behaviours as well as prevent them from fulfilling their moral responsibilities and feeding their families and dependants is forbidden. Eventually they might fail to perform their Islamic responsibilities and worship the God Almighty and deserve the anger and punishment of God and detestation of the community members, if they become drug addicts. “نهى النبي (ص) عن – the prophet of Allah has prevented all of his followers from anything makes the human drunk and mentally derange them”⁸, in this regard the scholars of Islam can help the relevant institutions by:

- Preaching through their sermons in the mosques about harms and negative impacts of using narcotics;
- Cooperate with relevant institutions in discouraging the people involved in cultivating, producing and trafficking narcotics in their area; and
- Participating in awareness campaigns against the drug addiction.

REGIONAL COOPERATION:

⁷ The holy Quran/Sorai Baqara/ verse # 195

⁸ Hadith of Mohammad PBUH conveyed by Masnad Ahmad

Cooperation with Muslims and non Muslims to promote social and economical interests of the country is not forbidden by Islam. There are many examples on trade and cultural cooperation of Islamic countries with non Islamic countries in history. Therefore, based on supreme interest of the country and for betterment of livelihood of our people, we can cooperate with neighbouring countries as well as regional countries. Our relations with neighbours based on Islamic values and traditions, on one hand will help material development, on other hand it will help in improving security and security in the area. Our efforts should cover:

1. Establishing relations between theological institutions and schools and faculties of Sharia with the similar institutions of the neighbouring countries.
2. Visiting programs for scholars and spirituals leaders with their counterparts and related centres in the neighbouring countries.
3. Pilgrimage of Karbala shrine in Iraq and some famous shrines belonging to Shiite sect in Iran.
4. Convening interregional conferences and gatherings on emerging Islamic and other cross cutting issues and commemorating Islamic scholars, holding competitions on reciting the holy Quran and other Islamic rituals.
5. Improving relations with organization of Islamic conference and having active participation in the forum of Islamic countries.

ANTI CORRUPTION:

Corruption, embezzlement, misusing of authority, violating law in conducting the responsibilities of government employees and other kind of institutional corruption is condemned by Islam. For example:

1. Bribe: the sacred religious of Islam condemned the bribe and hate it. The prophet says: briber and he who facilitate it are hated by Allah.
2. Embezzlement: misusing of public assets is illegitimate. One day Hazrat Omar has ordered to distribute a certain amount of cotton for the residence of Maka and himself took the same amount of cotton and made suit for himself. Next day while he was preaching in Friday pray to people, a rural resident stood and said; hey Omar you are directing people to justice, while you are trampling the justice. Omar asked how come? He said: you are tall

and the cotton which was distributed was not enough for you, it means you took more than us. Omar replied: yes you are right! But I took some cotton from my son who is shorter than me; I did not take it from public asset.

4. Appointments on merit base: the sacred religion of Islam condemns appointments of staff in judiciary and governmental institutions based on relations and nepotism. Holy Quran says "ولا يجرمنكم شنآن قوم على الاتعدلو اعدلو هو اقرب للتقوى" – you should not go under the influence of friendship and enmity in that level to trample the justice⁹".

9 The holy Quran/Sorai Maida/ verse # 8

CHAPTER 4

STRATEGY AND PROGRAM

Generally the strategy of religious sector will provide the following results:

A. Strengthening Religious Educational Institutions

1. Coordination of academic activities of theology faculties.
2. Re/establishment of scientific and cultural relations with similar institutions of other countries
3. Improvement of cadre and budget of Islamic section of Sciences Academy and Islamic Research Center
4. Improvement and establishment of religious schools, establishment of religious schools for girls. Evaluation of all private religious schools and Dar al Hofaz and preparing unified curriculum for them.
5. Revision of Islamic teachings' syllabus in all schools based on Islamic realities, interest of the country and healthy education of the young generation.

B. Promotion of Peoples' Religious Awareness

1. Compilation and translation of scientific books and religious information.
2. Holding seminars and workshops on religious topics and executing scientific and cultural contests of religious topics for young boys and girls.

3. Public awareness programs about social problems by imams and scholars.
4. Improvement of religious programs in public and private media.

C. Promotion of Religious Scholars' Capacity

1. Provision of capacity building programs for religious scholars
2. implementation of administrative reform in related institutions
3. Provision and publication of booklets resources concerning the social needs to be used by imams and preachers in their ceremonies.

D: Provision of Religious Infrastructure and Services

1. Provision of religious scholars statistics to organize related services
2. Establishment of operational centers for Hajj and sacred places' pilgrimage.
3. Provision of typical maps for mosques and religious centers (Takaya)
4. Construction and equipment of Ministry of Hajj's offices in all provinces
5. Construction and reconstruction of Mosques and religious centers (hosayniya, Jammaat Khana, Fateha Khana Zanana, Khaneqah)

6. Measures for women's participation in congregation prayer at mosques.
7. construction and establishment of religious schools and Daralhefaz in center and provinces
8. Equipping religious institutions with modern technology
9. Rehabilitation and reconstruction of endowed properties

E. Participation of religious scholars in social issues and regional cooperation

1. Establishment of councils of scholars for local conflict resolution and implementation of developmental programs
2. Participation and holding international conferences on common Islamic issues.
3. Visiting programs for scholars of different religious sects of the country to neighboring and other Islamic countries
4. Establishment of a permanent representative in Saudi Arabia for formulating Hajj affair

F. Poverty Reduction and Self Sufficiency of Religious Institutions

1. Establishment of Zakat office within the framework of Ministry of Hajj
2. Opening a bank account for collection of people's alms and effective use of it
3. Coordination of activities of Ministry of Labor and Social Affairs' kindergartens with religious educational programs of mosques
4. Construction of shops and rooms for private sector use

5. Establishment of effective and transparent mechanism for collection of revenues from sacred places
6. Restitution of endowed properties to Ministry of Hajj

Details of the programs and action plan of Religious Affairs Sector are in annex 1.

OVERALL STRATEGIES FOR DESIRED OUTCOMES

Afghan people, majority of whom are Muslims, follow Islam since centuries and are honest and punctual Muslims that they prefer their religion rather than anything and in advocating that, they are even ready to lose their lives and properties. Moreover, the nationals of this country have played key roles in spreading out Islamic messages to other countries by publishing pamphlets, books and other valuable assets of Islamic science for centuries in the history of Islam.

The Islamic republic of Afghanistan envisages continuing to serve the cause of Islam and its true followers as it has been doing in the past and also take care of the requirements of our Hindu and Sikh fellow citizens. The basic goal of the government in the religious sector is to provide competent religious services for the pious people of Afghanistan and our Hindu and Sikh fellow citizens in accordance with the spirit of Islam and provisions of the constitution. Enhancing awareness of the people and the religious scholars about supreme teachings of Islam which facilitates the implementation of development programs is the highest goal of Islamic Republic of Afghanistan in this area that will play a positive role in reducing poverty in the country.

The continued activities of insurgents, severe poverty, illiteracy and lack of security are some of the bottlenecks which are hindering the development

process. Such bottlenecks are also hindering the propagation of Islamic teachings and the government efforts in providing competent services to the people.

