

The A to Z Guide **2010** **to Afghanistan Assistance** Eighth Edition



AFGHANISTAN RESEARCH AND EVALUATION UNIT
Research for a Better Afghanistan

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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul. AREU's mission is to inform and influence policy and practice through conducting high-quality, policy-relevant research and actively disseminating the results, and to promote a culture of research and learning. To achieve its mission AREU engages with policymakers, civil society, researchers and students to promote their use of AREU's research and its library, to strengthen their research capacity, and to create opportunities for analysis, reflection and debate.

AREU conducts research on a wide variety of topics and produces dozens of research publications each year, ranging from policy-focused briefing papers to comprehensive issues and synthesis reports. Many are translated into Dari and Pashto. AREU also publishes the annual *A to Z Guide to Afghanistan Assistance* and the quarterly *Afghanistan Research Newsletter*, and maintains a website (www.areu.org.af). AREU also regularly organises workshops and conferences to facilitate research use and enable and encourage debate among policymakers and other stakeholders.

AREU was established in 2002 by the assistance community working in Afghanistan and has a board of directors with representation from donors, the United Nations and other multilateral agencies, and nongovernmental organisations. AREU currently receives core funds from the governments of Finland, Norway, Sweden, Switzerland and the United Kingdom. Specific projects have been funded by the Foundation of the Open Society Institute Afghanistan (FOSIA), The Asia Foundation (TAF), the European Commission (EC), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM), and the World Bank.

About the *A to Z Guide to Afghanistan Assistance*

Updated each year, the *A to Z Guide to Afghanistan Assistance* aims to enhance general understanding of the array of actors, structures and government processes related to aid and reconstruction efforts in the country. The guide provides: a wide-ranging glossary of assistance terms, an overview of Afghanistan's system of government, a series of country and city maps, key primary documents, and an extensive contacts directory that includes government agencies, NGOs, donors, and international actors. The guide is also published in Dari and Pashto.

When the first edition of the *A to Z Guide* was published in 2002, the goal then—as it is now—was “to provide a guide to the terms, structures, mechanisms and coordinating bodies critical to the Afghanistan relief and reconstruction effort to help ensure a shared vocabulary and common understanding.” Over the years the guide increased in scope and size, but has always followed the same successful model.

This 2010 edition includes an expanded glossary section, a detailed explanation of Afghanistan's electoral system as well as a review and analysis of the 2009-10 election cycle, and a variety of new maps, provided for the first time by the Afghan Geodesy and Cartography Head Office.

The information presented in the guide relies on the voluntary contributions of agencies and organisations, and the situation in Afghanistan can change rapidly. Users of the guide are encouraged to contact publications@areu.org.af with suggestions for additions, updates, corrections or improvements.

The AREU Library

Established in 2003, the AREU Library supports the research activities of AREU and provides public access to approximately 11,000 titles held about Afghanistan. The library is open to everyone. Contemporary materials produced inside Afghanistan and materials in Afghan languages are the focus of collecting, with an emphasis on long-term research value.

The library also aims to make available in Afghanistan research produced overseas about the country and the region. Materials of all types (books, journal articles, maps, posters, CDs, DVDs, databases and more) are available for use inside the library (no public borrowing is allowed). Photocopying facilities are available and the entire collection is listed online (see the “Library” page of AREU’s website at www.areu.org.af). The library also has over 50 GBs of accumulated softcopy publications on Afghanistan, all of which are indexed and listed in the library database and made available for research use (where copyright laws permits).

Since 2004, AREU Library staff have also prepared the *Afghanistan Research Newsletter*, released in January, April, July, and October each year, which attempts to broaden and improve access to new materials from and on Afghanistan. All issues are on the AREU website and the new materials listed in these newsletters are cumulated in the library database.

Researchers are welcome to visit in person or email inquiries to library@areu.org.af. Library staff work in collaboration with several other libraries in Kabul and can also suggest sources for materials not available at AREU.

Library location and opening hours:

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AREU Publications 2009

These and all other AREU publications are available for download from www.areu.org.af and most in hardcopy from the AREU office in Kabul (* indicates that a publication or a summary is available in Dari and Pashto).

- A Holistic Justice System for Afghanistan, by Deborah J. Smith and Jay Lamey
- Community-Based Dispute Resolution Processes in Nangarhar Province, by Deborah J. Smith
- Community-Based Dispute Resolution Processes in Bamiyan Province, by Deborah J. Smith and Shelly Manalan
- Losing Legitimacy? Some Afghan Views on the Government, the International Community, and the 2009 Elections, by Noah Coburn *
- Voting Together – Why Afghanistan’s 2009 Elections were (and were not) a Disaster, by Noah Coburn and Anna Larson *
- Afghanistan Research Newsletter 23 *
- A Closer Look – The Policy and Law-Making Process Behind the Shiite Personal Status Law, by Lauryn Oates *
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- Patronage, Posturing, Duty, Demographics: Why Afghans Voted in 2009, by Noah Coburn and Anna Larson *
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- Beyond Poverty – Factors Influencing Decisions to Use Child Labour in Rural and Urban Afghanistan, by Pamela Hunte
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- Afghanistan's New Political Parties: A Means to Organise Democratisation? by Anna Larson *
- Decisions, Desires and Diversity: Marriage Practices in Afghanistan, by Deborah J. Smith *
- Afghanistan National Development Strategy (ANDS) Formulation Process: Influencing Factors and Challenges, by Sayed Mohammed Shah
- Afghanistan Research Newsletter 20 *
- The A to Z Guide to Afghanistan Assistance 2009 (Seventh Edition) *
- Delivering on Poverty Reduction: Focusing ANDS Implementation on Pro-Poor Outcomes, by Paula Kantor, Adam Pain, et al. *

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Afghan Civil Society Forum Organisation (ACSFO)

www.acsf.org

The Afghan Civil Society Forum Organisation (ACSFO—formerly ACFS) is a network of Afghan civil society groups and actors. It provides a platform for dialogue and aims to develop the role of civil society in political decision-making. ACSFO was established at the Afghan Civil Society Conference, held in parallel with the Bonn Conference (p. 27) in late 2001. ACSFO was initially supported by Swisspeace Foundation and has been completely independent since January 2006. ACSFO has 137 members, including 85 organisations and 52 individuals. It also has 315 partners for capacity building, civic education, advocacy, research and media. Its Board of Directors comprises seven Afghan and two international representatives, elected for two-year terms at the annual general meeting of ACSFO members.

According to the ACSFO definition, “civil society” is those who come together voluntarily to participate in civic affairs for the common good—in peace and without consideration for personal or political gain. The overarching goal of the ACSFO is to promote development of civil society by:

- Coordinating, expanding and fostering civil society networks in Afghanistan and abroad
- Promoting a sense of active citizenry among Afghan men and women
- Building institutional capacities of public and civil society entities
- Collecting, analysing, and incorporating civil society’s perspectives and concerns in the political, social and economic development processes of Afghanistan

From 2002-06, ACSFO supported the implementation of the Bonn Agreement, conducted educational, media and advocacy activities on the constitution-making process, and carried out civic education and registration campaigns for the 2004 presidential and 2005 parliamentary elections. Post-elections, ACSFO modified its approach, moving away from public outreach and toward the support of institution-building. The organisation’s strategy focuses on five areas: coordination and networking, capacity building, advocacy, civic education, and research. In 2010, good governance, rule of law, transparency and accountability, participation, and development will be added to its area of focus.

Since 2005, ACSFO has been an implementing organisation of the Initiative to Promote Afghan Civil Society (IPACS), which aims to promote the development of an active civil society with an emphasis on gender equality. In 2006, ACSFO developed an advocacy strategy to mainstream the work of civil society actors with the work of parliament and other stakeholders. This work continues today and is organised into five major advocacy areas: women, the environment, disability issues, transparency and accountability, and youth.

In mid-2007, in addition to its Kabul headquarters, ACSFO established regional offices in Jalalabad, Mazar-i-Sharif, Bamiyan and Gardez. Its peace-building, capacity building, and civic education workshops are now offered in each of these locations to the Afghan government, the private sector, and its partners. In 2008, ACSFO represented Afghan civil society at the June 2008 Paris Conference (p. 61).

ACSFO maintains a Civic Education Resource Centre, established in 2006. This free public service is comprised of a library (with over 2,500 books), an internet centre, and an archive. As of November 2009, there are more than 700 members, including students, teachers, NGOs, civil society members, and government staff. ACSFO plans on establishing resource centres in its regional offices in 2010. ACSFO also publishes the *Jamea-e-Madani* magazine (in Dari and Pashto) and a monthly newsletter (in English, Dari and Pashto). ACSFO receives funding from a wide range of international NGOs, agencies and donor governments.

Afghan Development Association (ADA)

www.ada.org.af

The Afghan Development Association (ADA) is a nongovernmental and nonprofit organisation whose mission is to eradicate poverty throughout Afghanistan. ADA was originally founded in Pakistan in 1989, where it worked mainly in Afghan refugee camps. With its current headquarters in Kabul, ADA's staff of 671 now operates in 10 provinces: Baghlan, Takhar and Faryab in the north, Nangarhar in the east, Farah, Zabul, Uruzgan, and Kandahar in the west, and Ghazni and Logar in central Afghanistan. The association hopes to expand to six more provinces in the near future.

ADA provides necessary assistance and empowerment to marginalised groups, including repatriated refugees, internally displaced persons (IDPs), women, the poor, and the unemployed. Particular attention is also given to the agricultural sector and rural activities that can contribute to more productive and sustainable livelihoods at the grassroots level. ADA stresses community participation as part of its project planning and implementation.

ADA is currently operationalising its five-year (2006-2010) strategic plan, and is organised into five departments: Planning, Capacity Building, Education, Integrated Rural Development (IRD), and Finance. Each department is headed by a director and is supported by line staff, resources and equipment. An Emergency Facilitation Unit is also undergoing its preliminary setup and training phase and will coordinate emergency related issues, including disaster risk reduction, response and management with community stakeholders, local organisations, government, and international agencies in Kabul.

Afghan Geodesy and Cartography Head Office (AGCHO)

www.agcho.org

The Afghan Geodesy and Cartography Head Office (AGCHO) is the government agency responsible for all official mapping and related activities in Afghanistan. Its focus of work is the production, publication and distribution of physical, topographical, political, thematic, cadastral, and natural resources maps; geodetic affairs; and the national atlas. Reporting directly to the President, AGCHO has approximately 700 staff and regional offices in 16 provinces. The office is divided into five departments: metadata and client service provision, cartography and GIS, cadastre, photogrammetry and remote sensing, and geodesy. Prior to its establishment as an independent agency in 1958, all mapping was done by the military.

Until the Soviet Invasion in 1979, AGCHO completed 26% of the geodetic triangulation of Afghanistan and 30 percent of the cadastral surveys necessary to cover the country. During this period, then-state-of-the-art mapping and printing equipment was installed from Switzerland, Germany and the Netherlands. This included a large Leica camera and two-colour off-set printing machines, and much of the equipment is still in use for map production. Since 2001 there have been renewed efforts to modernise the agency; AGCHO has produced a number of thematic maps for government departments and external organisations and now also provides GIS training. It also established departments of Geography and GIS at Kabul University and Kabul Polytechnic University. Plans for 2010 include publishing the first comprehensive atlas of Afghanistan since 1979.

AGCHO provides its services to government ministries and to international organisations, who in some cases require specific supporting documentation. All maps that are printed in Afghanistan must legally be approved by AGCHO.

Afghan Interim Authority (AIA)

See Afghan Transitional Authority (ATA), p. 9.

Afghan National Army (ANA)

www.mod.gov.af

The Afghan National Army (ANA) was created on 1 December 2002 under a decree issued by President Hamid Karzai. Serving under Afghanistan's Ministry of Defence, the ANA makes up one part of the Afghan National Security Forces (ANSF), the other part of which is the Afghan National Police (ANP, p. 6). Conceived as an all-volunteer force inclusive of Afghans of all social and ethnic origins, the ANA was originally to be capped at an end-strength of 70,000 service members. When established in 2003, the ANA was adopted by the Bonn Agreement as one of the five pillars of the Afghan government's Security Sector Reform strategy (SSR, p. 65). The roles of the ANA are: 1) to secure the borders and deter external threats; 2) to defeat terrorist forces; 3) to disband, reintegrate or imprison illegal armed groups; and 4) to manage internal security threats and emergencies in cooperation with the ANP.

In January 2010, the Joint Coordination and Monitoring Board (JCMB, p. 47) approved the lifting of the troop ceiling from 134,000 (consisting of 122,000 operational troops and 12,000 soldiers-in-training) to a new level of 171,000 by October 2011. The ANA's personnel charts in January 2010 stood at approximately 100,000 troops; of these, approximately two-thirds were combat forces and approximately three percent were air corps. Under the previous 134,000 figure plan, approved by the JCMB in September 2008, the ANA would have consisted of: 21 brigades (18 infantry, one mechanised, one for headquarters security support, and one commando); the Kabul-headquartered Capital Division responsible for the security of the capital and the seat of government; and an air corps providing essential airlift support to ANA brigades. More brigades may be added under the revised plan. Beyond the approved 171,000 figure, a potential increase of ANA numbers to 240,000 troops was outlined in 2009 by ISAF and US forces commander

General Stanley McChrystal. Continuing to build the ANA is central to US strategy in Afghanistan.

In August 2008, the ANA—along with the ANP—took over lead security responsibility for Kabul from the International Security Assistance Force (ISAF, p. 45).

The ANA is a conventionally structured and light infantry-based force. It is designed primarily to combat insurgents but lacks overall capability in terms of defending Afghanistan's national sovereignty and territorial integrity. Its five ground-manoeuvre corps are distributed as regional commands in Kabul, Gardez, Kandahar, Herat and Mazar-i-Sharif. The personnel charts of ANA battalions, or *kandaks*, consist of 650 soldiers, sergeants and officers. Mostly equipped with refurbished Soviet Union-era aircraft, the Afghan National Air Corps is being trained to perform a range of missions including presidential airlift, medical and casualty evacuation, reconnaissance and airborne command and control, and light air attack.

To ensure geographic and ethnic diversity, the ANA has recruitment centres in each of Afghanistan's 34 provinces. Around 2,500 new recruits join the ANA every month. Recruits complete 12-week training courses at the Kabul Military Training Centre (KMTC). All trainers are Afghan, supported by military trainers from the United States, the United Kingdom, France and other countries. Upon graduation from the KMTC, ANA soldiers undergo an additional six weeks of training and equipping (joining their fellow unit officers and non-commissioned officers) before being deployed to their respective corps. Additionally, in 2009 the first-ever class of ANA officers graduated from the National Military Academy of Afghanistan, which was established in 2004. ANA personnel sign three-year contracts, which can be voluntarily renewed. The maximum length of service is 25 years.

US training teams are embedded in most ANA units, ranging from *kandaks* to corps. Through its Operational Mentor and Liaison Team Programme, ISAF similarly embeds mentors in selected ANA units.

The United States is the key partner in training and equipping the ANA, providing the majority of the required technical and financial support. It has committed to spending US\$17 billion on training and equipping the army from 2008 to 2013.

Afghan National Police (ANP)

www.moi.gov.af

The Afghan National Police (ANP) is the Afghan government's overarching police institution; it operates under the authority of the Ministry of Interior (Moi). The ANP's roles span a wide spectrum of security activities including law enforcement, maintenance of order, criminal investigation, border security, counter-narcotics, and counter-terrorism. The ANP consists of the following police forces:

- National Police, or Afghan Uniformed Police (AUP) — responsible for most day-to-day police activities and assigned to police districts as well as Provincial and Regional Commands; each of the six regions ultimately reports to the Deputy Minister of Security; authorised strength of 82,000

- Afghan National Civil Order Police (ANCOP) – a highly trained, quick-reaction and specially equipped police force aimed at dealing with “advanced police situations” such as civil disorder, looting, hostage-taking and riots; authorised eventual strength of 5,442 (20 battalions)
- Afghan Border Police (ABP) – engaged in law enforcement at international borders and the country’s other points of entry; strength of 18,000, structured into five zones
- Counter Narcotics Police of Afghanistan (CNPA) – the lead law enforcement agency charged with reducing narcotics production and distribution in Afghanistan; authorised strength of 2,958
- Criminal Investigation Division (CID) – responsible for investigating criminal offences under Afghan law; authorised strength of 4,148
- Afghan Customs Police (ACP) – enforces customs regulations in Afghanistan; ACP operations come under the authority of the Ministry of Finance
- Counter Terrorism Police (CTP) – leads police and law enforcement counter-insurgency and anti-terrorism efforts; authorised strength of 406
- Afghanistan National Fire Department – responsible for providing fire suppression, prevention and rescue; the Fire Department operates throughout the country and has an authorised strength of 882.