The religious affairs strategy intends to establish a system which is in full coordination with every aspect of life, and that is effective in the overall development of the country. In order to meet these objectives, the strategy is therefore prepared major component of the strategy: provision of religious services, poverty reduction and effective economic development of the country. Core issues to be considered are:

Provision of religious services, poverty reduction and effective participation in national development of the country

- Ensure better coordination between various religious institutions for providing required religious services by government to the people. Mutual harmony and cooperation between Muslims, Sikhs and Hindu will bring peace and mutual goodwill in building the nation to ensure successful implementation of the government's development programs. For the successful implementation of various welfare programs, cooperation and support of the spiritual leaders and Islamic scholars is essential. The people and religious institutions can take advantage of the government's development and welfare programmes in attaining self-reliance instead of fully depending on other unreliable sources. Such an approach will discourage all such institutions whose aim is to destroy our country by exploiting our peoples' emotions, especially young generation.
- Make vigorous efforts towards poverty reduction and removal of backwardness of country which are the two basic factors affecting the development of our society, through hard work, adopting productive construction and devel-

opment activities and earning licit livelihood based on legal Islamic values and traditions. Poverty has many causes, some of them are very basic, which cannot be easily eradicated. Human motivations and faith institutions at grass root level could play a vital role in the fight against poverty. In this regard, the Islamic education delivered to the public through religious Scholars has a critical importance in poverty reduction.

- Work for self-reliance of religious institutions: There is no institutional arrangement to take care of the interests of mosques, Takia khans and other places of worship. In the absence of such institutional arrangement, Scholars and religious institutions depend on the contributions from common people and other sources to manage their affairs. Since the institutional and financial support from the Government to religious institutions is very minimal, there is no proper coordination mechanism between Government and such institutions. As a result of this, role of such institutions in development programmes implemented by Government is insignificant. The government will institutionalize the religious sector within next few years to ensure that this sector becomes self-reliant.
- Islamic teachings and traditional value system is against the prevailing social evils like corruption, bribe, corruption in the government's administrative machinery drug trafficking etc. in our society. Probably these very reasons Scholars and Islamic institutions could play an active role in eradicating much evils from the society.
- The current status and the development of information technology have changed the world into a small village which has facilitated access to any types of information at any time. Islamic institution can truly utilize the facilities and resources of I.T. for better teaching, learning, understanding and spread of Islamic values. Our clerics have to be trained to use such facilities and institutions need to be strengthened, so

that the religious scholars and institutions in the country can interact and exchange their views with the scholars in other countries.

- Enhancing the knowledge base of people in the country about Islam: by publishing and translating books; establish and upgrade religious schools; strengthen religious schools for girls; strengthen Sharia faculties of the universities; establish an Islamic studies university at masters and PhD level; and strengthen the Islamic research centre and science academy.
- Encourage religious scholar and clerics to propagate facts about Islam and help people and the government in resolving challenges faced by the society. This will be helpful in pushing forward the development issues and in implementing such development programs. This will be helpful in improving the living standards of scholars and clerics, ensuring their security and encouraging them in further involvement in the political and social arenas. Such an approach not only strengthen the government's development efforts in reducing poverty in the country but will also ensure that they are not being used by other groups working against the interests of the government and the people.
- The participation of scholars and clerics in the development of the society and their contribution in the implementation of the government programs. As it is clear, the scholars and clerics are respected in the society and people listen to their advice and speeches and ask them about the new phenomena and believe in the answers and replies provided by them. Therefore, the participation of clerics in the development programs of the government justifies the programs for the people and thus can ensure people's co-operation in this regard.
- Coordination between religious societies of the Afghans and in other countries of the Islamic world would be helpful in resolving the common problems faced by the Muslims. Being part

of the fold of renowned Islamic institutions not only gives Afghans the much needed access to the resources and expertise of international scholars but also brings prestige to the national institutions.

- In today's world, strengthening international relations and promoting the principle of co-existence is essential to sustain the economic growth and development in Afghanistan. Unfortunately, by using the name of Islam, the terrorist organizations have severely undermined this basic principle. In order to address this issue and establish good relations with different institutions and countries, there is a need to improve the relations between Islamic world and other countries. These issues are of significant importance both for the country and the people
- Strengthen education, academic, cultural and religious institutions which have severely been affected by years of conflicts and require urgent reconstruction and rehabilitation. Enabling environment for acquiring Islamic lessons, using new resources in the areas of Islam and establishing relations with scientific and cultural institutions of the world and using experiences from other countries will surely change the current situation to a positive status and will remove many of the existing problems. Having modern and comprehensive religious institutions will enhance the capacity of the graduates about the facts about Islam so that are ready to serve their country and help the government in implementing its programs and this would not be possible if we do not have modern, extensive religious institutions.
- Instilling the confidence of safety and stability for peaceful living among the followers of different sects within Islam and the other existing faiths in the country would play an important role in strengthening national unity. Common national interest would be a binding force to unite all Afghans irrespective of their faith. Such an approach would be helpful for the successful

implementation of development programs and poverty reduction efforts.

- Achieving strategic results in religious affairs sector according to the importance of the respective area, people and institutions' need, security condition, budgetary facilities, working capacities and other factors is divided into long term, middle term and short term as follows:
- **Short term:** realization of some of results is possible in short term: study and evaluation of private religious schools and Dar al Hofaz all over the country or evaluation of the coordination among theology faculties and collection of related data for the implementation of religious affairs sector.
- **Middle term:** realization of some results need maximum of 5 years: establishment of a university dedicated to girls, restitution of all endowed properties to Ministry of Hajj, ensuring participation of religious scholars including male and female in issues related to economic growth, increasing women participation in Islamic activities.
- **Long term:** some results need more than five years or of continuous nature: the process of capacity promotion and active participation of religious scholars including male and female in social, political and economic issues, increasing Islamic awareness of people particularly of women.

The details of the above mentioned expected results are attached in the annex I (Policy action plan).

MOST CRITICAL CHALLENGES OF THE FUTURE

A. Security problems:

The prevailing security challenges in Afghanistan

is hampering the timely implementation of the development programs in some parts of the country. It is hoped that with the improvements in the security situation coupled with the cooperation of local communities, the government will be able to implement specific development programs in religious sector. Teachers and also students of the Madrasas could play vital role in cooperating government institutions and international stakeholders in achieving the desired objective.

B. Budget Problem:

The Government of Afghanistan has limited budgetary resources for its development programmes. As a result of this it is unable to allocate adequate resources and carry out essential works like the restoration works for mosques, provision of books or pay salaries for employees of the mosques. Resources constraint is the major reason for not taking up new development projects in religious sector. For example, building of Operational Centre for Hajj or pilgrimage requires a large amount of money which is clearly way beyond the government's current budget allocations or at least difficult to be paid from the current budget

C. Lack of Assistance by Foreign Countries / Organizations:

Since the government budget cannot afford large expenditures, funds donated by foreign countries/organizations can help us solve this problem. But, it has been observed that contributions from countries like Saudi Arabia, UAE, Kuwait, Egypt, Libya and other countries and organizations are not large enough to take up large projects.

D. Lack of Professional Staff:

The implementation of all development programs, wither in religious sector or other development sectors, requires competent and well qualified professionals. Afghanistan faces a severe shortage of qualified professional staff due to years of

war in the country. For example, Sharia Faculties in Afghanistan lack teachers having PHD or MA degrees and Madrasas lack scholars with required deep and modern scientific knowledge of Islam..

E. Lack of Public Awareness:

The prevailing high rate of illiteracy and lack of public awareness throughout the country is one of the main reasons because of which, people take a conservative position against any positive social change, though all such activities are permitted in Islam.

For example, girls' education or educating the women to become doctors so that they can treat lady patients in a better manner.

F. Corruption:

Corruption by some government employees and inclination towards misusing the public assets and misconduct are also barriers to the timely implementation of projects, which can lead to time and cost overruns. For example, the plan of a school construction which is supposed to be completed in one year is extended to 2-3 years or is stopped forever.