The Afghan National Auxiliary Police (ANAP), which was established in 2006 as a temporary, community-based force to reinforce the ANP, is no longer a recognised police force. It was dismantled in 2008. However, the newly established (February 2009) Afghan Public Protection Programme (APPP/AP3) was designed to come under MoI control and it closely resembles the ANAP in many of its features.

The 2006 Afghanistan Compact (p. 12) established as a benchmark for 2010 a fully constituted, professional, functional, and ethnically balanced ANP force of up to 62,000 members. In April 2007, in response to increased insurgency in southern Afghanistan, the Joint Coordination and Monitoring Board (JCMB, p. 47) raised this number to 82,000. The authorised size of the ANP was again increased to 96,800 in the run-up to the 2009 elections, and the breakdowns listed above are based on this. However, in January 2010, the JCMB approved a further increase to 109,000 by October 2010 and to 134,000 by October 2011. Some donors have raised concerns about the fiscal sustainability of increasing the size of the ANP; others are concerned that the focus of police reform is shifting from the establishment of a civilian police force to that of a paramilitary or counterinsurgency force. The ANP’s strength was approximately 93,800 as of December 2009.

Reform of the police sector, one of the five pillars of the Afghan government’s Security Sector Reform strategy (SSR, p. 65), has focused primarily on training and mentoring, provision of equipment and infrastructure, and institutional restructuring such as pay and rank reform. The Law and Order Trust Fund for Afghanistan (LOTFA, p. 50) has primary responsibility for coordinating donor support for ANP salaries. The police sector in Afghanistan has been supported by some 25

donor countries, with Germany taking the coordinating role of “key partner” until 2007. Since 2004, the United States has been by far the largest overall contributor of human and financial resources to support the police sector, with a cumulative contribution of \$6.2 billion as of March 2009. Since 2005, CSTC-A (See Coalition Forces, p. 29) has led police reform efforts by the US, along with the training and development of the ANA. CSTC-A has roughly 2,500 personnel and contractors dedicated to its ANP mission.

Germany coordinated support for the ANP among EU member nations during 2003-07, also contributing \$80 million through the German Police Project Office (GPPO). During part of this period, the Inter-Agency Police Coordinated Action Group (IPCAG) served as the international community’s main police coordination body in Afghanistan. In June 2007, the European Union Police Mission in Afghanistan (EUPOL, p. 38) subsumed Germany’s primary role in police reform with the aim of consolidating different approaches among EU members; the mission is mandated until June 2010.

Approaches to police reform varied widely among donors and efforts to consolidate and integrate these approaches were slow to emerge. In early 2007, donors and the Afghan government established the International Police Coordination Board (IPCB) aimed at consolidating and integrating international police reform efforts and enhancing Afghan ownership of the reforms. By late 2007, the IPCB Secretariat was operational, its members meeting regularly and engaging with CSTC-A, EUPOL, and the International Security Assistance Force (ISAF, p. 45). In June 2009, the NATO Training Mission – Afghanistan (NTM-A) was established to train the ANP. NTM-A cooperates with CSTC-A in a single headquarters.

The main laws governing the ANP are the 2005 Police Law and the 2004 Interim Criminal Procedure Code. These laws are based on Articles 56, 75(3) and 134 of the Constitution. In 2006, the MoI issued an order superseding Article 4 of the Police Law, revising the police chain of command. The new chain of command is: 1) Minister of Interior, 2) Deputy Minister for Security Affairs, 3) Regional Commanders, 4) Provincial Chiefs of Police, and 5) District Chiefs of Police. There are currently six ANP regions (Kabul Province, North, East, South, West and Central).

In principle, a commissioned ANP officer (*saran*) requires a 12th-grade education and three years of training at the Kabul Police Academy (KPA). A non-commissioned officer or sergeant (*satanman*) is required to complete 9th grade and a nine-month course at KPA. Patrolmen (*satunkai*) complete training courses at either the Central Training Centre in Kabul or one of the Regional Training Centres in Bamiyan, Gardez, Herat, Jalalabad, Kandahar, Kunduz and Mazar-i-Sharif.

A major MoI initiative for police reform is Focused District Development (FDD), which began in December 2007. The programme serves as an overarching strategy for training AUP, which makes up the largest part of the ANP. Aimed at enhancing district-level police capabilities and rule of law, the FDD uses a six-phase approach to assess, train, mentor, reorganise, re-equip and monitor police in selected districts. AUP assigned to Kabul undergo the “Jump Start” training programme. The Focused Border Development programme trains ABP units.

Afghan National Security Forces (ANSF)

The Afghan National Security Forces (ANSF) consist of the Afghan National Army (ANA, p. 5) and the Afghan National Police (ANP, p. 6).

Afghan NGOs Coordination Bureau (ANCB)

www.ancb.org

The Afghan NGOs Coordination Bureau (ANCB) was founded in 1991 and aims to coordinate the activities of Afghan NGOs with the Afghan government, the UN, international organisations, and donor agencies. ANCB strives to strengthen democracy and enhance the capacity of its member organisations through workshops, seminars and partnerships.

ANCB membership is restricted to Afghan NGOs. ANCB has approximately 200 members, some of which are also members of the Agency Coordinating Body for Afghan Relief (ACBAR, p. 23). Applications for ANCB membership are considered by the Board of Directors and subsequently voted on at the General Assembly (the quarterly meeting of member organisations). ANCB's 11-member Board of Directors is elected for a period of one year by the General Assembly. ANCB's headquarters is located in Kabul and it has satellite offices in Jalalabad and Peshawar.

ANCB convenes monthly member meetings on topics such as health, education, agriculture, sanitation, reconstruction and government policy. It also arranges seminars and training courses aimed at building the technical capacity of member NGOs in needs assessment, management, finance, administrative development, report and proposal writing, and computer skills, all considering gender balance requirements. ANCB provides internet facilities for its members in the ANCB office and produces a weekly newsletter, the quarterly magazine *Paiwastoon* (Coordination), and a directory of all its members.

ANCB is a member of the International Council of Voluntary Agencies, the World Civil Society Forum, and the Affinity Group of National Associations. It is also actively involved in the Afghan Civil Society Forum (ACSFO, p. 3). Funding for ANCB comes from membership fees, small project funders, and the National Endowment for Democracy (NED).

Afghan Transitional Authority (ATA)

The Afghan Transitional Authority (ATA) was a governing body established by the Emergency Loya Jirga (ELJ, p. 37) in June 2002. It was preceded by the Afghan Interim Authority (AIA), a temporary governing body created at the Bonn Conference (p. 27). The head of the ATA was President Hamid Karzai, previously the Chairman of the AIA, who was elected in a secret ballot by members of the ELJ.

Under the ATA, in January 2004, the Constitutional Loya Jirga (CLJ, p. 31) decided on a constitution for the new Islamic Republic of Afghanistan. As per the 2004 Constitution, the ATA was due to stay in power until a fully representative government could be elected through free and fair elections. In October 2004, Hamid Karzai was elected as President; at his inauguration in December 2004,

the ATA was transformed into the Islamic Republic of Afghanistan, despite the rescheduling of National Assembly elections until September 2005.

Afghan Women's Network (AWN)

www.afghanwomensnetwork.org

The Afghan Women's Network (AWN) is a network of NGOs and individuals working for the promotion of Afghan women's empowerment, rights, and equal participation in society. AWN's headquarters are in Kabul, with sub-offices in Peshawar, Herat and Jalalabad. The Network currently has 68 member NGOs and more than 3,250 individual members. AWN is active in the areas of capacity building, coordination among NGOs working on women's issues, and advocacy on behalf of women and children.

The idea of AWN first arose at the 1995 UN World Conference on Women, where participants identified a need for cooperation among women in Afghanistan and the Afghan diaspora. The network became a formal structure in 1996, comprising NGOs focused on providing: humanitarian assistance; literacy, education, and vocational and computer skills for refugee women; and aid for street children. After the fall of the Taliban, AWN revised its mission to focus on three priority areas: 1) capacity building, 2) networking, and 3) advocacy.

In 2006-07, AWN became involved in promoting gender equity issues in the Afghanistan National Development Strategy process (ANDS, p. 15). Since that time, AWN has conducted awareness campaigns for the reduction of gender-based violence in various provinces and provided legal counsel for victims of such violence. In 2008, together with its implementing partners, AWN conducted leadership and management workshops, vocational and legal trainings, and civic education courses for Afghan NGOs.

In 2009, AWN participated in the calling for a review of the draft of the Shiite Personal Status Law, emphasised the importance of women's and children's rights as stated in the Constitution, and advocated gender-sensitive amendments. AWN also implemented and supported the Five Million Women Campaign (5MWC), to encourage five million women to vote for the 2009 presidential elections.

The Network's General Assembly, comprised of AWN members, meets monthly. Members elect an Executive Committee once a year to serve as the principal decision-making body for AWN. The AWN also has an Advisory Committee to assist with strategic planning, coordinate with international NGOs, support fundraising efforts, and advise the Executive Committee. AWN continues to publish the monthly *Ertiqa* Magazine and a youth magazine. It maintains a library and internet cafe for use by women's NGOs, and AWN's website allows member organisations to submit activity reports and access training and other resources online.

Af-Pak

Af-Pak, an acronym for "Afghanistan-Pakistan," was coined by the Obama administration to include Pakistan in its strategic vocabulary relating to Afghanistan. The term signifies a shift in US foreign

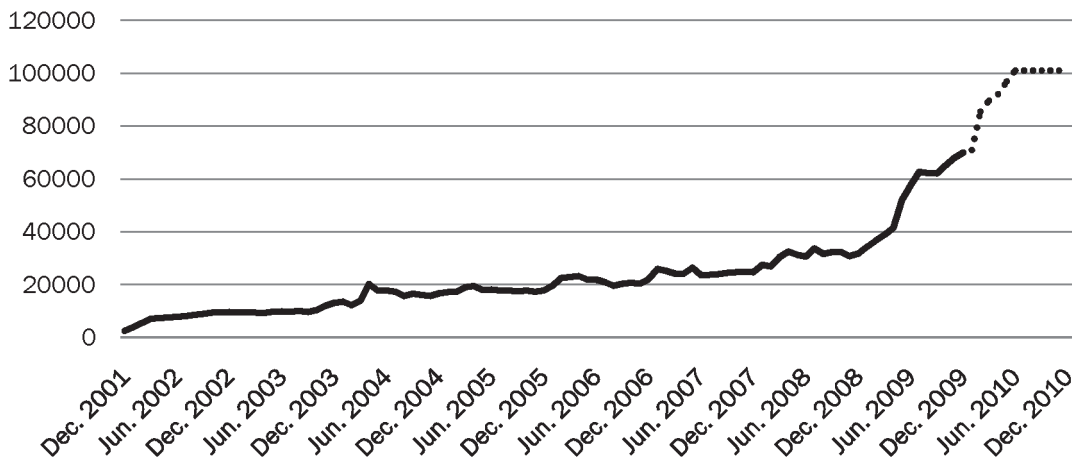
policy toward a coordinated two-front approach in the region, emphasising that the political and military circumstances in each country are intrinsically linked, and that one cannot be addressed without the other.

President Obama unveiled his Af-Pak Strategy in March 2009, at which time he committed 17,000 additional troops and 4,000 additional trainers for the Afghan National Security Forces (ANA, p. 5, and ANP, p. 6), as well as significant foreign aid to Pakistan. It focuses more intensively on diplomatic relations with the Pakistani government than in the past, bringing significant increases in US and international economic and military support.

In October 2009, President Obama signed the Enhanced Partnership with Pakistan Act (more commonly known as the Kerry-Lugar Bill) which tripled civilian aid to Pakistan to \$7.5 billion over the next five years. The bill was met with some public opposition in Pakistan because of the conditions it sets for the aid to be delivered. The same month, US Secretary of State Hillary Clinton visited the country to reaffirm the US commitment while also pressuring the government to deliver on counterinsurgency promises.

In November 2009, Obama announced 30,000 more troops for Afghanistan, bringing the projected US troop strength in the country to over 100,000. Obama also stated that the United States would begin some degree of withdrawal by July 2011 and aim to hand over security responsibility to the Government of Afghanistan. By December 2009, 25 other nations had announced that they would also deploy a total of 7,000 additional troops in 2010.

US Troop Levels in Afghanistan, 2001–2010



Source: US Central Command

Afghanistan Centre at Kabul University (ACKU)

www.ackuaf.org

The Afghanistan Centre at Kabul University (ACKU) is a nonprofit organisation that collects and makes available resources to contribute to an understanding of the social, economic, political and cultural dynamics of Afghan society in the past, present and future, and facilitate research that addresses Afghanistan's nation-building challenges. With more than 19,000 catalogued items (and a total of 48,000 volumes), it provides the most comprehensive collection of materials related to Afghanistan in the region. Formerly the ACBAR Resource and Information Centre (ARIC; see ACBAR, p. 23), ACKU was established independently at Kabul University in September 2005.

The collections—in Dari, Pashto, English and other languages—are largely generated by the Afghan government, UN agencies, NGOs, and international scholars and observers. They contain practical works on health and agricultural practices, political analyses, unique internal documents charting the struggle for women's rights, recent laws, rare mujahiddin publications, cultural heritage issues, and many works of Afghan literature. ACKU also holds bodies of research conducted before the conflict era: 25 CDs of folk music collected by anthropologist Louis Dupree in 1969, 1970 and 1975, and some 700 CDs of oral folklore and histories collected by Margaret Mills during the 1970s. In 2007, in collaboration with the University of Arizona and funded by the National Endowment for the Humanities, ACKU began a project to create an online digital catalogue of all ACKU resource centre holdings.

The ACKU reading room provides students, faculty and policymakers with computers connected to the internet and the ACKU database. The audiovisual section contains current news reports and various videotapes on NGO programmes, events in Afghanistan's recent history, and ethnographic and cultural films. The ACKU stacks and reading room are located in the central library of Kabul University. A new, US\$2 million facility is under construction on the university campus, funded by the Afghan government. Completion is projected for mid-2010.

ACKU also operates the ACKU Box Library Extension (ABLE), designed to provide libraries for provincial communities, high schools and councils. Managed by local community custodians (including teachers, NGO staff, shopkeepers and *mullahs*), the box libraries (small, shelved containers on wheels) hold a wide variety of titles on topics ranging from history to the environment, home management to good health practices, the use of computers, and dictionaries. ABLE, which supplies libraries in 32 out of 34 provinces, also publishes its own easy-to-read books for new literates on subjects such as those given above as well as mother-child care, agriculture, animal welfare, and Islam. To date, ABLE has published more than 171 titles in both Dari and Pashto and provided 123,750 books to 184 schools, community centres, and provincial council libraries.

Afghanistan Compact

For the full text of the Compact, see p. 125.

The Afghanistan Compact was launched together with the Interim Afghanistan National Development Strategy (see ANDS, p. 15) at the January 2006 London Conference (p. 51). It is

a five-year framework for cooperation among the Afghan government, the UN, and donors, and was developed through consultation among these actors. The Compact—endorsed by UN Security Council Resolutions 1659, 1662 and 1746—reaffirms the commitment of the Afghan government and the international community to work toward a stable and prosperous Afghanistan, with good governance and human rights protection for all under the rule of law. It states:

The Afghan Government hereby commits itself to realising this shared vision of the future; the international community, in turn, commits itself to provide resources and support to realise that vision.

The Compact establishes a mechanism for coordinating Afghan and international development and reconstruction efforts and follows the Bonn Agreement (p. 27), which formally ended with the holding of legislative and provincial council elections in September 2005. Consistent with the I-ANDS and the goals articulated by the Afghan government in its Millennium Development Goals (MDGs, p. 52) Country Report 2005 (“Vision 2020”), the Compact identifies three critical and interdependent areas of activity, or “pillars”: 1) Security; 2) Governance, Rule of Law and Human Rights; and 3) Economic and Social Development. A further vital and cross-cutting area of work highlighted in the Compact is eliminating the narcotics industry.