G. Absolute dependency of some of the religious institutions to people assistance:

Nearly, all unofficial Madrasas, mosques, and other religious centres depend purely on contributions from their local communities to pay for their expenditures like salaries of the mosque leaders, fuels for mosques and accommodation in the Khanaqas in provinces, districts and villages.

As a result of this, all such institutions are out of the preview of government control. If the Government fails to allocate adequate budgets for all such institutions, then it may lose active support in im-

plementing its other development programmes, which is crucial

PROGRAMS

Providing services to Hajjis and pilgrims:

- As we can see, so far, there is no proper institutional mechanism for delivering services to Hajjis and pilgrims. However, the situation has improved within last two years. Involving competitive private sector in the service delivery to Hajjis will solve this problem to a great extend. The Ministry of Hajj and Endowment has passed a bill on this issue which gives the Ministry the responsibility to sign contracts with tourist companies and travel agencies under certain conditions and requirements. After the termination of the contract and taking Hajjis' comments, companies showing good performances will be given an opportunity to serve the next year. The same procedure is used for Hajj-e-Omra. This will encourage private tourist companies to compete on delivering better services to Hajjis at low cost.
- Providing Hajjis with short-term training courses about Hajj pilgrimage in the Capital and provinces.
- In the short term, operations centres for Hajj, Omra, Karbala, holy sites in Islamic countries and Ganges in India can be managed for free or rental basis but, in the long term the Ministry of Hajj and Endowment will begin the establishment of Operation Centres in the following stages:
 - First Stage- Construction of a large and well-equipped centre in Kabul.
 - Second Stage- Construction of five medium Centres in important cities of the country (Zone Centres)
 - Third Stage- Construction of one small centre in each province.

- Improving and strengthening the permanent government representative agency in Saudi Arabia to organize Hajj and Omra affairs and be in routine contact with Saudi Officials.
- **Fighting Poverty and religious institutions' self-sufficiency as part of the fight against poverty:**
 - Establish a special office devoted to Zakat affairs in the Ministry of Hajj and Endowment to encourage people pay their Zakat. This office can also cooperate with other institutions in collecting and distributing Zakat.
 - Encourage people to engage in legitimate businesses and avoid idleness through religious teachings and religious publications.
 - Recover all wakf properties belonging to the Ministry of Hajj and Endowments. Also Ministry will have full control over and ownership of its revenues and deal with all claims and disputes on wakf properties
 - Allocating the required budget from the Government and the international assistances received from donor countries to the concerned departments for the implementation of Islamic programs.
 - In a country like Afghanistan, the religious affairs sector has large potential sources of income and revenue. But, the previous regimes have not properly organized this system. As a result of this, the revenues from all such sources are collected by local councils or individuals. This situation has negative impacts on sector's self-sufficiency. As we know, most of the mosques and religious centres are located in commercial sites. Building shops and markets in the areas around mosques and other religious centres can be a good source of revenue for religious centres. After passing a bill on this issue, the Ministry of Hajj and Endowments will contract out the construction of these shops and markets to the private sector, according to the law and with prior coordination with municipalities.
 - Opening a separate bank account for the ministry of Hajj and Endowment for revenues coming from donations. This bank account should be made well-known to the Afghans in and outside the country as well as to some Arab and Islamic countries so that they can transfer their donations easily.
 - Another source of income for the sector is selling ticket to worshipers for entering the religious centres
 - Extravagance and unnecessary expenditures in most of cases whether in families or in funerals and happy ceremonies is a phenomenon that weaken economy of families, governmental and non governmental institutions. The holy religion of Islam, centuries ago, denounced extravagance, therefore participation of religious scholars in combat against it will be an effective step toward poverty reduction and economic growth.

AWARENESS ABOUT ISLAMIC ISSUES AND CAPACITY BUILDING:

Programs in this area comprise two principle parts:

A. Public Awareness on Islamic provisions, values and teachings:

- Friday Prayer sermons could be on current issues like banned poppy cultivation, encouraging people to work and on education, avoiding corruption and bribery and, legitimate income generating activities, respecting others rights, environment and others. Such sermons could be prepared by Ministry of Hajj and Endowments with prior consent of provincial councils, outstanding scholars, representatives of all Sharia faculties of Afghan Universities, council of scholars, Academy of Science and etc.
- Establishment of a large library of Islamic Sciences in Kabul: this library will help those who

are seeking knowledge in Islamic issues, religious scholars and students of Islamic Sciences solve their problems.

- Equipping and strengthening the Education Department of the National Television: Television is a proper source of public awareness. Better wages to the people employed can help the realization of this purpose on sustainable basis.
- Establishing a Monitoring Centre in the Ministry of Culture and Youth with the cooperation of relevant administrations to prohibit the import of the books against Islamic values and traditions and national security.
- Conducting contests on Islamic issues like religious celebrities, issues required by people, characteristics of the Prophet Mohamad the great messenger, recital of the Quran at the national, regional and global levels among youth, students and women.
- Conducting meetings, seminars, conferences and workshops on important Islamic issues for public awareness especially the youth.

B. Capacity building for scholars and Islamic clerics:

- Establishing short-term courses for mosque leaders and preachers in provinces. Within next two years, with the involvement of relevant administrations, a comprehensive training program for mosque leaders on speech delivery skills, instilling the ideas of brotherhood and equality in the society will be provided. During these courses the trainees will be paid a certain amount of honorarium. Also the Ministry of Hajj and Endowment should appoint the competent Imams and Khatibs with proper Islamic education and knowledge in important mosques, where a large population attends the prayers
- Preparing and implementing specific public awareness programs, in order to inculcate the true spirit and values of Islamic teachings among Afghans.
- Coordinating all such awareness programs by providing preachers with brochures prepared according to the needs of the Afghan society. These brochures should provide auxiliary sources of coordinated speeches without interference by different interests sometimes against the realities of Islam and harmful to the society. These books and brochures will be published by a joint commission consist of outstanding writers and scholars. They will contain issues based on the needs of clarifying provisions of Islam considering the national interests. Other issues to be considered in these publications are national unity, encouraging people to engage in legitimate income creation activities, anti-corruption, respecting others rights specially women and children, environment protection and other issues able to contribute in poverty reduction efforts.

C. Creating coordination among Islamic institutions and Madrasas

- Collecting and consolidating statistics about all Madrasas out side the jurisdiction of the Ministry of Education. Currently a few number of Madrasas operate under government regulations and many of them are out of the coverage area of the government related institutions. This results in poor coordination among Madrasas and different teaching methods. Government should promote the required coordination and unity in teaching methods through Ministry of Education. To address this problem collecting proper information and developing statistics on the location, teachers, students, syllabus and equipments are need first and foremost.
- Constructing new buildings for Madrasas and rehabilitating exiting damaged buildings for Madrasas operating under MoE.

- Solving the problem of teaching materials of country's Madrasas. Madrasas face the problems like that of other schools of the MoE. Madrasas can operate much better if this problem is solved.
- Developing a single curriculum for current and future Madrasas. According to its plans, MoE will establish Madrasas in each province as its first step and subsequently in all districts. But, before this step, it is essential to develop a uniform curriculum for these Madrasas. Lack of a single curriculum for Madrasa is another challenge in the religious affairs sector.
- Establishing Madrasas in provinces and districts to address people's needs to educated mosque leaders and preachers in mosques and Takyas. This will be based on a feasible plan according to population growth and availability of financial resources. Availability of land, teachers and other needs are the other important factors to be considered before a final view is taken..
- Revision of the syllabus of the Islamic studies of the schools which undergone revisions for several times during the years of the conflicts according to personal interests and special situations by nonprofessional. Such anomalies need to be corrected to add moral issues needed for youth, respect of the Islamic rights of men and women and creation of a pleasant view of Islam in the minds of students in the curriculum.
- Paying attention to the establishment of the Madrasas for girls to train women religious scholars and promote women's awareness about their Islamic rights thus reducing violence against women.
- Publishing books of Islamic sciences in the Islamic education system of MoE according to changes brought in the curriculum and providing book for Madrasas and if possible printing religious books in the country.