Annex I of the Compact sets out detailed outcomes, benchmarks, and timelines for delivery, consistent with the high-level goals set by the I-ANDS. Annex II sets forth the commitment of the Afghan government and the international community to improve the effectiveness and accountability of international assistance. These actors also established the Joint Coordination and Monitoring Board (JCMB, p. 47) to oversee and provide regular public reports on the execution of the Compact and the ANDS.

Afghanistan Country Stability Picture (ACSP)

gis.nc3a.nato.int/acsp

The Afghanistan Country Stability Picture (ACSP) is a tool designed to provide countrywide information and visibility on reconstruction and development projects, particularly multi-donor and multi-agency activities. An initiative of the International Security Assistance Force (ISAF, p. 45), the ACSP is based on an extensive database and can be graphically depicted in such formats as maps, graphs and tables. The database contains up-to-date information on more than 109,000 projects from 140 sources, including the Afghan government, donors, Provincial Reconstruction Teams (PRT, p. 64), and international organisations.

The ACSP is published on ISAF’s website and periodically distributed via DVD to the international military, government ministries, and NGOs. The most recent version, Edition 20, was released in December 2009.

Efforts to improve the accuracy and comprehensiveness of the ACSP are ongoing. Future plans for the ACSP are for it to reside within the Ministry of Economy’s Central Monitoring and Reporting System (CMRS), as part of the Afghan National Development Strategy (ANDS, p. 15).

Afghanistan Development Forum (ADF)

www.adf.gov.af

The Afghanistan Development Forum (ADF) is a mechanism for discussion of the Afghan government's reconstruction and development plans and the mobilisation of resources. It brings together the government of Afghanistan, bilateral and multilateral donors, UN agencies, NGOs, and private-sector representatives. Four ADFs have been convened since the signing of the Bonn Agreement—in 2003, 2004, 2005 and 2007.

The most recent ADF was held in Kabul on 29-30 April 2007. The Afghan government presented its strategies on health, energy and education, and papers were presented on aid effectiveness, provincial development plans, and capacity development. In a speech to the ADF participants, President Hamid Karzai expressed gratitude to Afghanistan's international partners, and highlighted both progress and priority concerns in the areas of health, education, capacity development, aid coordination, anti-corruption, counter-narcotics, energy, security, and regional cooperation. Recommendations that arose from the 2007 ADF were designed to feed into the Afghanistan National Development Strategy (ANDS, p. 15).

Afghanistan Independent Human Rights Commission (AIHRC)

www.aihrc.org.af

The Afghanistan Independent Human Rights Commission (AIHRC) was established as part of the Bonn Agreement (p. 27), and it became a permanent national institution under the 2004 Constitution (p. 96). In defining the Commission's role, the Constitution states:

The State, for the purpose of monitoring the observation of human rights in Afghanistan, and their promotion and protection, shall establish the Independent Human Rights Commission of Afghanistan. Everyone in case of violation of his/her human rights can report or complain to this Commission. The Commission can refer the cases of violation of the human rights of the persons to the legal authorities, and assist them in defending their rights. Structure and mode of function of this Commission will be regulated by law.

AIHRC played a leading role in the Human Rights Working Group of the Consultative Group (CG, p. 30) process, and provided input and recommendations on human rights issues for inclusion in the Afghanistan National Development Strategy (ANDS, p. 15). Representatives on the AIHRC board serve five-year terms and are nominated by the President of Afghanistan.

In recent years, AIHRC created and equipped transitional justice monitoring and investigation teams. It has also been involved in the implementation of human rights education curriculum around the country for grades one through six, with grades seven through twelve soon to follow. AIHRC has developed radio shows, broadcast in six provinces, promoting information on human

rights, and hosted media roundtables to raise awareness of human rights. The Commission's current work also concerns the rights of Afghan nationals who have been detained.

The AIHRC offers the publication *Human Rights Monthly* free of charge. AIHRC also runs a resource centre in Kabul, open to the public.

Afghanistan National Development Strategy (ANDS)

www.ands.gov.af

The Afghanistan National Development Strategy (ANDS) is intended to be the central framework for Afghanistan's development, aiming to promote pro-poor growth, support the development of democratic processes and institutions, and reduce poverty and vulnerability. It aims to lay out the strategic priorities and mechanisms for achieving the government's overall development vision and serves as the country's Poverty Reduction Strategy Paper (PRSP, p. 63), a key document used by the World Bank and the International Monetary Fund in assessing a country's eligibility for debt relief. The development of the ANDS was first proposed at the 2005 Afghanistan Development Forum (ADF, p. 14). The final ANDS was approved by President Hamid Karzai on 21 April 2008 and subsequently presented at the Paris Conference in June 2008 (p. 61) to gain support from the international community for its implementation.

The Government intends for the ANDS to articulate both a policy framework and a road map for implementation, translating strategic priorities into effective programs that deliver both immediate and lasting results for the Afghan people. Together with the Afghanistan Compact (p. 12), the full ANDS is meant to provide a path to achieving Afghanistan's Millennium Development Goals (MDGs, p. 52) by 2020.

The precursor to the final ANDS was the Interim ANDS (I-ANDS), which was approved by the Government in December 2005 and presented with the Afghanistan Compact at the January 2006 London Conference (p. 51). In 2006, the Government and its international partners began

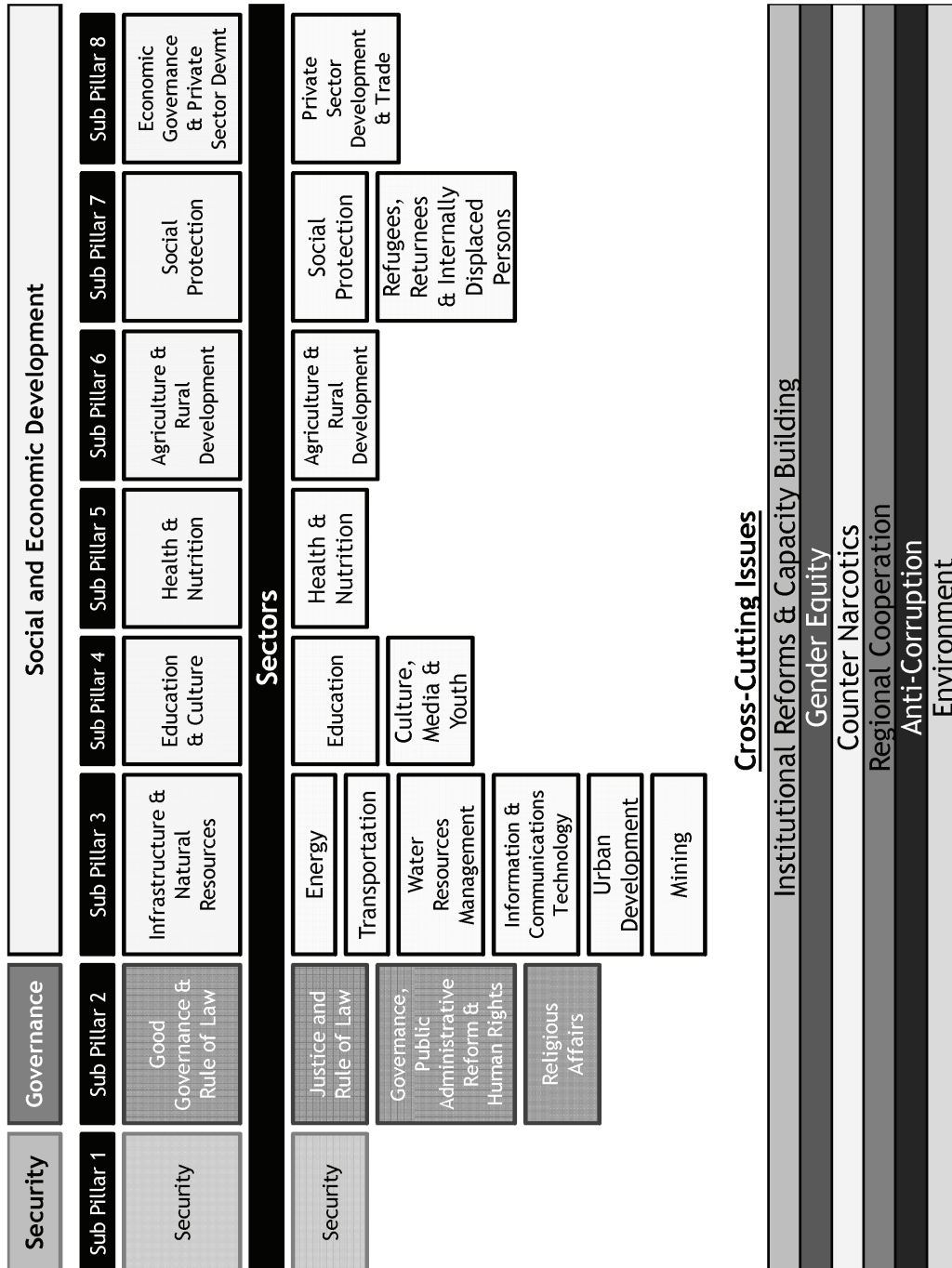
In accordance with the Afghanistan Compact, the priorities and challenges of the final ANDS are organised under three broad pillars: 1) Security; 2) Governance, Rule of Law and Human Rights; and 3) Economic and Social Development. The final ANDS comprises strategies for 17 sectors, which fall under eight sub-pillars:

I) Security; II) Good Governance; III) Infrastructure and Natural Resources; IV) Education and Culture; V) Health and Nutrition; VI) Agriculture and Rural Development; VII) Social Protection; and VIII) Economic Governance and Private Sector Development.

It also includes strategies for six cross-cutting issues: Capacity Building, Gender Equity, Counter Narcotics, Regional Cooperation, Anti-Corruption, and Environment.

The sector strategies cover the period SY1387-1391 (2007-08 to 2012-13). They can be downloaded from: www.ands.gov.af/ands/ands_docs/index.asp. For the structure of the ANDS, see p. 16.

Structure of the Afghanistan National Development Strategy (Source: Government of Afghanistan)



to implement the I-ANDS and to develop it into a full strategy to meet the requirements of a PRSP. The I-ANDS covered the period 2006-10 and was linked intrinsically to the implementation of the Afghanistan Compact; every Compact benchmark was reflected as a five-year strategic objective in the interim strategy.

The preparation of the full ANDS was coordinated by the ANDS Secretariat and supervised by the ANDS Oversight Committee (OSC), comprising seven cabinet ministers. The Joint Coordination and Monitoring Board (JCMB, p. 47), the high-level governing body overseeing the implementation of the Afghanistan Compact, also provided guidance for the preparation of the ANDS.

The sector strategies, completed by the end of 2007, were drafted by Sector Strategy Development Groups (SSDGs) comprising representatives from sector ministries, the Ministry of Finance (MoF), and the cross-cutting themes.

The first step in the ANDS development process was the preparation of 43 individual strategies by all government ministries and agencies, following a template provided by the ANDS Secretariat. After their completion in mid-2007, through Consultative Groups (CG, p. 30), donor dialogue meetings, and poverty analysis based on National Risk and Vulnerability Assessments (NRVA, p. 57), these ministry and agency strategies were then reviewed and strengthened before being merged into draft sector strategies. A sub-national consultation process organised in all 34 provinces, which resulted in Provincial Development Plans (PDP, p. 63), was aimed at ensuring the final ANDS reflected a broad consensus on development priorities within Afghan society.

Key dates in the ANDS process

2005		Benchmarks for the Afghanistan Compact drafted
2006	Jan.	Afghanistan Compact and the I-ANDS presented at the London Conference
2007	Mar.	Work on developing ministry strategies begins
	Apr.	Afghanistan Development Forum; PDPs become part of the ANDS process
	May	Ministry strategies completed
	June	ANDS consultation process launched
	Aug.	Work on developing sector strategies begins
	Oct.	Sector strategies sent to donors for comments
2008	Dec.	Sector strategies completed
	Mar.	Donors invited to comment on final draft of ANDS
	Apr.	President approves final ANDS
	June	ANDS launched at the Paris Conference

After the sector strategies were finalised, the ANDS Oversight Committee prioritised them using approved criteria, including implementation resources available for the five years that followed (as identified by the ANDS Macroeconomic Framework).

The ANDS Secretariat, in cooperation with the line ministries, combined the sector strategies into the draft ANDS. The final ANDS was reviewed by the CGs and sent for approval to the ANDS Oversight Committee, ensuring that the strategy as a whole was in line with government priorities and the Afghanistan Compact benchmarks.

With the finalisation of the ANDS document, the Government is focusing on implementation and monitoring of the sector strategies. The ANDS Oversight Committee has been restructured into the Government Coordinating Committee (GCC), which is responsible for the high-level coordination of the ANDS process as well as overseeing and reporting on the implementation of ANDS. The GCC is made up of eight ministers, the National Security Advisor to the President, the Chief Economic Advisor to the President, the Director General of the Independent Directorate of Local Governance, and the Deputy Minister of Finance; the work of the GCC is to be supported by a secretariat. While line ministries have the primary responsibility for implementation of the ANDS, the Ministries of Finance and Economy take the lead role in managing and monitoring this process. To do so, the ANDS Coordination of Implementation and Development Unit was established in the MoF, as well as the Monitoring and Evaluation Unit in the Ministry of Economy.

The Afghan government is also taking steps to establish 17 Sectoral Inter-Ministerial Committees (IMCs), each of which will be responsible for coordinating and implementing ANDS sector strategies. Comprised of relevant ministers, the IMCs will be co-chaired by the MoF and report to the President and Cabinet through the GCC. The structure of the JCMB was also changed to better address the challenges of implementation.

Afghanistan New Beginnings Programme (ANBP)

www.anbp.af.undp.org

The Afghanistan New Beginnings Programme (ANBP) is a UNDP-sponsored project established in April 2003 to implement the Afghan government's goal of Disarmament, Demobilisation and Reintegration (DDR). ANBP has since evolved to encompass the Disbandment of Illegal Armed Groups (DIAG) and the Anti-Personnel Mine & Ammunition Stockpile Destruction (APMASD).

The government first announced its intention to pursue a national voluntary DDR process at the Tokyo Meeting (p. 67) in February 2003, as part of its Security Sector Reform (SSR, p. 65) strategy. Through DDR, the Afghan Military Forces (AMF)—comprising the Northern Alliance, warlord militias, and other Taliban-era armed groups—were supposed to surrender their weapons and be reintegrated into civilian life. Soldiers who handed in their weapons through the DDR process received a medal and a certificate, and were offered a range of reintegration packages such as vocational training, agricultural training, and small-business opportunities.

ANBP completed the disarmament and demobilisation segments of the DDR process by June 2005, and reintegration activities continued until June 2006. The ANBP's original mandate was

to demobilise and reintegrate 100,000 soldiers over three years, though this number was later revised downward. When the DDR process formally came to an end in June 2006, 63,380 former AMF officers and soldiers had been disarmed and 259 AMF units had been decommissioned. A vast majority of these ex-combatants, 55,804, chose one of the reintegration options, which benefited 53,415 of them, leaving aside 2,759 drop-outs. Only 2.3% of the former combatants chose to join the Afghan National Army (ANA, p. 5).

With the completion of DDR in 2005, ANBP shifted its focus to support the government's APMASD and DIAG initiatives. Implemented by the Ministry of Defence (MoD), APMASD assisted the government in meeting its obligations as a State Party to the Convention on the Prohibition of Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (more commonly known as the Ottawa Convention). By the time the project was completed in January 2009, it had surveyed a total of nearly 37,000 metric tonnes of ammunition and destroyed approximately 20,000 metric tons. In addition, over 500,000 anti-personnel mines were destroyed.

DIAG, which is slated to end in March 2011, is designed to disband the estimated 100,000 armed militia fighters operating outside the former AMF. While DDR was a voluntary process, DIAG is mandatory and supported by both presidential decree and national legislation. Because DIAG deals with illegal groups, it does not offer a reintegration package the way in which DDR did. Instead of providing individual incentives for commanders or armed groups, DIAG focuses on securing a safe environment and projects that will benefit communities.

Supported by ANBP, DIAG is a government-led project under the authority of the Disarmament & Reintegration Commission (D&RC). DIAG strategy, development and operations are led by the D&RC, assisted by DIAG's Joint Secretariat. The Joint Secretariat includes representatives from the National Directorate of Security (NDS), the Ministry of Defence (MoD), the Ministry of Interior (Mol), UNAMA (p. 68), and the International Security Assistance Force (ISAF, p. 45). ANBP directly provides personnel, policy, technical and logistic support in the implementation of DIAG, including support to the Joint Secretariat. In November 2008, a DIAG Unit was established within the Mol to enhance the government's capacity to implement the initiative on its own.