D. Strengthening the Islamic cultural and scientific institutions:

Developing an Islamic encyclopedia containing introduction of the Islamic scholars of Afghanistan in official languages of country will reflect the role and contribution of our country in the promotion of Islamic culture. Afghanistan has made a great contribution in introducing and expanding Islamic culture and sciences in the world and possesses a valuable position among Islamic countries. Publication of such an encyclopedia will acquaint the younger generation with the history and honors of their homeland..

- Constructing buildings for Sharia Faculties for more effective education processes. Also, equipping the Sharia Faculties with libraries, IT, and research and teaching material.
- Because, some people do not like their daughters to study together with boys, it is proposed to build special university for women so that these women can also further their studies.
- Strengthening the budget and staff of the Centre for Islamic Research and publishing books in different areas of Islamic sciences. This could be realized by strengthening the Department of Islamic Sciences of the Science Academy progressively in different stages. The Department of the Islamic Sciences of Science Academy would have faculty members on rolls partly permanent cadre, and partly contracted cadre.
- Conducting seminars and workshops on Islamic issues and Islamic celebrities.
- Improving the quality of the "Payam-e-Haq" and "Irshad-e-Islam" Magazines, distribution, paying wages and enriching its contents so that it attracts more readers.
- Establishing an Islamic University in Kabul, and improving coordination among Sharia Faculties and establishing PHD and MA programs in these faculties.

- Creating linkages among Islamic higher education institutions of the country and Islamic scientific centres and universities of the Arab and Muslim countries and religious centres of the rest of the world.

E. Infrastructures (Mosques, Takyas, Temples for Hindus and Sikhs)

- Devoting proper places for women's collective prayer in most of the mosques and Takyas and building special spaces for women in mosques and Takyas by making the buildings two-story or any other proper measures considering the possibilities.
- Building and rehabilitating mosques, Takyas, holy places, places for Eid Prayer, Fatiha Saloons for women according to the plans and programs considering the availability of financial resources.
- The Ministry of Hajj and Endowments with the consent of MoRD and Kabul Municipality will prepare typical maps and blueprints for big, medium and small mosques for big cities, provinces and districts according to the population and maintaining characteristics of Islamic architecture. Such structures will have essential facilities such as Library, class rooms, latrines etc. and would be implemented under the supervision of related administrations. Private sector companies and Arab and Islamic countries willing to build mosques can use these maps as the basis for their work.

F. Scholars and Islamic Clerics' Participation in social life:

- Consultation and cooperation of Islamic scholars and clerics will help Provincial Governors and Administrators resolve local problems and issues such as elections, local disputes, insecurity, publicity of essential issues and creating permanent committees or councils for this purpose.

- Attracting Islamic scholars' cooperation in the implementation of government/NGO development programs/projects.

(for details please refer to annex I *Policy action plan*)

G. Environment:

Based on the teachings of Islam, the Ministry of Hajj and Endowments, Ministry of Agriculture, Irrigation and livestock and Municipalities will encourage the people to adopt practices which will be helpful in protecting the environment.

MoE will encourage the students to promote greenery through awareness campaigns.

H. Reducing religious segregation in the country:

1. Holding meetings and seminars on mutual aspects of different religions and faiths, peaceful living, and instilling the idea of cooperation for stability, growth and development of Afghanistan.
2. Publication of brochures and books about mutual understanding among the followers of different religions and faiths.
3. Publication of Magazines on a three-month and weekly basis about mutual aspects of different religions and faiths, peaceful living, and instilling the idea of cooperation for the realization of national unity.

I. Supporting the Religious institutions and improving the coordination among them

Factor causing the failure of religious services is lack of a unified program and coordination of organs active in the area of religion. To prevent waste of time and make the jobs effective, proper measures for coordination of plans and programs shall be taken.

1. Desired Outcomes

Providing services for Hajjis and pilgrims:

1. Privatization of the provision of Hajj and Omra services will help government and reduce the problems and will avoid the waste of time. Competition among private sector companies will reduce the costs for Hajjis.
2. Conducting training courses for Hajjis will help them gain the required knowledge on how to complete the Hajj requirements.
3. Establishing operation centers for Hajj and pilgrimage sets an organized system for doing religious duties and solves Hajjis' problems.
4. The Ministry of Hajj and Endowments will be in contact with governments of Saudi Arabia and Iraq in order to provide improved services.

2. Fighting Poverty (religious institutions' self-sufficiency as part of the fight against poverty)

1. Currently, the payment of Zakat is done in an unorganized manner and does not reach the people who are in real need. Planned collection and distribution of Zakat would be helpful in reducing poverty. .
2. Self reliant religious institutions could play vital role in promoting productive activities leading to increase in increase production and the quality of peoples' lives. Improving country's economy and will reduce poverty. For example, if, preachers speak about the scorns of poverty in each Friday Prayer, people will pay more attention to poverty reduction and will gain knowledge about this issue from the point of view of Islam. People will consider the poverty reduction efforts as a religious duty and the rich will pay the Zakat. This also reduces poverty. Also, encouraging people to learning and education through religious scholars is another tool for poverty reduction.

3. Proper management of endowed properties will not only improve the Government's revenues but will also create opportunities for the masses. Endowed properties belong to people and Ministry of Hajj representing government shall restitute the public properties. Revenues should be spent for the benefit of the people and improvement of the
4. properties. This will be an effective step toward strengthening the rule of law and justice in society.
5. International assistances beside government budget will accelerate the improvement in the quality of the development and poverty reduction programs. It will also enable government to start programs which are in need of money and provide more and better religious services for people.
6. Income generation by mosques and religious institutions strengthens the government revenues creating more opportunities for allocation of funds to address the basic needs of religious centers, scholars and clerics.
7. A separate bank account will help the Ministry of Hajj and Endowments to effectively allocate the scarce resources.
8. The income of religious institutions could be increased by introducing payment entry to such places.. The relevant administrations should develop a proper mechanism for this source of income. For example, if, each visitor pays 20AFS for entering the Rouza-e-Mobarak during Mila-e-Golisorkh in which 1 million people participate- according to semi-official statistics- there will be a total of 20 million AFS collected each year which can be used for maintenance and other expenditures.
9. Fighting waste of money in the individual social life and in the government will promote both Macro and Micro economic growth.

3. Knowledge of the Islamic issues and capacity building:

A. Public awareness programs on Islamic values and teachings:

1. Since the common people pay due respect to the Islamic scholars and clerics in mosques, awareness campaign through them about the prohibition of the poppy cultivation in all mosques throughout Afghanistan would be more effective than awareness programs on the media.
2. Establishment of a large library of Islamic Sciences motivates the well-read and researchers, functions as a resource center enabling access to up to date religious books, and promotes religious awareness. Moreover, the library demonstrates the ties between Islamic culture and people. The library will also function as a center for people active in the areas of publication, translation and research in Islamic sciences
3. Those who are illiterate or do not have enough time to read books can make best use of television programs on Islamic issues because television has a great importance in people's lives. Such TV programs would more effective in increasing awareness among the people and can guide them in the right direction.
4. Establishing a Monitoring Center to prohibit the import of the books against Islamic values and traditions and national security.
5. Conducting contests on Islamic issues like religious celebrities, issues of social importance, important aspects of the Prophet Mohamad (PBUH) the great messenger's life, recital of the Quran at the national, regional and global levels among youth, students and women.
6. Conducting meetings, seminars, conferences and workshops on important Islamic issues for public awareness especially the youth.

B. Capacity building for scholars and Islamic clerics:

1. Establishing short-term courses for mosque leaders and preachers on speech delivery skills. This can help people gain more knowledge through mosques, since the words of a good preacher can have better effects on people's deeds. If, each course trains 50 people and courses are conducted every three months there will be a total of 13600 people trained within next two years.
2. Identifying peoples needs in terms of recent developments and serious issues that need to be made public will give people more awareness and provide more facilities for preachers.
3. Coordination among scholars and preachers based on planned programs will give clear and uniform messages reducing confusion among people on important issues.

4. Creating coordination among Islamic institutions and Madrasas in Afghanistan

- a. Developing statistics about all Afghan Madrasas facilitates the planned implementation of the programs and will be helpful in deciding the priorities.
- b. Madrasas having proper buildings can operate better and can easily achieve their objectives.
- c. Lack of equipment and teaching material is the problem of all schools and education institutions of the country and madrasas are not an exception. Equipping Madrasas will be helpful in realizing the objectives of MoE.
- d. Developing a uniform curriculum for all Madrasas reduces the risk of propagation of ideas against Islam and national interests and facilitates the provision and publication of books and other teaching material.

- e. The establishment of Madrasas in provinces and districts on the one hand addresses the need for religious cadre and on the other hand addresses people's demand for a national system for the administration of country's Madrasas.
- f. Revision of the contents of religious text books provides girls and boys who are at the right stage of learning with better understanding of the Islamic education which can guide them for the rest of their life.
- g. Paying attention to the establishment of the Madrasas for girls to train women religious scholars and promote women's awareness about their Islamic rights thus reducing violence against women.
- h. Providing adequate religious text books will help address teachers' needs for proper teaching methods and the required information and reduces the dissimilarities of teaching methods.

5. Strengthening the Islamic cultural and scientific institutions:

- 1. Developing an Islamic encyclopaedia containing introduction of the Islamic scholars of Afghanistan in official languages of country will reflect the role and contribution of our country in the Islamic culture. Afghanistan has made a great contribution in introducing and expanding Islamic culture and sciences in the world and possesses a valuable position among Islamic countries.
- 2. Constructing buildings for Sharia Faculties for more effective education processes. Also, equipping the Sharia Faculties with libraries, IT, and research and teaching material.
- 3. The establishment of a special university for girls will significantly reduce the scale of women's and girl's lack of access to higher education.

- 4. Strengthening the financial and human resources of the Centre for Islamic Research and publishing books in different areas of Islamic sciences which will be done on the basis of strengthening the Department of Islamic Sciences of the Science Academy and includes planning stages, publishing, wages and other expenses. Hiring qualified cadre for the Department of the Islamic Sciences of Science Academy will take place in two forms: permanent cadre, and contracted cadre.
- 5. Conducting seminars and workshops on Islamic issues and Islamic celebrities.
- 6. Improving the quality of the "Payam-e-Haq" and "Irshad-e-Islam" Magazines, distribution, paying wages and enriching its contents so that it attracts more readers.
- 7. Establishing an Islamic University in Kabul, and improving coordination among Sharia Faculties and establishing PHD and MA programs in these faculties.
- 8. Creating linkages among Islamic higher education institutions of the country and Islamic scientific centres and universities of the Arab and Muslim countries and religious centres of the rest of the world.

6. Infrastructures (Mosques, Takyas, Temples for Hindus and Sikhs)

- 1. Increasing women's participation in collective prayer will boost their participation in social activities and helps them know their rights and do one of the essential Islamic duties (Prayer) collectively. Since women have a key role in the family, their participation in collective prayer will have positive effects on their children, family members and the society at large.
- 2. A proper and good means of communication and connection between the people and the government will be created preventing for-

eign elements who are against Islam and our national interests from penetrating our country using the name of assisting mosques, and prevents propagandas against our national interests.

3. Typical mapping and its implementation will increase the beauty as well as provision of integrated services; it will also prevent implementation of inadequate mappings which are not suitable for the beauty and glory of a mosque. On the hand facilities like library, Imam's room, Vudhu (ablution) place, toilet and other services will be considered as well.

7. Scholars and Islamic Clerics' Participation in social life:

Taking into account religious scholars' counsels and making use of their cooperation provide the opportunity of social presence for them. This way, they will not feel marginalized but fell more responsible toward social issues and will take part in reconstruction process. People's awareness of government developmental programs through religious scholars and clerics provides more trust and confidence for people and in case of any problem they can be easily solved by scholars' contribution. In fact religious

scholars and clerics work as a bridge between people and government and considerably accelerate the process of development.

Public awareness on government's development projects through Islamic scholars and clerics will raise people's confidence.

In fact, Islamic scholars and clerics play the role of a bridge between the people and the government.

8. Environmental Protection:

Religious institutions such as mosques, Takya's, Hosania, Jamat Khana, Khankhas and Dharamsalas shall be regarded as role models for cleanliness and beauty; places which are constantly preaching protection and cleanliness of environment.

9. Reducing religious segregation in the country:

Decades- long war has been the source of different forms of violence and crises including religious hatred in the country.

Mutual understanding among different religions and instilling the idea of peaceful living based on the Islamic teachings will eliminate the discord and strengthen national solidarity. Consequently, those are only aware of the differences will become aware of countless commonalities and shared values and will think of unity rather than discord.

10. Providing support for and creating coordination among religious institutions:

Establishment of a single centre for implementation and coordination of religious programs will prevent functional overlaps and reduce the probability of misuses. With the concentration of programs in a focal point expenditures and priorities will be clearly determined, offices and in charge people feel responsible as they will be accountable before an authorized body.

CHAPTER 5

ROLES OF STAKEHOLDERS

Religious affairs issue is as wide and comprehensive and covers all aspects of life. The following institutions and Governmental organizations have their specific role and responsibility towards Islam:

GOVERNMENTAL ORGANIZATIONS:

A. Ministry of Hajj and Endowment:

- Three and six months courses for Mollahs
- Funding and construction of operation centres for transporting to the pilgrimage, Karabala and Aab Gang
- Publishing outreach pamphlets for Mollahs on daily issues and effectiveness to the people.
- Cadre and budget empowerment for Islamic science research centre.
- Improving the publishing quality of “Payame Haq wa Irshad Islamee” magazine
- Having almost a correct statistic of scholars, mosques and other religious institutions
- Mainstreaming all donated properties into ministry budget.
- Conducting religious science and Quran reciting competitions
- Contributing Khanaqas, and using Orphas and Sofis for fight against socially immoral activities

B. Ministry of Education:

- Statistic of all religious Madares not under the control of Education ministry in the country
- Developing a curriculum for existing Madarees as well as for those established in the future.
- Revision in syllabus of religious studies in religious science of schools
- Proper measures for publishing religious books in the religious education system
- Problem solving relating to educational materials and equipments of existing religious madarees in the country
- Constructing building for those madarees which lack proper buildings
- Establishing madarees in provinces and districts, based on an accurate and practical plan for implementation
- Using mosques and religious scholars for developing literacy for elders and pre-primary education as kindergarten for under age boys and girls

3. Science Academy

- Proper staffing of expert cadres and Islamic research scholars and scientists to the Islamic science departments in order to help and facilitate