By June 2009, DIAG had collected approximately 45,000 weapons; 105 districts had been targeted and 73 of them had complied, and 599 illegal armed groups (IAGs) had signed the DIAG Statement of Declaration, announced that they had disbanded their groups, and had handed over their weapons.

Afghanistan NGO Safety Office (ANSO)

www.afgnso.org

The Afghanistan NGO Safety Office (ANSO), established in 2003, provides a free security advice service catering specifically to the needs of the NGO community in Afghanistan. It is financed by the European Commission Humanitarian Aid Office (ECHO), the Swiss Agency for Development and Cooperation (SDC), and the Norwegian Ministry of Foreign Affairs. In July 2006, ANSO came under

the administration of Welthungerhilfe (formerly known as German Agro Action); it was previously under the auspices of the International Rescue Committee (IRC).

ANSO is headquartered in Kabul and has regional offices in Kabul, Mazar-i-Sharif, Herat, Jalalabad and Kandahar. All of ANSO's national and international staff are experienced in safety and security matters. NGOs registered with ANSO have access to regularly scheduled services, which include:

- Daily threat warnings and security alerts, weekly incident listings, and biweekly and quarterly reports analysing and projecting security trends
- Weekly regional security meetings
- Monthly orientations for staff of NGOs
- Representation of NGOs in relations with national and international security agencies
- Training for guards and radio operators

ANSO may also provide other services upon request, depending on its available capacity. These include:

- Countrywide safety information for NGO movement
- Organisation-specific security advice
- Reviews of member NGOs' security plans and site security
- Security-related statistical data and analysis
- Crisis response services

Afghanistan Parliamentary Assistance Project (APAP)

www.sunyaf.org

The USAID-funded Afghanistan Parliamentary Assistance Project (APAP) was launched in 2004 to assist in establishing a parliament that "is able to operate as a strong, independent and effective deliberative body." The project's primary objectives are to:

- Implement a programme to establish and develop such a parliament
- Design a legislative strengthening strategy
- Provide technical assistance to the National Assembly's committees
- Strengthen the National Assembly's representation/outreach, legislative and oversight capacities
- Establish and support a parliamentary budget office and parliamentary educational institute

Through the Afghanistan Parliamentary Institute, APAP works to develop the institutional capacity of the National Assembly secretariat to more effectively support Members of Parliament in their

legislative roles. APAP also works to strengthen the capacity of the MPs themselves in carrying out their legislative, representative and oversight responsibilities. This includes, but is not limited to, helping the National Assembly to increase its engagement with constituents and build its linkages with the executive branch of government, civil society, NGOs, and the media. Working with the National Assembly, APAP seeks to increase public confidence and buy-in to the legislative process.

APAP makes available several resources to the international community, including a regularly published legislative newsletter containing updates on parliamentary activities.

APAP is operated by the Center for International Development at the State University of New York (SUNY-CID). In addition to APAP, efforts to assist the Afghan National Assembly include: Support to the Establishment of the Afghan Legislature (SEAL) as well as initiatives by UNIFEM, the National Democratic Institute, and the International Republican Institute.

Afghanistan Reconstruction Trust Fund (ARTF)

www.worldbank.org/artf

The Afghanistan Reconstruction Trust Fund (ARTF) was established in April 2002 as a means for coordinating donor funds in support of the Afghan government's recurrent expenditures. The Fund is now one of the most important delivery mechanisms for channelling aid into the Afghan government's Core Budget (National Budget, p. 55)—not only for salaries and operating costs but also for priority development programmes aimed at achieving the country's national development targets.

As of October 2009, US\$3.6 billion has been pledged to the ARTF by 30 international donors. The ARTF Management Committee consists of: the World Bank (the administrator), the Islamic Development Bank (IDB), the Asian Development Bank (ADB), UNAMA (p. 68), and UNDP. During SY1387 (2008-09), ARTF handled US\$626 million in donor contributions. For SY1388 (2009-10), pledges have reached US\$654 million.

The priority use of ARTF funds is for the Government's Core Operating Budget. While government revenues have increased substantially over the last 8 years, the recurrent costs of running the government have also expanded, in particular driven by the size of the security sector. The ARTF also finances the major national development programs in the Core Development Budget. Since the ARTF's inception (until October 2009), more than US\$1.8 billion has been disbursed to the Government to finance recurrent costs, and US\$950 million has been disbursed for investment projects.

The Government encourages donors to channel funding through the ARTF rather than through NGOs or other actors, because it sees the Fund as a way of increasing Afghan ownership of the reconstruction process, facilitating the tracking and coordination of aid, and increasing transparency. When donating funds to the ARTF, donors are able to specify a preference for supporting a particular government project or programme; such preferences are limited to 50% of an agency's annual contribution.

ARTF has financed several core national development programmes, including the National Solidarity Programme (NSP, p. 58), the National Emergency Employment Programme (NEEP), the Educational Quality Improvement Project (EQUIP), the Emergency Telecommunications Project, the Microfinance Investment Support Facility for Afghanistan (MISFA, p. 52), and rural and urban water supply and sanitation. More recently, ARTF has been channelling pooled finance toward projects as part of the justice sector strategy and for the Civil Service Commission's Management Capacity Program, an effort to recruit qualified Afghans into line ministries.

The ARTF underwent two independent external reviews, which resulted in a number of modifications. After an extensive 2005 evaluation, the ARTF governance structure was modified to include the Ministry of Finance as an observer at monthly Management Committee meetings. The Performance Assessment Matrix was also introduced to provide a stronger platform of mutual accountability for the use of the ARTF funds and to strengthen the role of the Donor Committee. Following the second external evaluation, completed in August 2008, the ARTF is evolving toward a more programmatic, sector-oriented funding mechanism to drive the implementation of Afghanistan National Development Strategy (ANDS, p. 15) priorities. In addition, since 2008 the government and donors are using the ARTF's considerable leverage to support key economic governance reforms, including revenue generation. This process, led by a joint government/donor Working Group, and facilitated by the World Bank, attaches reform targets on an annual basis to funding levels.

The largest contributors to the Fund are the United Kingdom, the United States, and Canada. Other donors include 15 European countries, the EC, India, Iran, Turkey, Australia, and the Gulf States.

Afghanistan Rural Enterprise Development Program (AREDP)

www.mrrd.gov.af/aredp

The Afghanistan Rural Enterprise Development Program (AREDP) is a national five-year project which aims to jumpstart private sector growth in rural Afghanistan. Estimated at \$87 million, AREDP is managed by the Government of Afghanistan through the AREDP Program Management Office (PMO) within the Ministry of Rural Rehabilitation and Development (MRRD), and is supported by the World Bank, the Afghanistan Reconstruction Trust Fund (ARTF, p. 21), and other bilateral donors. AREDP is expected to become effective in February 2010 and will begin implementation in approximately 4,300 communities in five provinces.

AREDP seeks to cluster smaller existing microenterprises as well as community groups and associations, transforming them into larger, more efficient enterprise associations. These are then intended to have the ability to establish linkages to the rural economy as well as local and regional markets. The proposed key elements of the programme are: formation and development of community-level groups; provision of enterprise support services, such as technical assistance offered by provincial-level business development centres; developing private-public partnerships;

and supporting access to financial services through links to microfinance institutions and commercial banks.

The project is comprised of three key components:

Community-Led Enterprise Development: This component aims to create Savings Groups (SGs), Enterprise Groups (EGs), and Village Savings and Loans Associations (VSLAs). These institutions will be assisted and trained to build their own capacities, increase the value of trading, ensure production is oriented toward identified market opportunities, and create access to credit. The project's entry point will be through the National Solidarity Programme (NSP, p. 58) CDC's male and female elected committees, and, where possible, build on existing groups and institutions—e.g., Self Help Groups (SHGs), Common Interest Groups (CIGs), Cooperatives, etc. This component will aim to maximise the economic potential of rural entrepreneurs to improve market access, deliver technical knowledge, raise basic business skills, and leverage economies of scale to increase the value of their sales.

Small and Medium Enterprise (SME) Development: This component aims to support the emergence of a stronger SME sector with improved trading linkages with the rural economy and adequate access to financial services. The project will identify key value chains, choke points, and skill gaps in each province, and enable SMEs to gain access to technical support necessary for market development. It will facilitate improved access to finance through a three-pronged strategy: 1) a risk-sharing mechanism in the form of a partial guarantee will address risks related to the provision of credit for rural SMEs; 2) provision of support for capacity building and new product development for partner banks will address the lack of institutional capacity and appropriate products and services; and 3) supported SMEs will be able to identify and present their financing requirements in line with the needs of partner banks.

The selection criteria for SME support will be weighted toward those businesses, or sectors, that are judged most likely to create demand for locally produced products and/or generate both direct and indirect employment.

Project Implementation Support: This component will support MRRD project management, monitoring and evaluation; governance and accountability action plan design; gender action plan design and implementation; and third-party audits.

Agency Coordinating Body for Afghan Relief (ACBAR)

www.acbar.org

The Agency Coordinating Body for Afghan Relief (ACBAR) is an umbrella organisation that facilitates transparency, accountability and coordination among NGOs in Afghanistan. ACBAR was established in 1988 by NGOs working with Afghan refugees in Pakistan and acts as a conduit for information among the UN, NGOs, donors, and the Afghan government. Among its funders are the Swiss Agency for Development and Cooperation (SDC), the Norwegian and Dutch governments, and the European Commission.

ACBAR has a membership of 106 national and international NGOs. Membership is open to nongovernmental, nonprofit organisations that meet certain criteria. All members are required to sign the Afghanistan NGO Code of Conduct (p. 60), which was launched in May 2005. The General Assembly of the ACBAR membership meets twice a year, and the 16 members of the steering committee (of which 12 are full members and 4 are alternate members) meet monthly in Kabul. The chairperson of the steering committee is always Afghan, while other members are representatives of both Afghan and international NGOs. In addition to its main office in Kabul, ACBAR has sub-offices in Herat, Jalalabad and Mazar-i-Sharif.

ACBAR organises its work along two basic lines: the InfoCoord team is responsible for disseminating information, organising meetings, publishing a weekly bulletin, maintaining an NGO Directory, and other communication initiatives; the Advocacy and Policy team facilitates the exchange of views and information among NGOs to help them “develop and sustain a joint, field-led voice on key issues as they develop.”

ACBAR regularly conducts workshops on the NGO Law and Code of Conduct for ministries, government departments, and NGOs, which have taken place in Kabul, Mazar-i-Sharif, Faryab, Samangan, Jawzjan, Sar-i-Pul, Kunduz, Takhar, Bamiyan, Kandahar, Parwan, Herat, Laghman and Jalalabad. Its activities aim to build capacity among NGO and civil society organisations as well as to educate stakeholders in funding patterns and requirements of legislation. ACBAR also assists in the appointment of NGO representatives to government-led, inter-agency coordination mechanisms. In addition, ACBAR has played a coordination role between civil society and military actors.

ACBAR represented the NGO community at the Afghanistan Development Fora (ADF, p. 14) in 2004, 2005 and 2007. ACBAR represented NGOs and the civil society at the 2008 Paris Conference (p. 61) and the 2009 Hague Conference (p. 40). ACBAR hosted a secretariat to represent Afghan civil society in the Afghanistan National Development Strategy (ANDS, p. 15) process and continues raising awareness of ANDS implementation to Members of Parliament.

In 2007, ACBAR launched the Afghanistan Pilot Participatory Poverty Assessment (APPPA), in cooperation with civil society and the Asian Development Bank (ADB), which aimed to document, disseminate and advocate the perspectives of the poor on poverty; its results were intended to feed into the ANDS. Several advocacy papers assessing the results of APPPA were printed in late 2008 on topics such as aid effectiveness, agriculture, education, health, social protection, and water. In 2008, ACBAR also completed its run of informative radio dramas combating negative perceptions of NGOs in Afghanistan.

In 2009, ACBAR continued its activities in the collection and sharing of vital information through its website, which includes a well-known job announcement board. The agency also advised numerous NGOs on the implementation of the Income Tax Law and the Labor Law, and participated in numerous fora in and outside Afghanistan.

Alternative Livelihoods (AL)

Alternative Livelihoods (AL) is the term given to rural development activities specifically aimed at supporting farmers and other rural workers with alternatives to opium poppy cultivation. AL is one of the eight pillars of the Afghan government's counter-narcotics strategy (See Counter-Narcotics, p. 32). Other terminology in use also describes these kinds of activities; for example, "Alternative Development" is used by USAID, drawing from its experience in Colombia. The Ministry of Counter Narcotics (MCN) has a department dedicated to AL, which oversees the Alternative Livelihoods Implementation Plan approved by President Karzai in July 2005. This entity also works toward greater engagement by donors in AL, as well as more coherent delivery of related financial and technical support.

In the short term, AL programmes seek to support those who have lost their livelihoods through self-restraint from planting or forced eradication of their crops. This includes cash-for-work projects that build and rehabilitate rural infrastructure, create greater income generation, and allow skill-building activities for vulnerable households. In the long term, AL programmes are meant to be comprehensive rural-development initiatives, aiming to generate sustainable economic development by providing opium farmers and labourers with alternative crop options, credit mechanisms, business support, market access, and social safety nets.

The bulk of AL work has been undertaken by contractors sponsored by USAID, the European Commission, and the United Kingdom in association with key ministries, such as MCN and those of Agriculture, Irrigation and Livestock; Rural Rehabilitation and Development; Public Works; and Energy and Water. Initially their work focused on some of the country's most significant opium-producing provinces—including Nangarhar, Laghman, Kandahar, Helmand, Badakhshan, Uruzgan, Ghor and Balkh. But, as levels of opium poppy have fluctuated, assistance has been redirected toward areas where cultivation is concentrated, particularly in the south of the country. Current debates related to this issue concern the scale of, nature of, and mechanisms for providing development assistance to those provinces that have been declared "poppy-free" by the UN Office on Drugs and Crime.

Many rural development programmes that are not specifically aimed at reducing opium production in Afghanistan will nevertheless contribute to establishing the conditions for reducing cultivation; these include some of the National Priority Programmes. Others, such as the Horticulture and Livestock Programme and the National Rural Access Programme, have even been designed to maximise impact on counter-narcotics outcomes. These programmes, however, are typically not referred to as AL; it is often unclear whether they are included in the level of AL expenditure stated by the Afghan government as well bilateral and multilateral agencies.

Basic Package of Health Services (BPHS)

The Basic Package of Health Services (BPHS) was developed in 2002 by the Ministry of Public Health (MoPH) in collaboration with major donors. It has two objectives: 1) to provide a standardised package of health services which forms the core of service delivery in all primary healthcare

facilities and 2) to promote a redistribution of health services by providing equitable access based on population density.

The BPHS entails basic services at low cost and addresses the main causes of morbidity and mortality. It has a strong focus on conditions that affect women and children. In line with Afghanistan's Millennium Development Goals (MDGs, p. 52), the BPHS aims to provide health services to all Afghans, especially those who are poor and live in remote and rural areas.

As of December 2009, in agreement with its major donors—primarily the World Bank, USAID, and the European Commission—the MoPH has contracted NGOs to deliver the BPHS in 31 out of 34 provinces and has contracted its own Provincial Health Offices to deliver the BPHS in three provinces. Though many initially viewed this public-private partnership with suspicion, it has yielded positive results, making public health one of Afghanistan's most effective sectors.

The defined package is offered by five levels of facility: 1) health posts, 2) health sub-centres, 3) basic health centres, 4) comprehensive health centres, and 5) district hospitals, as well as by Mobile Teams in very remote areas. The BPHS also provides standards for staffing and infrastructure reconstruction and rehabilitation for these facilities.

BPHS is providing primary healthcare to more than 80% of Afghans living in rural Afghanistan, according to an MoPH statement made in December 2008. The BPHS is being revised and the revision has been officially endorsed by the MoPH. The revised BPHS adds physical therapists and psycho-social counsellors to selected health facilities and adds primary eye care to the list of basic services to be made available.

Berlin Meeting and Declarations

On 31 March–1 April 2004, Afghanistan's major donors and development partners attended a meeting in Berlin at which the government of Afghanistan presented a major fundraising document, entitled *Securing Afghanistan's Future (SAF)*. The document concluded that the funds required to rebuild Afghanistan to a stage where it is a self-sufficient and stable state were approximately US\$27.4 billion over the following seven years—substantially more than the US\$15 billion over ten years requested at the January 2002 Tokyo Ministerial Meeting (p. 67). At the Berlin meeting, donors pledged US\$8.2 billion for the following three years and met the government's immediate need of US\$4.2 billion for the 2004-05 fiscal year.

In addition to discussing the SAF document, the Berlin Meeting gave the Afghan government an opportunity to give a progress report on the implementation of the Bonn Agreement and to present its current plan. "The Way Ahead: The Work Plan of the Afghan Government" set out an ambitious agenda for Disarmament, Demobilisation and Reintegration (DDR, p. 35); election-related activities; and initiatives for public administration, fiscal management, economic and social development, gender, counter-narcotics, rule of law, and human rights.

The participants at the meeting signed the Berlin Declaration, in which the international community committed to continue supporting the Afghan government in its mission to implement the Bonn

Agreement, improve the security situation, and move forward with its development agenda. A further agreement, the Berlin Declaration on Counter Narcotics, was signed by Afghanistan, China, Iran, Pakistan, Uzbekistan, Turkmenistan and Tajikistan. In this declaration, Afghanistan and its neighbours agreed to improve coordination in their efforts to eliminate the cultivation, production and trafficking of illegal drugs.

Bonn Agreement

The Bonn Agreement set out a timetable for the re-establishment of permanent government institutions in Afghanistan, and served as a roadmap for the creation of provisional arrangements until permanent ones could be put in place. It was signed on 5 December 2001 by representatives of various Afghan factions (excluding the Taliban) at the conclusion of the UN-sponsored Bonn Conference on Afghanistan.

The Bonn Agreement laid out several processes, including the Emergency Loya Jirga (ELJ, p. 37) and the Constitutional Loya Jirga (CLJ, p. 31), through which power would be exercised and then transferred over time to a fully representative government selected through free and fair elections. It provided for the sovereignty of Afghanistan to reside first in the Afghan Interim Authority (AIA), then in the Afghan Transitional Authority (ATA, p. 9), and ultimately in an elected government.

The Bonn Agreement was largely adhered to, although security conditions affected timelines. The Afghan government and the UN successfully established most of the provisional arrangements called for, except for the withdrawal of “military units from Kabul and other urban centres or other areas in which the UN mandated force is deployed.” The last milestones of the Agreement were the presidential and parliamentary elections that took place in October 2004 and September 2005, respectively. In January 2006, the Bonn Agreement was replaced by the Afghanistan Compact (p. 12).

Budget

See National Budget, p. 55.

Calendars in Afghanistan

Three calendar systems are used in Afghanistan:

- The *Hijrah-i Shamsi* (solar Islamic) calendar, Afghanistan’s official calendar, established in the Constitution and in use officially since 1957 (month names differ from the Iranian or Persian forms). In 2010, the Afghan year begins on 1 Hamal 1388 (21 March 2010).
- The *Hijrah-i Qamari* (lunar Islamic) calendar, used for religious events and holidays.
- The Gregorian calendar, or *Miladi* (solar Christian), used in international relations.

The website www.nongnu.org/afghancalendar provides downloadable versions of Afghanistan’s official calendars.

To convert dates between *Qamari* and Gregorian years (or to Persian dates using Iranian names) see:

- www.fourmilab.ch/documents/calendar
- www.iranchamber.com/calendar/iranian_calendar_converter.php

Central Statistics Organisation (CSO)

www.cso.gov.af

The Central Statistics Organisation (CSO) is the central government agency responsible for the collection and dissemination of official statistics. The CSO collects and analyses data from other government entities—on national accounts, price indexes, external trade, and population and demographics—to be used for monitoring economic, financial and structural policies as well as other activities.

Established in 1973, the CSO was declared an independent body by presidential decree in March 2006. Of its 800 staff, 550 are located at CSO headquarters in Kabul; the remainder is divided among sub-offices in each province. The CSO reports directly to the President and is advised by the National Statistics Committee and the National Census Committee (temporarily set up to carry out the national census). Both committees include representatives from many ministries and from the private sector.

The work of the CSO is grouped into ten major departments: economic statistics, demographic and social statistics, national accounts, operations, publication and dissemination, strategic planning and donor relations, administration, internal evaluation and audit, staff training centre, and a secretariat. Plans are also underway to develop departments of agricultural statistics and information technology.

Each year, the CSO produces the *Afghanistan Statistical Yearbook*, the *Consumer Price Index Yearbook*, the *Afghanistan Trade Statistical Yearbook* (a publication focused on foreign trade), and the *Estimated Population of Afghanistan* (with data on gender and rural-urban residence at the provincial and local levels). The CSO also publishes a quarterly volume on foreign trade statistics, the monthly Consumer Price Index (CPI), and daily updates on consumer price indexes in Kabul. In 2008, the CSO launched the quarterly *Statistical Magazine* in Dari and Pashto (previously published from 1976 to 1997) and, with the assistance of UNICEF, the annually updated *AfghanInfo* (also known as the Afghanistan Socioeconomic Database), which contains all CSO socioeconomic and demographic data. In 2007, the CSO conducted a survey of facilities for disabled individuals in Kabul.

CSO created a Statistical Master Plan (SMP) in 2004 with the assistance of the World Bank, the Asian Development Bank (ADB), the International Monetary Fund (IMF), and the UK Department for International Development (DFID). Approved in 2005, the SMP outlined a programme designed to build capacity within the CSO to collect the national data required by the government for its programming. In mid-2005, the CSO partnered with the National Surveillance System (NSS, p. 59) to open a unit within the CSO responsible for data collection for the NSS National Risk and

Vulnerability Assessment (NRVA, p. 57). In 2006, a new statistics law was enacted to clarify the official functions of the CSO, increase its flexibility, and ensure accountability and transparency.

In 2010, CSO will conduct a survey on Afghanistan's labour force. In 2011, the CSO plans to carry out the national population census mandated by the Bonn Agreement (p. 27). The last census of this scope was begun in 1979 but was never completed. The CSO has been involved in pre-census activities since 2003; initial household listings for all 34 provinces were released in 2006. In preparation for 2011 census, the CSO has been working on the latest household listings. As of October 2009, it is 15-20% complete. The census proper will take approximately 21 days and require approximately 37,000 staff. In mid-2007, the CSO initiated a pilot census to identify obstacles it might have faced in 2008, the year originally scheduled for conducting the national census. A new pilot census has been planned for 2010. The total budget is estimated at \$67 million: \$2 million for the household listing, \$5 million for the pilot census, and \$60 million for the census proper.

All organisations planning to conduct statistical research in Afghanistan are required by law to coordinate their activities with the CSO.

Civil Service Commission

See Independent Administrative Reform and Civil Service Commission (IARCSC), p. 41.

Coalition Forces (CF)

www.cstc-a.com, www.cjtf101.com

Coalition Forces (CF) is the general term used to describe the US-led military organisation that has been in Afghanistan since late 2001. In cooperation with the Northern Alliance, CF overthrew the Taliban regime in November 2001. Under the mission of Operation Enduring Freedom (OEF), these troops continue to engage the Taliban and al-Qaeda members in Afghanistan and reshape the posture of the Afghan defence forces, who will ultimately be responsible for providing long-term security in Afghanistan. CF are a key partner in implementing the Afghan government's Security Sector Reform (SSR, p. 65).

Coalition Forces, most recently reorganised in October 2008 as US Forces Afghanistan (USFOR-A), are distinct from the UN Security Council-mandated International Security Assistance Force (ISAF, p. 45) that is also operating in Afghanistan. USFOR-A is overseen by US Central Command (CENTCOM) while ISAF is a NATO-led force. Since 6 October 2008, however, both USFOR-A and ISAF have fallen under a single commander. On that day, General David D. McKiernan, the senior-most US military officer in Afghanistan, was also named commander of USFOR-A, after having assumed command of ISAF in June 2008. General McKiernan was replaced by General Stanley A. McChrystal in April 2009.

USFOR-A was established to enhance the coordination and effectiveness of US support to the ISAF mission. It is intended to improve the unity of ISAF and US-led efforts by aligning and streamlining

command and control of all US forces serving in Afghanistan. As of January 2010, approximately 13,500 troops were assigned to USFOR-A.

USFOR-A has two primary subordinate commands:

- *Combined Joint Task Force 101 (CJTF 101)*, based at Bagram Air Field, which is responsible for counter-terrorism and reconstruction operations
- *Combined Security Transition Command—Afghanistan (CSTC-A)*, headquartered at Camp Eggers in Kabul, oversees CF involvement in the Afghan security sector, including training of the Afghan National Security Forces (ANSF). A military strength of more than 1,000, CSTC-A is under the control of CENTCOM. Under CSTC-A's operational control is Task Force Phoenix, with military strength of more than 6,000, responsible for training, mentoring and advising the Afghan National Army (ANA, p. 5) and the Afghan National Police (ANP, p. 6). CSTC-A is a joint service, coalition organisation with military personnel from the United States, United Kingdom, Canada, Poland, Albania, Germany, France and Romania, as well as contracted civilian advisors, mentors and trainers.

Combined Joint Task Force (CJTF 101)

See *Coalition Forces*, p. 29.

Combined Security Transition Command—Afghanistan (CSTC-A)

See *Coalition Forces*, p. 29.

Community Development Council (CDC)

See *National Solidarity Programme*, p. 58.

Consultative Group (CG)

The Consultative Groups (CGs) were sector-specific, government-led entities that brought together government, donors and civil society to monitor progress toward the Afghanistan Compact benchmarks and to review the Afghanistan National Development Strategy (ANDS, p. 15). They also served to resolve sector-specific issues and challenges, and maximise the coordination of development within Afghanistan. When the ANDS was finalised in mid-2008, CGs ceased to exist. The coordination function between the Government and the international community—of which CGs were a part—has now shifted to: the Joint Coordination and Monitoring Board (JCMB, p. 47) and its Standing Committees when concerning policy discussions; and the Inter-Ministerial Committees when concerning implementation.

CGs were first established in early 2003 to facilitate interaction among government, donors, UN agencies, and NGOs on the 16 National Development Programmes (NDPs) identified in the

National Development Framework (NDF, p. 56). In 2006, the CG mechanism was restructured to align with the Afghanistan Compact (p. 12) and the ANDS—there were eight CGs, corresponding to the eight sectors of the ANDS. The CG mechanism also supported the OSC in its role as a member of the JCMB, which oversees the fulfilment of the Afghanistan Compact benchmarks.

Constitutional Loya Jirga (CLJ)

An English translation of the Constitution is available on p. 96.

The convening of the Constitutional Loya Jirga (CLJ) was the culmination of the process of agreeing on a new Afghan constitution. The CLJ opened on 14 December 2003 and continued for 22 days. Of the 500 delegates, 450 were selected through regional elections, and 50 were appointed by President Karzai. More than one-fifth of the seats were allocated for special-category representatives, including women, refugees in Pakistan and Iran, internally displaced peoples (IDPs), Kuchis, Hindus, and Sikhs.

The draft Constitution debated by the CLJ was produced by the Constitutional Drafting Commission (CDC) and the Constitutional Review Commission (CRC). In mid-2003, after a month of civic education activities, a draft of the Constitution was subject to a public consultation process around Afghanistan and among refugee communities in Iran and Pakistan. UNAMA (p. 68) estimates that 178,000 people were reached through these consultations, 19% of whom were women. The CRC published its final draft of the Constitution on 3 November 2003.

At the CLJ, delegates were divided into working committees to debate the text of the draft Constitution. A Reconciliation Committee edited the draft text to incorporate the working committees' suggestions. Passionate debates, boycotts, and heated arguments featured in the discussions that took place. A vote was supposed to be taken on all contentious articles, which mostly regarded form of government, the role of Islam, national languages, the national anthem, and the dual nationality of ministers. Although no vote took place, on 4 January 2004 a closing ceremony was held where the delegates signalled their approval of the final text by standing up.

The Constitution was officially signed on 26 January 2004 by President Karzai. It provides for an elected President along with two nominated Vice Presidents, a Cabinet of Ministers, and a National Assembly (p. 75) with two houses—the lower *Wolesi Jirga* (House of the People) and the upper *Meshrano Jirga* (House of Elders). It grants equal citizenship to Afghan men and women, and commits Afghanistan to uphold its international human rights obligations. It states that Afghanistan is an Islamic Republic and that no law can be contrary to Islam.

Coordination of Humanitarian Assistance (CHA)

www.cha-net.org

Coordination of Humanitarian Assistance (CHA) is a nonprofit humanitarian organisation founded in 1987. Its core mission is to provide emergency aid for war victims in the field, to assist with the rehabilitation of rural and urban life, and to work with communities for sustainable development in Afghanistan.

CHA began its operations in two districts in Farah province, but soon expanded into eight additional provinces, including Kabul, Kandahar, Balkh, Herat, Ghor, Faryab, Parwan and Kapisa. CHA employs approximately 2,000 staff, making it one of the largest national NGOs in Afghanistan. The organisation currently has four departments: Education, Agriculture, Health, and Capacity Building. CHA, along with the Organisation for Human Resources Development (OHRD) and Saba Media Organisation (SMO), is part of a network called Partners in Development (as of December 2009, official registration is still pending). CHA is also a member of ACBAR (see p. 23), the Disaster Risk Reduction Consortium (DRRC), the Human Rights Research and Advocacy Consortium (HRRAC), and the Asian Disaster Reduction and Response Network (ADRRN).

In 2006, CHA established the Improving Capacity for Integrated Development of Livelihoods (ICIDL) project, which integrates the organisation's three main sectors (health, education and agriculture), in four provinces: Farah, Herat, Parwan and Ghor. By fostering community awareness and development, the project aims to implement the Basic Package of Health Services (BPHS, p. 25) in areas where the national program cannot reach. In 2007, CHA joined the Building Education Support Systems for Teachers (BESST) consortium, working directly with the Ministry of Education (MoE) to improve teaching quality in primary and secondary schools in Kandahar and Herat provinces. In 2008 and 2009, the organisation continued its work in education by founding Education Watch for Afghanistan, launching the Global Education Campaign, and implementing the Education Quality Program for Teachers in Kabul and Parwan provinces.

In 2010, CHA will continue and expand its advocacy and development work in its three main sectors. The ICIDL project will begin in Balkh Province. Following the footsteps of Education Watch, CHA will also create the Social Services Watch of Afghanistan. Discussions are also underway to initiate a joint project with SMO on a distance-education program in rural/insecure areas, focusing on girls' secondary education.

Donors include Oxfam-Novib, USAID, EU, UNHCR, UNICEF, UNIFEM, UNOCHA, Canadian International Development Agency (CIDA), ACTED, JICA, Japanese Embassy, Norwegian Church Aid (NCA), ECHO, the Ministry of Labour (MoL), the Ministry of Water and Energy (MoWE), and the Ministry of Rural Rehabilitation and Development (MRRD).

Counter-Narcotics (CN)

www.mcn.gov.af

Counter-narcotics (CN) efforts are considered integral to reconstruction and development initiatives in Afghanistan, as the instability and insecurity related to the opium economy is thought to be a major obstacle to progress. In his introduction to the updated 2006 Afghan National Drug Control Strategy, President Karzai stated, "It is difficult to over-state the dangers of the 'opium economy' for our country and the region's future. It is the single greatest challenge to the long-term security, development, and effective governance of Afghanistan."

CN is one of five pillars in the government's Security Sector Reform (SSR, p. 65) policy and a cross-cutting theme in the Afghanistan Compact (p. 12) and the Afghanistan National Development

Strategy (ANDS, p. 15). Since the fall of the Taliban in 2001, the Afghan government has banned the cultivation, production, abuse and trafficking of narcotic drugs. In December 2004, at the first National Counter Narcotics Conference, newly elected President Hamid Karzai declared CN a priority of his government.

The Ministry of Counter Narcotics (MCN) oversees policy, strategy and coordination of all CN activities, working closely with many ministries, including the Ministry of Interior Affairs, the Ministry of Agriculture, the Ministry of Rural Rehabilitation and Development, the Ministry of Public Health, and the UN Office on Drugs and Crime (UNODC). CN initiatives are guided by the National Drug Control Strategy (NDCS). As the strategic framework for the government's CN efforts, the NDCS identifies four key priorities:

1. Disrupting the drugs trade by targeting traffickers and their backers and eliminating the basis for the trade
2. Strengthening and diversifying licit rural livelihoods
3. Reducing the demand for illicit drugs and providing treatment for problem drug users
4. Strengthening state institutions both at the centre and in the provinces

In addition to these priorities, the NDCS outlines eight "pillars of activities": public awareness, international and regional cooperation, alternative livelihoods, demand reduction, law enforcement, criminal justice, eradication, and institution building.