- Publishing research books and pamphlets within different aspects of the Islamic science
- Establishment of research projects on religious affairs , as required in society .
- Establishing a research centre for Islamic science
- Putting together the activities of Islamic research centre of the ministry of Hajj and Endowment with science academy activities, and its mainstreaming studies into the science academy
- Conducting workshops and seminars on religious affairs and scientific personalities of the Islam religion
- Providing an Islamic science encyclopaedia of formal languages in the country
- Compiling literary work of eminent Afghanistan Islamic scientists highlighting their role and contribution in propagation of Islam and the services it made towards that in the history

4. Ministry of Higher Education:

- More coordination between Sharia faculties of the country
- Establishment of an Islamic Science University in Kabul
- provide more opportunities for female students to get more education facilities in Islamic Science
- Establishment of a special university of girls
- Develop an educational system of Masters/ PHD degrees within the country in religious education
- Establish relation between religious educational centres of the country with scientific

centres and Universities of Islamic and Arabic countries

- Construct new basic buildings for those Sharia faculties which lack proper buildings
- Improve Sharia faculties' libraries in the country

5. Ministry of Social Affairs, Labor Martyrs and disabled:

- Design a program to use mosques and Taky's as kindergarten for children in preschool age.

6. Supreme Court

- upgrading lawyers' information base about new scientific researches and achievements in world of Islam and their usage within judicial issues
- Further empowerment and equipment of the centre for issuing verdicts

7. Ministry of Counter Narcotics

- Draft and implement joint counter narcotics programs in cooperation with Mollahs in provinces and rural areas of the country

8. Ministry of Information and Culture:

- Coordination of Islamic publicity programs
- Enhance peoples' knowledge regarding Islam religion
- Monitor the Governmental and non-Governmental publications that are against the Islamic vision
- Control the follow of books that give a distorted view of the real teaching of Islam into the country.

- Empower and equip the Islamic education department of the National Radio Television
- Better protection of heritages that have Islamic values
- Create a large library of Islamic science in Kabul
- Introduction of Islamic scientist personalities
- Control the import of books from outside that contain material against the Islam.

9. Ministry of Finance

- Channelize International donations for the development and implementation of Islamic programs
- Allocate proper budgets for organizations.

10. Ministry of Urban Development:

- Develop typical maps with Islamic construction specialty within capital, provinces and districts

11. Ministry of Foreign Affairs:

- Establish proper Islamic institutional relation of the country with Islamic and Arabic countries and institutions for achieving donations.
- Organize the Hajj, Omra and Pilgrimage of Mashad affairs

12. Ministry of Women's Affairs

- Capacity building for women on their Islamic rights and responsibilities in cooperation with Islamic scholars, in order to encourage them for their active participation within social life
- Provide women with adequate facilities for prayer within mosques and other religious venues.

13. Ministry of Justice:

- Draft the basic points of Afghanistan laws based on Sharia
- Continued study of common issues both in Islamic laws and other regulation and legislative document

14. Ministry of Transport:

- Provide adequate transport facilities for Hajis and people who want to go on religious visits

15. National Environmental protection agency:

- Design and implementation of public awareness programs through religious scholars and Islamic clerics on environment

16. GIAAC:

- Design and implementation of public awareness programs through religious scholars and Islamic clerics on fighting

corruption.

17. IARCSC:

Implementation of administrative reforms in the MoHE

18. Municipalities:

- Cooperation and provision of facilities for the implementation of construction projects and reconstruction of religious institutions and reclaiming the wakf properties.

19. Governors and District administrators:

- Providing support in the implementation of Government programs and policies with adequate security arrangements

OTHER COUNTRIES AND FOREIGN ORGANIZATIONS:

1. Islamic countries: contribution in providing professional, financial, cultural and methodic assistance
 2. International organizations: contribution in providing financial assistance, building infrastructure facilities and support
 3. Universities and educational and cultural centers: contribution in providing financial, educational and professional assistance and moral & material support
-

NONE-GOVERNMENTAL ORGANIZATION:

1. Private sector: support in providing transport facilities for the Hajis
2. NGOs: those organizations that work in the field of education, narcotics and administrative reforms

MONITORING AND EVALUATION

Obviously, monitoring and evaluation cover different aspects. Therefore, different institutions are responsible for monitoring and evaluation of the different aspects of the work process. The results of the monitoring and evaluation process are then integrated and concluded by a higher level institution.

For the projects and programs to be implemented, an administration is required to monitor the work process and evaluate the progress and backlog against the given time frame. This administration is required to consider the following while executing its duties:

1. Identifying all the partners responsible for different parts of this strategy and clarifying their duties to minimize overlap and duplication.
2. Insuring that all the responsible administration collect precise statistics for the implementation of the projects based on which necessary measures can be taken.
3. On a regular basis, insuring the access to financial resources for funding the project and preparing the time schedule accordingly, and taking the necessary measure to minimize waste of time.
4. Proper time management to avoid waste of the time required for the implementation of the projects and programs so that they can be implemented as planned and on the other hand

responsible authorities need to make sure that the division of time in hours, days, weeks and months is done properly. For, the failure in timely implementation of the projects and programs, it can harm the whole process.

5. Regular evaluation of every phase of the work process from the different aspects, for example: Effectiveness of the project, expensiveness of the project, people's sensitivity against it, the need in shift in approaches and etc.
6. Mainstreaming these efforts into the operations of all administrations involved in the implementation of the strategy so that they also can measure the progress against the strategy and achieve maximum results using minimum resources.
7. Appointing specified persons to take the responsibility of a specified aspect is an essential prerequisite. It is important because during the evaluation a specific person is there to answer about his/her responsibilities.

Having said this, of importance are three issues in connection with the implementation and transparency of this strategy.

First: this strategy needs to be implemented in all aspects.

Second: achievements of this strategy should be evaluated after it's implemented.

Third: an administration is required to monitor and evaluate this process from beginning up to the end and guide and support the relevant institutions and take proper measures regarding the need in continuation of the work on different aspects after the process-end-evaluation.

Therefore, to establish a successful environment for monitoring and evaluation it will be necessary to set up an authorized administration with access to all necessary resources. This administration can be established within the ANDS framework.

ANNEX I: NATIONAL ACTION PLAN

Religious Affairs Sector				
outcomes	Activities	Category	Imp. period	Responsible Agency
Strengthen educational religious institutions	The educational curriculum and academic activities of the Sharia faculties to be coordinated	Institution Building	End of 1389	Ministry of Higher Education
	Scientific and cultural relations of the Sharia faculties to be established with similar organizations and Islamic countries.	Development	End of 1389	Ministry of Higher Education
	The Islamic science section of the science academy and research center of the Islamic science would be empowered in term of cadre and budget	Development	End of 1392	Science Academy and Ministry of Haj and Endowment
	Equipped building for Islamic studies section of science academy and Islamic studies research center will be constructed	Development	End of 1392	Science Academy and Ministry of Haj and Endowment
	All madrasas shall be registered by ministry of education and follow similar curriculum till end of 1388	Institution Building	End of 1389	Ministry of Education
	The revision in Islamic subject of the schools curriculum will be made based on the Islamic realities, nation's interests and sound education of the young generation	Development	End of 1389	Ministry of Education
	Compile and publish textbooks required by religious schools based on new curriculum	Development	End of 1392	Ministry of Education
	Establish 34 religious schools and DarulHifaz at national and sub national levels	Development	End of 1389	Ministry of Education
	Establish 100 religious schools and Darul Hifaz in the districts of the country	Development	End of 1392	Ministry of Education
	Construct and equip Bebi Aisha girls' religious school in Kabul City	Development	End of 1389	Ministry of Education
Enhance religious awareness	4 girls' madrasas will be established in Mazar-e-sharif, Herat, Kandahar, Jalalabad	Development	End of 1392	Ministry of Education
	Establish university of Islamic studies at Masters and PhD levels	Development	End of 1392	Ministry of Higher Education
	Establish a university specifically for girls	Development	End of 1392	Ministry of Higher Education
	Compile and publish works of research projects of science academy and center of research for Islamic studies.	Development	End of 1392	science academy and Islamic studies research center
	Draft and implement campaigning program of clerics and preachers with regards to anti-corruption.	Development	End of 1392	Ministry of Haj, Civil Service commission, GIAAC
	Draft and implement campaigning program of clerics and preachers with regards to counter-narcotics.	Development	5 years	Ministry of Haj and Endowment, Ministry of Counter Narcotics

Religious Affairs Sector				
outcomes	Activities	Category	Imp. period	Responsible Agency
	Draft and implement campaign programs of clerics and preachers concerning the Islamic rights of women; religious value of literacy; elections; forced marriages and violence that are condemned by Islam and other social issues.	Development	End of 1390	Ministry of Haj, MoWA and concerned agencies
	Draft and implement campaign program of clerics and preachers concerning the encouragement of people to environment protection including practical programs for mosques, Husnias and Khanaqas	Development	2 years	Ministry of Haj, NEPA and concerned agencies
	Launching programs and incentive competitions among scholars, the youth and women concerning Islamic issues such as on characteristics of prophet of Islam P.B.U.H., recitation of Holy Koran and other issues relating Islam at national, regional and global level	Development	End of 1392	Ministry of Haj, Ministry of Information and Culture, Science Academy
	Convention of seminars, workshops and conference on important Islamic issues for enhancing the awareness of people	Development	End of 1392	Ministry of Haj, Ministry of Information and Culture, Science Academy
	Establish a grand religious library in Kabul	Development	End of 1392	Ministry of Information and Culture and Ministry of Haj
	Compile, translate and publish religious guidance books in Dari and Pashto	Development	End of 1392	Ministry of Information and Culture and Ministry of Haj
	Translate and publish Islamic books (Tafseer, Hadith, Fiqa, and Theology)	Development	End of 1392	Ministry of Information and Culture and Ministry of Haj
	Quality and quantity improvement of magazines such as Payam-e-Haq and Irshad Islam	Development	End of 1392	Ministry of Information and Culture and Ministry of Haj , Science Academy
	Transformation of Irshad Islam magazine to a news paper	Development	End of 1392	Ministry of Information and Culture and Ministry of Haj , Science Academy
	Establish a quality newsletter concerning the closeness of Islamic sects	Development	End of 1389	Ministry of Information and Culture and Ministry of Haj
	Publish an Islamic encyclopedia containing the role of Afghanistan in Islamic culture and studies	Development	End of 1392	Science Academy and other agencies
Enhance capacity of religious scholars	Training program for Mullahs, preachers	Institution Building	End of 1392	Ministry of Haj and Endowment

Religious Affairs Sector				
outcomes	Activities	Category	Imp. period	Responsible Agency
	Convene seminars and workshops for religious scholars.	Institution Building	End of 1389	Ministry of Haj and Endowment
	Seminars and workshops will be convened for religious scholars.	Institution Building	End of 1392	Ministry of Haj and Endowment
	Compile and publish pamphlets on rights of women and children; harms of narcotics, bribery and corruption and other related social issues.	Development	End of 1392	MCN, MoWA, other agencies with co-operation from Ministry of Haj
	Establish a center for training preachers	Development	End of 1390	Ministry of Haj and Endowment
	Ensure the access of scholars to new technological studies (including computer and internet)	Institution Building	End of 1392	Ministry of Telecommunications, Ministry of Haj
	Establish library at congregational mosques of the capital and provinces	Development	End of 1392	Ministry of Haj, Ministry of Information and Culture
Religious service delivery and infrastructure	Statistics of all Islamic scholars, clerics; Sikhs and Hindus will be provided for better service delivery.	Development	End of 1389	Ministry of Haj and Endowment
	Prepare a typical design for mosques and Husnias of important cities and townships containing library, ablution site, toilets and other required places and submitting these designs for agencies and people that are interested in construction of mosques.	Development	End of 1388	Ministry of Haj, Urban development and Municipality
	Establish departments of Hajj and Endowment at all provinces	Development	End of 1392	Ministry of Haj and Endowment
	Construct mosques, Husnias, Khanaqas, and Jamat Khanas	Development	End of 1392	Ministry of Haj and Endowment
	Rehabilitate mosques, Husnias, Khanaqas, Jamat Khanas	Development	End of 1392	Ministry of Haj and Endowment
	Establish operational centers of Hajj, Umra pilgrimage in Kabul and other zones	Development	End of 1392	Ministry of Haj and Endowment
	Construct female Fate ha khana	Development	End of 1392	Ministry of Haj, with cooperation of municipalities, MoWA
	Construct congregational mosques for women to conduct congregational prayers	Development	End of 1392	Ministry of Haj and Ministry of Women's affairs
	Construct a building for Ministry of Hajj and Endowment which is in accordance with Islamic architecture, well-equipped and one that meets all needs of related offices.	Institution Building	End of 1392	Ministry of Haj and Endowment
	Rehabilitate the endowed properties	Development	End of 1392	Ministry of Haj and Endowment

Religious Affairs Sector				
outcomes	Activities	Category	Imp. period	Responsible Agency
	Recover and return endowed assets that are in the control of irresponsible people to Ministry of Hajj and Endowment	Development	End of 1392	Ministry of Hajj and related agencies
	Establish an empowered, independent facility in Kabul that is authorized for delivering Fatwas concerning Islamic issues	Institution Building	End of 1392	Supreme court, Ministry of Hajj
Anti-corruption and eliminating immorality	Implement administrative reform program in Ministry of Hajj and Endowment (national and sub national levels)	Institution Building	End of 1389	Civil Service Commission and Ministry of Hajj
	Draft and implement campaigning program for religious scholars and preachers concerning anti-corruption	Development	End of 1389	Ministry of Hajj, Civil Service Commission, GIAAC
Participation of scholars in social affairs	Establish administrative units and prepare specific programs for preventing unacceptable social acts that are against Islamic values through campaigns in all mass media and Minabers	Institution Building	End of 1392	Ministry of Hajj, Ministry of Information and Culture
	Establishment of Cooperation committees of scholars for local dispute settlement and implementation of reconstruction programs in all districts.	Institution Building	End of 1392	Ministry of Interior Affairs and governors of all provinces
	Mosques , Husainias, and Takia Khanas will be used for the purpose of pre-school education for under age school children including girls and boys with the combination of state kindergarten programs and traditional education at mosques	Development	End of 1392	Ministries of Labor and Social affairs, Education and Hajj
Poverty reduction and self reliance of religious institutions	Establishment of mechanism for salary grading and payroll of scholars, preachers and other mosque and Takayas' servants.	Institution Building	End of 1392	Ministry of Hajj and Endowment, ministry of finance and justice.
	Signing a contract with traders and private sector for building shops and business centers where mosques and other holy sights are located.	Institution Building	End of 1392	Ministry of Hajj and Endowment and relevant Municipalities.
	Program ticket selling will be launched for pilgrims of important shrines	Development	End of 1390	Ministry of Hajj and endowment.
	A Bank account will be Established for Ministry of Hajj and Endowment for collection of financial assistance delivered by people	Institution Building	1 end of 11392	Ministry of Hajj and Endowment and general banking department
	Establishment of A state agency for collecting and distributing zakat and related services.	Institution Building	End of 1392	The general directorate of Hajj and endowment affairs management.