The NDCS is backed by the Counter Narcotics Drug Law, enacted by presidential decree in December 2005, and Article 7 of the 2004 Constitution, which stipulates that "the state prevents all types of terrorist activities, cultivation and smuggling of narcotic drugs and production and consumption of intoxicants." As detailed in the Drug Law, the Ministry of Justice has developed an effective CN legal framework, and in February 2005 created a CN Criminal Justice Task Force to deal with CN cases and train judges, prosecutors and investigators in CN procedures.

Much weight has been given to so-called "Alternative Livelihoods" (AL, p. 25) programmes, which aim to provide opium farmers and labourers with alternative crop options, credit mechanisms, business support, market access, and labour opportunities.

Until 2008, CN efforts in Afghanistan had not included a significant component of eradication, meaning the physical destruction of crops. The eradication that had taken place had been planned by the Central Eradication Planning and Monitoring Cell within the MCN and carried out by the Central Poppy Eradication Force (PEF) with assistance from the international community. Some eradication was also conducted by provincial governors through the Governor-Led Eradication programme (GLE), supplemented by the Afghan National Police (ANP, p. 6) and Afghan National Army (ANA, p. 5).

In 2009, the PEF was disbanded and focus was placed on GLE for the 2010 season. An Eradication Working Group meeting is held weekly by MCN, and includes representatives of the Afghan Government, the United Kingdom, the United States, and the United Nations.

There are two institutions designed to enforce CN legislation, both of which fall under the Deputy Minister of Interior for Counter Narcotics. The Counter Narcotics Police of Afghanistan (CNPA), expected to develop into a specialised force of more than 2,000 officers in the next few years, is the primary agency responsible for coordinating CN law enforcement, detecting and investigating significant drug-trafficking offences. The Afghan Special Narcotics Force carries out interdiction operations throughout Afghanistan, working closely with the CNPA. CN training is also provided to the ANP including the Border Police.

Funding for CN initiatives comes from a number of sources. In the past, some of it was processed through the centralised Counter Narcotics Trust Fund (CNTF, p. 35), launched in 2005 and concluded in 2008. New funding mechanisms are currently under consideration. One current scheme is the Comprehensive Agriculture and Rural Development Facility (CARD-F), which is currently in its inception phase.

The overall aim of CARD-F is to enhance the ability of the Afghan authorities to promote sustainable rural economic development and generate growth in employment and licit rural incomes. It will provide an integrated programme for rural development that would “scale up” and complete existing initiatives, as well as initiate new project interventions at district-level to ensure rural communities have access to a critical mass of support which enhances economic development. CARD-F will work through district-based teams in close collaboration with other development partners, local communities, and government bodies to identify development gaps and opportunities.

The broad high-level outputs are:

- Increase employment and income opportunities through more efficient agricultural and rural enterprise markets across priority districts
- Achieve greater impacts from existing, district-level (national and sub-national) programmes through improved coordination of government and donor support to agriculture and rural development
- Address bottlenecks impinging upon purposeful livelihoods through strategic interventions including additional top-ups or gap-filling resources for viable programmes and projects and other interventions
- Strengthen government institutional and operational capacity to deliver provincial and district-level programmes and projects which directly contribute to economic development

Key issues facing the actors within the CN sector include: the mix and prioritisation of CN activities, the extent of linkages between the opium poppy economy and insecurity, how to integrate or mainstream CN into other development activities, and the timing and interface between opium poppy eradication and development assistance. Another central question is how to achieve short-term political targets, such as reducing cultivation, while not undermining the long-term goal of building a prosperous and stable Afghanistan that will ultimately deliver a sustainable reduction in the opium economy.

A cabinet sub-committee on CN has been formed and it includes relevant ministers, and embassy and donor representatives. There are also several issue-specific NDCS working groups under the auspices of the MCN, and CN is also on the agenda of the high-level Policy Action Group (PAG, p. 62). A CN Consultative Group (CG, p. 30) was incorporated into the ANDS process.

Counter Narcotics Trust Fund (CNTF)

The Counter Narcotics Trust Fund (CNTF), established in October 2005, was a multi-donor funding source that contributed to fulfilling the objectives of the National Drug Control Strategy (NDCS). The broad aims of the Fund included: providing greater resources for the Afghan government's counter-narcotics efforts, ensuring transparency and accountability in the allocation of those resources, enabling greater government ownership over implementation of its CN strategy, and promoting greater coherence in funding of counter-narcotics activities.

While UNDP was the administrator of the Fund, the Government of Afghanistan retained the overall responsibility for CNTF through its designated institutions: the Ministry of Finance and the Ministry of Counter Narcotics (MCN). Ten other ministries, including the Ministry of Rural Rehabilitation and Development (MRRD) as well as Agriculture and Health, have served as implementing partners of projects funded by CNTF. Funding to the CNTF was from 17 donors and the management board included representatives from the Government, UNAMA (p. 68), the Asian Development Bank, UNDP, the European Commission, and the United Kingdom, with the World Bank as an observer.

CNTF is currently only working on projects that have not been completed, such as the Good Performance Initiative (GPI). Established in 2007, GPI is a Government of Afghanistan initiative aimed at providing high-impact development assistance to those provinces that have eliminated or significantly reduced poppy cultivation, or demonstrated other effective counter-narcotics achievements. The objective of GPI is to support continued progress toward poppy elimination and the maintenance of poppy-free provinces through the provision of financial support for priority development projects. The United States and the United Kingdom are the main contributors to the GPI. In November 2009, the United States signed a new agreement giving \$38.7 million dollars to 27 Afghan provinces that eliminated or significantly reduced opium production, but this was not done through CNTF.

The CNTF is likely to be succeeded by the Comprehensive Agriculture and Rural Development Facility (CARD-F), see Counter-Narcotics (p. 32).

Disarmament, Demobilisation and Reintegration (DDR)

See Afghanistan New Beginnings Programme, p. 18.

Disbandment of Illegal Armed Groups (DIAG)

See Afghanistan New Beginnings Programme, p. 18.

Development Assistance Database (DAD)

dadafghanistan.gov.af

With the support of UNDP, the Afghan government established the Development Assistance Database (DAD) in June 2002. This web-based database aims to provide up-to-date information on all projects that fall within the national development budget (see National Budget, p. 55) as well as some extra-budgetary projects. The database stores detailed information about the location of development projects, who is financing them, and which organisations are involved in their implementation. The DAD relies on the provision of data from development project funders and implementers, including government organisations, development partners, and UN agencies. The database is available in English and Dari.

The DAD was originally designed to track the flow of aid and record the progress of development and humanitarian projects around the country. It still serves this purpose; however, as the government of Afghanistan works to develop a more robust budget, the DAD is also used as a budget formulation database. Thus, Afghanistan's Development Budget has been largely based on the DAD through the State Budget Planning System (SBPS). This may change in coming years as the Development Budget incorporates priorities identified in the Afghanistan National Development Strategy (ANDS, p. 15).

Electoral Complaints Commission (ECC)

www.ecc.org.af

The Electoral Complaints Commission (ECC) is an independent body responsible for hearing and adjudicating complaints related to the electoral process, including challenges to the list of candidates and complaints about the conduct of campaigns and polling. The Commission was established by Article 52 of the 2005 Electoral Law. The ECC is separate from, and independent of, the Independent Election Commission of Afghanistan (IEC, p. 44).

According to the Election Law, the ECC is composed of two national Commissioners and three international Commissioners. One Afghan Commissioner is appointed by the Afghanistan Independent Human Rights Commission (AIHRC, p. 14) and the other by the Supreme Court of Afghanistan, and the three internationals are appointed by the Special Representative of the Secretary-General of the United Nations. In addition, the Commission is assisted in its duties by a staff, including legal advisors and investigators.

The ECC has its headquarters in Kabul and offices in all 34 provincial capitals, represented by the Provincial Election Complaints Commissions (PCCs). Each PCC consists of three commissioners and one support officer. Eight of the provincial offices have additional legal and investigative capacity to assist the PCC when required.

A person or organisation who claims that there has been a violation of the Electoral Law has the right to file a complaint with the ECC and its PCCs. This includes all eligible voters and candidate agents. As an independent body, the ECC does not disseminate information on plaintiffs to the public or to other organisations.

In May 2005, the ECC adjudicated almost 7,000 cases through the challenge and complaints processes with regard to the 2004 Presidential elections. In 2009, the ECC played a major role in investigating fraud allegations of the August presidential elections. After receiving over 2,600 complaints, over 700 were considered to be high priority. The ECC disqualified nearly a quarter of the overall votes cast and submitted its findings to the IEC, who then ordered a run-off election.

For more information on the 2009 elections, see p. 89.

Emergency Loya Jirga (ELJ)

As required by the Bonn Agreement, an Emergency Loya Jirga (ELJ) was held on 11-19 June 2002 to “decide on the transitional authority, including a broad-based transitional administration to lead Afghanistan until such time as a fully representative government can be elected through free and fair elections to be held no later than two years from the date of the convening of the Emergency Loya Jirga.” The ELJ largely succeeded in its task by electing and swearing in Hamid Karzai (formerly chairman of the Afghan Interim Authority) as President and by approving his cabinet, thereby forming the Afghan Transitional Authority (ATA, p. 9).

A special independent commission (the Loya Jirga Commission) determined the rules and procedures for the ELJ, which was to have seats for 1,501 delegates, including 160 women. In the end 1,650 delegates participated, including more than 200 women. Concerns about the proceedings and results of the ELJ included: the criteria for the selection of delegates, the failure to hold a proper vote to choose the structure of government and the cabinet members, intimidation of delegates, and a perceived lack of transparency throughout the process. The conduct of participants at the Constitutional Loya Jirga (CLJ, p. 31), held in late 2003, was generally thought to have been an improvement on that at the ELJ, with fewer reports of intimidation and harassment.

Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)

www.afghanelections.org

The UNDP Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) project was established in 2006 based on recommendations from the 2004 and 2005 elections. It is the result of UN Security Council Resolution 1806 (20 February 2008), which provides for international electoral assistance to Afghanistan coordinated by the UN Assistance Mission to Afghanistan (UNAMA, p. 68) and the Special Representative of the UN Secretary-General. The Resolution:

- Specifies, at the request of Afghan authorities, to support the electoral process (particularly through the IEC) by providing technical assistance; coordinating efforts of international donors, agencies and organisations; and channelling funds earmarked to support the process
- Notes the leading role that Afghan institutions will play in the organisation of the next elections [09/10]; encourages the Afghan Government, with support from the international community,

to accelerate planning and preparation; and emphasises the need for a permanent Civil Voter Registry in accordance with the Afghanistan Compact (p. 12)

While UNAMA has an overarching oversight role, ELECT is managed by UNDP within a collaborative coordination and management structure, and is the implementation arm of the UN's coordination mandate. It deals with project and programme design and management, mobilisation of donor funding, activity coordination, channelling of funds for electoral support, and reporting.

ELECT's activities since it was established in 2006 have primarily concentrated on building the capacity of the Independent Election Commission (IEC, p. 44). In 2007, it achieved a principle aim by completing a civil and voter registry pilot project that combined nationwide voter registration with a national civil registration programme conducted in Kabul, Bamiyan and Nangarhar. Subsequently, the ELECT project provided technical assistance and support to the IEC in conducting a voter registration update, which began in October 2008 and concluded its main activities in June 2009.

In 2009, ELECT was largely focused on supporting the presidential and provincial council elections. This was accomplished through further strengthening the capacity of the IEC, providing technical assistance and expertise to the main electoral institutions (including the Electoral Complaints Commission [ECC, p. 36]), and by supporting the activities of a wider group of electoral stakeholders, including civil society, media, domestic election observers, and security actors. A key part of ELECT's mandate lies in providing a coordination focal point for main donors and organisations supporting elections. ELECT's project design called for over 400 national and international staff members, operating across the country and working closely with the regional and provincial electoral authorities.

The next election, for the *Wolesi Jirga* (p. 75), is scheduled for 2010. ELECT, the mandate of which concludes October 2010, is envisaged to continue providing technical support to the IEC and ECC, as well as support to other electoral stakeholders as described above. In 2009, the project received funding from over 20 donors.

European Police Mission in Afghanistan (EUPOL)

www.eupol-afg.eu

The European Police Mission in Afghanistan (EUPOL) was established to assist the Afghan government in building a police force that respects human rights as well as in reforming the Ministries of Interior and Justice. Its mission is to “contribute to the establishment of sustainable and effective civil policing arrangements that will ensure appropriate interaction with the wider criminal justice system under Afghan ownership.”

EUPOL advises and trains Afghan authorities at the ministerial, regional, provincial and district levels in six main areas: intelligence-led policing; police chain of command, control and communication; criminal investigation; anti-corruption strategy; police-prosecutor linkages; and human rights and

gender mainstreaming within the Afghan National Police (ANP, p. 6). Outside of Kabul, EUPOL personnel are also assigned to various Provincial Reconstruction Teams (PRT, p. 64).

Originally a German pilot project, the mission was launched in June 2007 by the Council of the European Union through the Common Security and Defence Policy (CSDP), which enables individual European nations to collectively act in the field of civilian and military crisis management.

EUPOL's mandate is for three years until June 2010 and is likely to be extended. The current mission strength is at approximately 245 international staff and 169 local staff. As of November 2009, the budget was €64 million (approximately \$100 million), contributed by 19 EU states (with Germany being the largest contributor), Canada, Croatia, Norway and New Zealand.

In October 2008, Police Commissioner Kai Vittrup of Denmark became Head of Mission, succeeding Brigadier-General Jürgen Scholz of Germany. From 2008 to 2009, structural changes were implemented within EUPOL to delineate each international and national body's role involved in the mission.

Free and Fair Election Foundation of Afghanistan (FEFA)

www.fefa.org.af

The Free and Fair Election Foundation of Afghanistan (FEFA) is an independent umbrella organisation established by civil society groups in March 2004 to:

- Monitor elections to ensure that they are free and fair
- Promote democracy in the country
- Promote public participation in electoral affairs
- Help consolidate public trust and faith in democracy and elections

The Foundation is Afghanistan's only continual domestic elections monitoring body. Its first observation experience was that of the presidential election on 9 October 2004, during which it observed in 100 districts in both Afghanistan and Pakistan. Its second experience was observing the 2005 National Assembly and provincial council elections, during which FEFA monitored 217 districts, covering 65% of all polling centres.

FEFA has also been one of the few elections-oriented organisations active in the interim period between the two rounds of Afghan elections (2004-05 and 2009-10) and has produced numerous publications on subjects such as the candidate vetting and the transparency of political wealth.

Prior to the 2009 presidential and provincial council elections, FEFA was also able to conduct comprehensive monitoring of the voter registration process (October 2008–February 2009) and reported numerous problems with this it. On the election day itself, FEFA conducted countrywide observations. It has also reported on issues of re-counting and corruption on its website.

Government Media and Information Centre (GMIC)

www.gmic.gov.af

The Government Media and Information Centre (GMIC) was founded by presidential decree in 2007 as an Afghan-led entity to respond to the information needs of the Afghan public, media, and other national and international stakeholders. The GMIC aims to build trust among the Afghan public and other stakeholders through: provision of timely and accurate information, continuous and consistent dissemination, facilitation of coordination and information sharing among acting agencies in the Afghan government and independent media, and capacity building for the government's information and communication portals.

GMIC consists of two pillars: Programs and Administration. In Programs, three departments serve the goal of the Centre. The Capacity Building Department builds capacity in the Afghan government's communications offices by creating and conducting educational activities tied to their needs. The Media Relations Department develops and implements mechanisms to enhance the flow of information to and from the Afghan public and other stakeholders. The Public Outreach Department—the awareness-raising unit within GMIC—develops nation-wide information collection and dissemination networks through which the Afghan public can be informed about the progress and activities of the government. The Administration pillar supports Programs through the Finance, Procurement, Human Resources, and Security units.