Religious Affairs Sector					
outcomes	Activities	Category	Imp. period	Responsible Agency	
Regional Cooperation	Keeping contacts with Islamic countries through formal and legal means for securing their material and moral assistance; strengthen relations with Islamic countries organization; establish relations of Ministry of Hajj and Endowment with similar entities in other Islamic countries.	Development	End of 1392	Ministry of Foreign Affairs and Ministry of Haj and Endowment	
	Conferences on important Islamic issues will be convened by Ministry of Information and Culture; Hajj and Endowment at international or regional level.	Institution Building	End of 1392	Ministry of Information and Culture, MOFA, Ministry of Haj, Science Academy	
	Opportunities will be provided for religious scholar delegation to visit different sects including Sunnis and Shias in neighboring and Islamic countries and similar delegation will be asked to visit Afghanistan	Development	End of 1392	Ministry of Foreign Affairs, Ministry of Haj	
	Establishment and strengthening of permanent branches at Saudi Arabia for arranging Hajj and Umra pilgrimage	Institution Building	End of 1392	MoFA, Ministry of Haj	
Coordination between religious institutions	An authorized body for coordinating governmental programs between governmental and nongovernmental organizations will be established	Institution Building	End of 1392	ANDS, OAA, MOF	
	An administrative unit will be established in the Ministry of Information and culture and other line agencies prepare specific programs for preventing unacceptable social acts that are against Islamic values which puts national interest in danger.	Institution Building	2 years	Ministry of Information and Culture, Ministry of Haj, with cooperation of Science Academy	

ANNEX II: MONITORING MATRIX

Annex III - M&E Matrix			
outcomes	Indicators	Baseline	Targets
Strengthen educational religious institutions	Index on progress of Scientific and cultural relations of the Sharia faculties		
	# of equipped Islamic studies departments		
	% progress on Madrasa registration by Ministry of Hajj & Religious Affairs		
	Index on progress of curriculum revision based on Islamic values		
Enhance religious awareness	# of campaign programs		
	Index on progress of Grand Religious Library		
	# of Religious books, guidelines published		
	Index on progress of publishing an Islamic Encyclopedia		
Enhance capacity of religious scholars	# of training programs for religious scholars		
Religious service delivery and infrastructure	# of trained religious scholars		
	Statistics on Religious Scholars in the country		
	# of properly equipped Hajj and Endowment departments in each province		
	# of Mosques		
Anti-corruption and eliminating immorality	# of congregational facilities for women		
	Index on progress of eliminating corruption morality programs		
	Index on progress of coordination of scholars in social affairs		
	% of increase in collection of Zakat and public donations		
Poverty reduction and self reliance of religious institutions	Index on progress of regional cooperation in religious affairs		
Regional Cooperation	Index on progress of coordination amongst religious institutions		

ANNEX III: LIST OF PROJECTS OF PROJECTS

S/N	AFG Budget Ref	Programs / Project title	Project Duration		Breakdown of Requirements (US\$ Millions)						Total Requirement (US\$ Million)	Total Funding (US\$ Million)	Gap (US\$ Million)	Major Donors	Core External	Responsible Agency
			Start	End	1387	1388	1389	1390	1391	1392+						
1	AFG/0710301	Construction of Mosques	1386	Carry Forward	0.050						0.05	0.050	0.000		Core	Ministry of Haj and Endowment
2	AFG/0731101	Construction of 10 Buildings in Provinces for Ministry of Hajj and Religious Affairs and Purchasing of Office Equipment	1386	Carry Forward	0.304						0.30	0.000	0.304		Core	Ministry of Haj and Endowment
3	AFG/0731201	Construction & establishment of Haji Camp in Balkh Province	1386	Carry Forward	0.500	0.50					1.00	0.000	1.000		Core	Ministry of Haj and Endowment
4	AFG/0731301	Construction & establishment of Haji Camp in Heart Province	1386	Carry Forward	0.500	0.50					1.00	0.000	1.000		Core	Ministry of Haj and Endowment
5	AFG/0809901	Construction of 5 Buildings for Ministry of Hajj and Religious Affairs in Provinces	1387	New	0.750						0.75	0.000	0.750		Core	Ministry of Haj and Endowment
6	AFG/0810001	Construction & abolishment of Hajji Camp in Kandahar Province	1387	New	0.500	0.50					1.00	0.000	1.000		Core	Ministry of Haj and Endowment
7	AFG/0810101	Renovation of Historical Mosques and Completion of unfinished Mosques	1387	New	1.000	0.50					1.50	1.000	0.500		Core	Ministry of Haj and Endowment

ANNEX IV: LIST OF PROVINCIAL DEVELOPMENT PRIORITIES

No.	Project Name	Project Location Province	Responsible agency	Project Starting Year
1	Construction of Haj and endowment building with all equipment, centre of the province.	Balkh	MoHaj&E	1388
2	Construction of Directorate of Hajj in the provincial centre (20 rooms)	Daikundi	MoHaj&E	1388
3	Construction of religious wise department building in the provincial centre (10 rooms).	Daikundi	MoHaj&E	1388
4	Construction of a comprehensive mosque and Islamic high school in the provincial centre (30 rooms).	Daikundi	MoHaj&E	1388
5	Construction of building for the Ulemas and People's Joint commission in the centre of the province.	Jawozjan	MoHaj&E	1388
6	Establishment and equipping of Ulama Shura. (Ulama Council)	Pajshir	MoHaj&E	1388
7	Construction of one comprehensive mosque in Khinj district.	Pajshir	MoHaj&E	1388
8	Construction of a Haj directorate and mosque for Eid prayers Beneficiaries.10000	Nangarhar	MoHaj&E	1388
9	Establishment of Dar-ul-hifaz with dormitories for 400 students	Logar	MoE	1388
10	6. Construction of airport town mosque building in central Ghor province.	Ghor	MoHaj&E	1388
11	Construction of a Mosque with large hall & rooms for capacity of 1,000, in Mandol.	Noristan	MoHaj&E	1388
12	Praying place for women in 14 mosques in 14 districts.	Kunar	MoHaj&E	1388
13	Construction of the Jumma Mosque in Pul-e-Alam city and all districts.	Logar	MoJ	1388
14	Construction of women's prayer room (Fateha Khowani) in the provincial centre.	Balkh	MoHaj&E	1388

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This Five year National Development Strategy Focuses on Security, Governance, Economic Growth and Poverty Reduction. The Document is divided into five volumes. Volume I: Main Document – details the vision, Goals, Policies, Macroeconomic, poverty profile, aid Effectiveness, Implementation and Monitoring Frameworks; Volume II: Security and Governance Pillars – details Security, justice, Rule of Law, human Rights, public Administration reform and Religious Affairs; Volume III: Social and Economic Development Pillar – Infrastructure and Natural Resources Sub-Pillar, details Energy, Transport, Water Resource management, Information and Communication Technology, Urban Development and Mining Sectors; Volume IV: Social and Economic Development Pillar – details Health and Nutrition, Education, Culture, Media & Youth, Agriculture and Rural Development, Social protection, Refugees, & Internally Displaced arsons, and Economic Governance & Private Sector Development Sectors; Volume V: Cross-Cutting Issues – details Capacity Building, Gender, Counter Narcotics, Regional Cooperation, Anti Corruption and Environment.



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