Hague Conference on Afghanistan

On 31 March 2009, the Netherlands hosted the “International Conference on Afghanistan: A Comprehensive Strategy in a Regional Context” at the World Forum, in The Hague. The conference brought together high-ranking officials from 72 countries, reaffirming their commitment to Afghanistan. In their final statement, the participants stressed the need for greater cooperation, good governance, economic development, and strengthened security in Afghanistan.

Humanitarian Action Plan (HAP)

The Humanitarian Action Plan (HAP) outlines the humanitarian community's plans and collective strategy in Afghanistan. HAP is not intended to be just a funding document, but a valuable tool for identifying vulnerable populations in need of assistance. The United Nations Office of Coordination of Humanitarian Affairs (UNOCHA) facilitates the HAP process with input from UN agencies, NGOs, and the Afghan government.

The first HAP was launched in January 2009 by 47 organisations (37 NGOs and eight UN agencies) in consultation with the Afghan government. This marked the first time since 2002 that humanitarian actors convened to develop a coherent plan to address the chronic needs of the Afghan people. The HAP presented 112 project proposals with a total request for \$604 million. The projects were organised under eight clusters: education, emergency shelter, emergency telecommunications, food security and agriculture, health, nutrition, protection, and water and sanitation.

The Plan was revised in mid-2009 to request nearly \$666 million for 146 projects by 39 NGOs and eight UN agencies. As of October 2009, the support provided by the international donor community to the HAP projects amounted to \$442 million (or approximately 66 percent of the revised requirements). Of this, approximately \$19 million was provided to NGOs while \$437 million was provided to UN agencies. The food security cluster was 94% funded, while health and nutrition only received 4% of the requested assistance.

The 2010 HAP addresses these funding challenges by encouraging more support to NGOs, as well as by engaging both traditional donors focused on development in Afghanistan as well as non-traditional donors to achieve more balanced funding throughout all the HAP clusters. This year, 49 humanitarian agencies contributed to the HAP, which totals \$870 million. Overall, the 2010 HAP shifts away from the humanitarian-development nexus and toward a focus on vulnerability caused by a combination of extreme poverty, increasing insecurity, natural disasters, and weak governance. The strategic objectives of the 2010 HAP are:

1. Preparedness for and response to conflict and hazards
2. Mitigate the effects of conflicts and hazards for the protection of affected populations
3. Improve access to and by vulnerable populations and provide targeted safety nets
4. Advocate for the protection of civilians and for the respect of international law and human rights
5. Ensure that humanitarian programming complements and strengthens the link to early recovery and development assistance by gap-filling
6. Data collection and analysis

The Plan includes food assistance for 8.7 million people affected by high food prices and drought; agricultural assistance for 290,000 vulnerable farming families; and targeted support in areas such as health, water, sanitation, hygiene and education. It also aims to improve resilience to natural disasters, and reduce risk from landmines.

Independent Administrative Reform and Civil Service Commission (IARCSC)

www.iarcsc.gov.af

In May 2002, an independent Civil Service Commission was established as required by the Bonn Agreement to lead the government's process for Public Administration Reform (PAR, p. 65). Its responsibilities were subsequently amended and extended by two presidential decrees in June 2003, and the Commission was renamed the Independent Administrative Reform and Civil Service Commission (IARCSC).

The Commission's work is aimed at building a public administration in Afghanistan that is sound, functional, transparent, effective, accountable, responsible, apolitical and impartial.

IARCSC's strategic goals are to:

- Draft policies and establish legal infrastructure to allow for administrative reform and amendments to the salary grade system
- Improve organisational structure
- Amend grading, identification and classification of jobs in the civil service
- Carry out merit-based recruitment and appointment
- Improve human resources management for organisational development, planning, and evaluation, as well as capacity building
- Evaluate the progress of implementing previous and existing reform processes and initiate the next phase of change and development

The Commission is composed of: a Civil Services and Management Department (CSMD), a Civil Service Secretariat (CSS), an Independent Appointments Board, an Independent Appeals Board, and a Civil Service Institute (CSI). The CSMD is responsible for drafting and overseeing the implementation of policies related to human resources, and training and development. The CSS provides executive, communications and operations assistance to the Commission and is responsible for evaluating the implementation of programmes. The Project Design and Development Unit within the CSMD supports the PAR process by recruiting international and national professionals to advise in various ministries and other government agencies. The CSI was founded in 2007 as a training source for civil servants throughout Afghanistan. Courses are offered in management, information technology, and the English language on both national and provincial levels.

The Appointments Board is responsible for appointing senior-level civil service officials and supervising the appointment of junior-level officials. The Appeals Board is the forum through which civil servants can lodge complaints, including those regarding decisions about appointments. Both boards, though under the auspices of the IARCSC, are independent and function autonomously.

The Commission currently has seven regional offices, 34 provincial offices, and 27 training centres.

Financial and technical support to the IARCSC and its initiatives have come from UNDP, the Asian Development Bank, the World Bank, the European Union, USAID, the United Kingdom, South Korea, Australia, Norway, Switzerland, Germany, and the Afghanistan Reconstruction Trust Fund (ARTF, p. 21).

Independent Directorate of Local Governance (IDLG)

The Independent Directorate of Local Governance (IDLG) was established by presidential decree on 30 August 2007, with a mandate to improve governance and achieve stability at the sub-national level. The IDLG is responsible for supervising provincial and district governors, provincial councils,

and municipalities (except Kabul). Upon the establishment of other sub-national representative bodies, these would also fall under the IDLG remit. After a second decree in May 2008, IDLG was tasked with leading the process of creating a sub-national governance policy for Afghanistan, which involves 23 ministries and government agencies.

The IDLG's mission is "to consolidate peace and stability, achieve development and equitable economic growth and to achieve improvements in service delivery through just, democratic processes and institutions of good governance at sub-national level thus improving the quality of life of Afghan citizens." The Directorate is responsible for an enormous range of functions and activities, of which a primary task is leading the formulation and ongoing oversight of a coherent overarching policy and legislative framework for sub-national governance. Its priorities, strategy and functions are outlined in: its Strategic Framework, its Five Year Strategic Workplan (covering 2008-2013), and the draft of the Sub-national Governance Policy (SNGP, drafted in late 2008). However, as of December 2009, the policy had not been finalised, or passed by Cabinet, and seems likely to require further clarification by the incoming Cabinet.

IDLG's goals are:

1. To ensure that Afghanistan's framework for subnational governance upholds the principles of good governance, including open, transparent, accountable, participative, effective, coherent and inclusive governance based on consensus and rule of law at the sub-national level
2. To establish and strengthen government institutions at 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
3. To create and support opportunities for citizens and stakeholders to participate in governance at the sub-national level
4. To ensure that sub-national governance institutions play an active role in facilitating the delivery of national activities and programmes aimed at improving the wellbeing of Afghans

The vision of the IDLG also includes a commitment to ensuring that women enjoy greater equity in education, political participation, and justice.

According to the IDLG's second Annual Report (August 2009), achievements include:

- The initial draft of the Sub-national Governance Policy (SNGP) was submitted to the Policy Drafting Committee, a body comprising Cabinet members and the heads of directorates and commissions. The SNGP will address weaknesses in the current local governance system, and hopes to improve the roles, responsibilities and interactions of various actors in the provinces and districts.
- Public Administration Reform (PAR, p. 65) was initiated in the majority of provincial and district offices. The PAR process aims to transform public institutions into modern, professionally-organised bodies.

- The program document for the Performance-Based Governors Fund (PBGF) has been developed in partnership with the UNDP and USAID. The project is budgeted for \$83.6 million.
- The Good Governance for Local Development (GOFORGOLD) program was launched in 10 pilot provinces. GOFORGOLD is a performance measurement and reporting system which uses indicators in seven categories: representation, participation, accountability, equity, transparency, effectiveness and security.
- As of December 2009, the Afghanistan Stabilisation Programme (ASP) had completed 81 district administration offices, six provincial governor offices, 24 schools, and ten various types of infrastructure. ASP, established in 2004 and one of the Government's National Priority Programmes (see National Development Framework, p. 56), is intended to strengthen sub-national-level governance by rebuilding essential infrastructure and development capacity for local civil administration. The ASP intends on complete construction of all infrastructure required by sub-national governance institutions by 2014.
- The program document for the Municipal Governance Support Programme has been completed for a budget of \$180 million.
- The development of the Governor-Led Reconciliation Programme was launched to empower provincial governors to lead in reconciliation processes.
- The PRT Coordination Working Group (WG) and the PRT Coordination Executive Steering Committee (ESC) were established to provide government policy guidance to PRTs and ISAF HQ.
- Seven conferences were held for 364 district governors to engage with the centre and orient them on the ANDS and the IDLG Strategic Workplan.
- New governors were appointed in 15 provinces.
- An anti-corruption strategy was formulated based on the National Anti-Corruption Strategy.

In 2010, the IDLG hopes to: implement substantive changes to the local governance system in Afghanistan by establishing inter-ministerial committees to draft new laws and amend existing ones, increase the scale and scope of capacity building, continue and expand PAR throughout the provinces, establish a new pay and grading system in all administrative units, strengthen its system for monitoring and evaluation, and commence the pilot of the PBGF.

Key partners to the IDLG include the UNDP's Afghanistan Sub-national Governance Programme (ASGP), The Asia Foundation, and the USAID Capacity Development Programme (DGP).

Independent Election Commission (IEC)

www.iec.org.af

The Independent Election Commission (IEC) is the supreme authority responsible for the preparation, organisation, conduct and oversight of elections and referenda in Afghanistan. The

membership, organisation, responsibilities and functioning of the IEC are determined by the Constitution and the Electoral Law (Elections in Afghanistan, p. 85). The IEC is independent from other branches of government and administrative institutions. The functions of the IEC include: establishing regulatory frameworks, supervising the Secretariat in the organisation and conduct of elections, registration of candidates, resolving or referring complaints and disputes, inviting domestic and international election monitors to observe election operations, and advising on whether the elections are free and fair. It also certifies and announces election results and facilitates any transfers of power.

The IEC has a governing body with a chairman, deputy chairman and five members (commissioners); these positions are appointed by the President. The IEC Secretariat is its implementing arm and is headed by a Chief Electoral Officer (CEO) and two deputies. The CEO is the accounting officer and is responsible for ensuring efficient management of the day-to-day activities of the Commission.

After his election in October 2004, President Hamid Karzai appointed the IEC members for a three-year period. For its first year the IEC coexisted and collaborated with its predecessor, the Joint Electoral Management Body (JEMB), which completed its mandate with the holding of legislative elections in September 2005. The JEMB had been established in July 2003 and had both Afghan and international members. It had overall responsibility for the preparation, organisation, conduct and oversight of the 2004 presidential and 2005 parliamentary elections. After these elections, it was dissolved and all its responsibilities transferred to the IEC.

The August 2009 presidential and provincial council elections were the first organised primarily by the IEC, with technical assistance provided by the international community. Prior to the election, a voter registration update was conducted from November 2008 to June 2009. During these processes, the IEC expanded its financial and administrative capacities: offices were extended into most provinces; a public resource centre was established; and the IEC gained more capacity to formulate policies and procedures, design and deliver training, and interpret legal complaints. During the election period, the IEC also designed and implemented a comprehensive national public outreach campaign, set up a national tally centre, managed an operations centre, and appointed and hosted the Electoral Media Commission. Though not without significant problems, the voter registration exercise and the 2009 election marked the development of the IEC into an institution capable of organising large-scale logistical exercises.

The next milestone for the IEC will be the conduct of parliamentary and district council elections, currently scheduled for September 2010.

International Security Assistance Force (ISAF)

www.isaf.nato.int

The mission of the International Security Assistance Force (ISAF) is to assist the Afghan government in establishing and maintaining a safe and secure environment in Afghanistan, with the full involvement of the Afghan National Security Forces (ANA, p. 5, ANP, p. 6).

ISAF was first established by UN Security Council Resolution 1386 on 20 December 2001 as envisaged in Annex I of the Bonn Agreement and upon the invitation of the Afghan Interim Authority (AIA, p. 5). It is a UN-authorized multinational force, not a UN peacekeeping force, and the costs of maintaining ISAF are borne by its contributing nations rather than by the UN.

In August 2003, the North Atlantic Treaty Organization (NATO) took over leadership of ISAF, the mission of which was then limited to Kabul. In October 2003, the UN Security Council authorized the expansion of the NATO mission beyond Kabul. Until February 2007, leadership rotated among participating nations; the first ISAF missions were led by the United Kingdom, Turkey, Germany and the Netherlands. Each subsequent rotation is referred to by a new roman numeral. With the implementation of ISAF X in February 2007, ISAF was made a “composite headquarters” rather than being tasked to a single country. This means that individual nations volunteer to fill their allotted positions in the way they see fit. In 2009, US General Stanley A. McChrystal became commander of ISAF, replacing US General David D. McKiernan.

ISAF and its operations are distinct from the US-led Coalition Forces (CF, p. 29), who helped the Northern Alliance overthrow the Taliban and continue to operate in Afghanistan as part of Operation Enduring Freedom. ISAF was initially responsible for security only in Kabul, while CF was in command of security in the rest of the country. Since 2003, however, the long-term goal has been to expand ISAF and unify both military forces under one central command. Regional command of the Provincial Reconstruction Teams (PRTs, p. 64) was thus transferred to ISAF during the period 2004-06. Completing the geographical expansion of the ISAF mission, command of the final, eastern quarter of the country was handed over on 5 October 2006, leaving ISAF in charge of all PRTs and effectively responsible for security in all of Afghanistan. ISAF also implements the Operational Mentor and Liaison Team Programme, which embeds mentors in selected *kandaks* (battalions) of the Afghan National Army (p. 5). In August 2008, ISAF transferred lead security responsibility for Kabul to the Afghanistan National Security Forces.

ISAF’s overall structure consists of: two Kabul-based headquarters (COMISAF and COMIJC); the Air Task Force responsible for air operations; Regional Commands for each of the five regions (Capital, North, West, South, East); Forward Support Bases; and PRTs. The North Atlantic Council, NATO’s decision-making body, provides political guidance to ISAF in consultation with non-NATO nations contributing troops to the force.

In August 2009, NATO allies agreed to adjust the ISAF Upper Command structure to align with the increase in ISAF’s scope and scale of responsibilities. In November 2009, a new intermediate headquarters was established to better streamline ISAF efforts by separating the strategic political-military and day-to-day functional operations. The new Upper Command structure consists of: a higher Headquarters (COMISAF) commanded by a 4-star General (General McChrystal), and a subordinate 3-star Headquarters (or Intermediate Headquarters), called ISAF Joint Command (COMIJC). While COMISAF continues to synchronise ISAF’s operations with the work of Afghan institutions and other international organisations, COMIJC will execute tactical operations and assume responsibility over the Regional Commands and the PRTs. The Joint Command is headed by Lieutenant General David M. Rodriguez.

As of January 2010, ISAF's total strength was approximately 84,150 troops, comprised of the following in the Regional Commands: 6,150 (Capital); 5,750 (North); 4,400 (West); 43,900 (South); and 23,950 (East). The 43 troop-contributing countries are: Albania, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Lithuania, Luxembourg, Macedonia, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, the United Arab Emirates, the United Kingdom, and the United States.

Joint Coordination and Monitoring Board (JCMB)

www.ands.gov.af/ands/jcmb

The Joint Coordination and Monitoring Board (JCMB) is a high-level governing body established in 2006 to provide overall strategic coordination of the implementation of the Afghanistan Compact (p. 12). The JCMB was formed by the government of Afghanistan and the international community following the endorsement of the Compact and the Interim Afghanistan National Development Strategy (see ANDS, p. 15) at the January 2006 London Conference (p. 51). It aims to ensure greater coherence of efforts by the Afghan government and the international community to realise the goals set forth in the Compact and the Declaration of the Paris Conference (p. 61) held on 12 June 2008. The main responsibilities of the JCMB are:

- To provide high-level oversight of progress in the implementation of the political commitments of the Afghanistan Compact
- To provide direction to address significant issues of coordination, implementation, financing for the benchmarks, and timelines in the Compact, and any other obstacles or bottlenecks identified by the government or the international community
- To report on the implementation of the Compact to the President, the National Assembly, the UN Secretary-General, donors, and the public

The JCMB is co-chaired by the UN Secretary-General's Special Representative for Afghanistan (see UNAMA, p. 68) and the Chair of the Afghan government's cabinet-level Coordinating Committee, which is responsible for JCMB oversight and the implementation of the Afghanistan National Development Strategy (ANDS, p. 15). Along with the 12 representatives of this committee, the JCMB is composed of 23 representatives of the international community who are selected based on such criteria as the largest contribution of development aid and military troops as well as regional representation. These include UNAMA, NATO (see ISAF, p. 45), the Combined Security Transition Command—Afghanistan (Coalition Forces, p. 29), the World Bank, the Asian Development Bank, donor governments, the European Union, and governments of neighbouring countries. The JCMB meets up to four times per year, usually in Kabul but occasionally outside of Afghanistan.

The work of the JCMB is now facilitated by three standing committees covering security; governance, human rights and rule of law; and economic and social development. These thematic groupings correspond to the pillars of the ANDS. In carrying out its assessments, the JCMB considers inputs

from the standing committees, which consist of representatives of the Afghan Government and relevant international partners, as well as ad hoc, expert task forces that are established by the standing committees to address specific technical issues. As the central coordination body on security, reconstruction and development, several other coordination mechanisms—such as the Policy Action Group (PAG, p. 62)—report occasionally to the JCMB. Under its original mandate, the JCMB produced two semi-annual reports a year; this was later revised to one annual report beginning in 2008. The JCMB also produces additional reports available to the public. Since its inception, the JCMB has provided guidance for the development of the ANDS.

In line with the Afghanistan Compact, the JCMB is constituted for a period of five years, from April 2006 to March 2011 (SY1385-89).

Justice Sector Reform (JSR)

Justice Sector Reform (JSR), one of the five pillars of the Afghan government's Security Sector Reform (SSR, p. 65) strategy, involves a wide range of projects undertaken by an equally wide range of actors. Within the government of Afghanistan, the permanent institutions engaged with and subject to JSR initiatives are the Supreme Court, the Ministry of Justice, and the Attorney General's Office. Main donors in the justice sector include Italy, the United States, Canada, Norway, Germany and the United Kingdom. A number of UN agencies also contribute to JSR, including UNAMA (p. 68), UNDP, UNODC, UNICEF and UNIFEM. JSR includes top-down institutional development and bottom-up public access initiatives, such as:

- Construction and reconstruction of infrastructure for justice institutions, and capacity building and training of justice-sector employees
- Defence lawyer training and courses at some universities
- Drafting of legislation
- Expansion of the provision of legal aid and public legal awareness campaigns
- Working with traditional justice mechanisms (primarily local *jirgas* and *shuras*) to ensure that they conform to the norms of the national legal order and international human rights standards
- Coordination with other government priorities, such as counter-narcotics (CN, p. 32), anti-corruption, and land reform

Since 2001, achievements in JSR have included: the passage of several key laws; the training of judges, judicial police, prosecutors, and defence lawyers; and the construction of a number of courthouses, prosecutors' offices, prisons, and other justice-sector institutions. Beginning in 2004, the Italy-led Provincial Justice Initiative trained Afghan trainers and deployed them around the country to build legal capacity at the sub-national level. The Independent National Legal Training Centre opened in 2007 and is situated at Kabul University. The Centre provides legal training for post-graduate students, legal professionals, and staff from Afghan justice institutions; in 2008, it opened Afghanistan's first full-service law library.

During 2001-05, JSR was considered to lag behind reform in other sectors. By late 2007, however, the justice sector had achieved a position of leadership in sector reform in Afghanistan. Commitment to JSR was revitalised with the establishment of the International Coordination Group on Justice Reform in October 2006, the December 2006 Rule of Law Conference in Dubai, and the July 2007 Rome Conference on Justice and Rule of Law in Afghanistan.

Participants at the Rome Conference—representatives of the Afghan government, donors, and the international community—agreed to a series of joint goals, underlying principles, and key actions. Implementation of key actions began following the conference; this included the establishment of a National Justice Programme, a National Justice Sector Strategy, and a mechanism for pooled donor funding of the programme, providing both immediate support for short-term projects and long-term, coordinated funding. Rome Conference participants also agreed to the establishment of an Afghan-led monitoring and evaluation system for the justice sector under the ANDS Secretariat and the Joint Coordination and Monitoring Board (JCMB, p. 47).

As part of the Afghanistan National Development Strategy (ANDS, p. 15) process, each Afghan justice institution—the Supreme Court, the Ministry of Justice, and the Attorney General’s Office—prepared a five-year strategy for reform. With guidance and technical assistance provided by UNAMA’s Rule of Law office, these strategies were combined by November 2007 into a justice sector strategy widely viewed as the best-developed of the ANDS sector strategies. Both the National Justice Programme and Sector Strategy were finalised in March 2008. Based on that document, the Project Oversight Committee (POC, composed of the high-level Afghan government officials and advised by an international board of donors) and a Program Support Unit (PSU) were established in July 2008; these are intended to replace the functions of the Consultative Group (CG, see p. 30) dealing with the justice sector, which ceased to exist after the completion of the ANDS process.

The Afghanistan Justice Sector Reform Project (AJSRP) is currently being implemented under the guidance of the World Bank and financed by the Afghanistan Reconstruction Trust Fund (ARTF, p. 21); it is the first justice sector project implemented under the Fund. The AJSRP is designed to enhance the capacity of the Afghan justice institutions to deliver legal services. It focuses on enhancing: management of human resources and physical infrastructure, information, and communication technology; legal aid and legal awareness; and support to the POC and PSU.

Other developments in this sector in 2009 include:

- The establishment of the Anti-Corruption Unit in the Attorney General’s Office on 18 April 2009 to prosecute government corruption
- The establishment of a criminal case management system to track criminal cases. A memorandum of understanding was signed on 17 October 2009 by seven institutions—the Supreme Court, Ministry of Justice, Attorney General’s Office, Ministry of Interior, High Office of Oversight, National Directorate of Security, and Ministry of Defence—to expand the system nationwide

- The Ministry of Justice expanded its legal aid offices into 12 provinces with another four planned in the near future

Law and Order Trust Fund for Afghanistan (LOTFA)

The Law and Order Trust Fund for Afghanistan (LOTFA) was established in 2002 as a funding mechanism used by international donors to channel their contributions to security sector reform (SSR, p. 65) in Afghanistan, particularly the Afghan National Police (ANP, p. 6), the salaries for which are the Fund's largest outlay. The Ministry of Interior (Mol) is responsible for the implementation of the Fund, and a Management Support Unit (MSU) was established to support the Ministry in executing project activities that cannot be handled by existing government mechanisms.

LOTFA Phase V, which began on 1 September 2008 with a total budget of approximately \$540 million, focuses on institutional development of the Mol by enhancing its engagement with LOTFA planning and decision-making processes. In addition, the project intends to strengthen public confidence in the ANP to restore stability and maintain law and order. LOTFA's expenditures are prioritised as follows:

1. Police force is supported to perform their duties effectively and efficiently
2. Financial and project management capacity is built within the Mol
3. Police force is equipped with required equipment for improvements of their mobility and responsiveness (i.e., vehicles and radio equipment)
4. Improved working and living conditions of police contributing to better efficiency and morale
5. Improved capacity in police force with enhanced gender balance
6. Uniformed personnel of the Central Prisons Department (CPD) are supported to perform their job effectively and efficiently

The largest overall donor since the Fund's inception has been the European Commission; at present, Japan and the United States are the largest. LOTFA is led by a Steering Committee that includes representatives from the Ministry of Finance, Ministry of Justice, UNAMA (p. 68), and UNDP. UNDP regularly conducts monitoring and evaluation to oversee the quality, quantity and timeliness of progress toward results delivery as identified in the Fund's Results and Resource Framework and Annual Plan. LOTFA Phase V is slated for completion in August 2010.

Laws in Afghanistan

Formal sources of law in Afghanistan are: (1) Islamic law, (2) the 2004 Constitution, (3) codes, decrees and legislation, (4) international treaties and covenants, and (5) various types of regulations and orders. No law can be contrary to the beliefs and provisions of Islam (pursuant to Article 3 of the Constitution), and many of the country's codes and statutes reflect Islamic law principles.

There have been a number of constitutions in Afghanistan (1923, 1931, 1964, 1977, 1980, 1987, 1990, 1992 and 2004). As elsewhere, Afghan legislation must not be in conflict with the Constitution. New legislation and amendments to existing laws must be adopted by the National

Assembly and signed by the President, after which they shall be published (in both Dari and Pashto) in the *Official Gazette* (OG) (*Rasmi Jaridah*) by the Ministry of Justice (MoJ). Certain regulations are required to be published in the OG, while regulations that affect only the internal operations of a particular ministry need not be sent to the National Assembly for adoption or to the MoJ for publication. Since November 1963 the OG has been published in a continuously numbered sequence. Before then individual laws were published in individual pamphlet form and keeping track of them was difficult. OG no. 787 from 1999 specifies the manner and requirements of publication and adoption of legislative documents.

There is currently no unified official index of laws, nor any properly functioning system of reporting court cases or decisions (even of the Supreme Court). USAID's Afghanistan Rule of Law Project (AROLP) scanned a full set of the OG issues and these PDFs are currently available for download from the MoJ website (in Dari and Pashto only—www.moj.gov.af). There is also a full-text searchable database of the OG laws (Dari and Pashto only) on the MoJ website. Regulations, rules, charters and decrees cover many important legal areas but are not codified or fully assembled anywhere (although many are published in the OG).

Many international organisations require translations of older or newer laws. Such translations are currently available for some laws on www.afghanistantranslation.com. Some ministries also keep PDFs of relevant legislation on their website (e.g., tax laws on the Ministry of Finance website—www.mof.gov.af).

There is no established citation style for Afghan laws. To fully identify a law it is best to cite the OG number as well as the date (preferably in both local and international date systems) e.g., *Law of Procurement* (*Official Gazette* no. 865, 3 Aqrab SY1384 = 25 October 2005).

London Conferences

afghanistan.hmg.gov.uk/en/conference (2010)

On 31 January–1 February 2006, the government of the United Kingdom hosted the first London Conference on Afghanistan, a major international summit co-chaired by the UN and the Government of Afghanistan. The Conference had three aims: to formally launch the Afghanistan Compact (p. 12), to allow the Afghan government to present the Interim Afghanistan National Development Strategy (see ANDS, p. 15) to the international community, and to ensure that the government of Afghanistan had adequate resources to meet its domestic ambitions and international commitments. The Conference marked the completion of the Bonn process (p. 27) and the end of the first stage of Afghanistan's post-Taliban development, which saw the reestablishment of key political institutions and a democratically-elected national government. The Conference also allowed members of the international community to reaffirm their political and financial commitment to Afghanistan's reconstruction.

A second London Conference on Afghanistan took place on 28 January 2010 with and was co-hosted by President Hamid Karzai, UK Prime Minister Gordon Brown, and UN Secretary-General Ban Ki-Moon. The Conference outcomes included plans to continue boosting Afghan security forces and gradually hand over security responsibility province-by-province, empower Afghan anti-

corruption institutions and establish an independent Monitoring and Evaluation Mission, convene a Grand Peace Jirga before the Kabul Conference scheduled for Spring 2010, and establish a Peace and Integration Trust Fund to finance the Afghan-led Peace and Reintegration Programme, “to offer economic alternatives to those who renounce violence, cut links to terrorism and agree to work within the democratic process.”

Microfinance Investment Support Facility for Afghanistan (MISFA)

www.misfa.org.af

The Microfinance Investment Support Facility for Afghanistan (MISFA) was established jointly by the Government of Afghanistan and the donor community in 2003. It provides funds for microfinance institutions (MFIs) that offer small loans and other financial services to poor and vulnerable Afghans. Microfinance is a means of supporting and encouraging income-generating activities among the very poor, who would not otherwise have access to economic opportunities through reliable credit facilities.

MISFA was registered as an independent, nonprofit institution in March 2006 and has an independent board composed of representatives from the government and the private sector, as well as international microfinance experts. It is the first microfinance apex facility in Afghanistan, pooling diverse donor funding mechanisms into streamlined, flexible support to MFIs. It operates with support from donors, international development agencies, and the Government of Afghanistan through the Afghanistan Reconstruction Trust Fund (ARTF, p. 21).

As of September 2009, MISFA has provided more than US\$688 million in loans to its 16 implementing partners, which consist of 14 MFIs, one bank, and one credit union. These implementing partners provide a range of microfinance services: individual and group lending, village banking, and credit unions. All together they serve more than 432,000 Afghans in 27 provinces, 61% of whom are women. The average loan size of microfinance borrowers is US\$354 and the cumulative loan repayment rate is 94%. The sector employs more than 4,000 Afghans, 37% of whom are women.

MISFA is in the process of implementing reforms across the microcredit sector to balance growth and portfolio quality objectives.

Millennium Development Goals (MDGs)

www.un.org/millenniumgoals

In 2004, Afghanistan’s transitional government declared its intention to achieve the Millennium Development Goals (MDGs) established at the 2000 UN Millennium Summit. MDGs are intended to act as a framework to guide the development of national policies and reconstruction priorities around the world, with benchmarks set for 2015 and 2020. The MDGs are incorporated into the Afghanistan National Development Strategy (ANDS, p. 15) and the Afghanistan Compact (p. 12).

The eight MDGs are:

1. Eradicate extreme poverty and hunger
2. Achieve universal primary education
3. Promote gender equality and empower women
4. Reduce child mortality
5. Improve maternal health
6. Combat HIV/AIDS, malaria and other diseases
7. Ensure environmental sustainability
8. Develop a global partnership for development

To this list, the Afghan government has added a ninth goal for its own development initiatives: enhancing security.

In June 2005, the Afghan government held a conference in Kabul to discuss how to meet the MDG benchmarks and determine MDG progress. The meeting resulted in the “Afghanistan’s 2020 Vision” report, in which most of the 2015 targets were revised to be met by 2020, recognising capacity constraints and security impediments on the country’s development.

Mine Action Programme for Afghanistan (MAPA)

www.macca.org.af

The Mine Action Programme for Afghanistan (MAPA), the world’s largest mine action programme, was established in 1989 to make Afghanistan safe from the threat of mines and other explosive remnants of war.

Oversight and coordination of MAPA is currently in transition. While previously the responsibility of the UN-supported Mine Action Coordination Centre for Afghanistan (MACCA), the programme is gradually shifting toward national ownership. Both MACCA and the Government of Afghanistan’s Department of Mine Clearance (DMC) work under the direction of the Security Pillar of the Afghanistan National Development Strategy process (ANDS, p. 15) to develop strategy and implement and monitor MAPA activities and targets. Although originally set up by UN Office for the Coordination of Humanitarian Affairs (UNOCHA), MACCA and a number of MAPA implementing partners are now funded by UN Mine Action Service (UNMAS).

Together, MACCA and the DMC coordinate nationwide MAPA activities through seven area mine action centres, in Kabul, Herat, Kandahar, Mazar-i-Sharif, Kunduz, Gardez and Jalalabad. These regional offices, staffed entirely by Afghans, are responsible for regional coordination and oversight of mine action activities. MAPA implementing partners are mostly national and international NGOs that carry out activities such as mine clearance and survey, mine risk education, victim assistance, capacity building, advocacy, monitoring, and training. In addition MACCA works closely

with the Ministry of Labour, Social Affairs, Martyrs and Disabled and the Ministry of Public Health to advocate on behalf of persons with disabilities including landmine survivors.

Around 660 square kilometres of land is contaminated with anti-personnel or anti-tank mines and other explosive remnants of war (ERW); 75% of this is located in only 12 of Afghanistan's 34 provinces. From January to September 2009, 40,034 anti-personnel mines, 495 anti-tank mines, and 904,914 ERW were destroyed. Led by the Ministry of Education, mine risk education programmes continue around the country; between January and September 2009, this initiative provided information to 832,728 people.

MAPA works to meet mine action benchmarks set by the Afghanistan Compact (p. 12), which calls for a 70% reduction in contaminated land area by March 2011, and the Ottawa Mine Ban Treaty, which requires complete clearance by 2013. Unless there is a significant increase in the funding to the programme in the next few years, current estimates suggest that these targets will not be met.

National Area-Based Development Programme (NABDP)

www.mrrd.gov.af/nabdp

The National Area-Based Development Programme (NABDP) is a UNDP-supported programme run by the Ministry of Rural Rehabilitation and Development (MRRD). NABDP was launched in 2002 as one of the Afghan government's National Priority Programmes, defined in the National Development Framework (NDF, p. 56).

The NABDP aims to promote urgent recovery and longer-term development in identified priority areas of rural development while building government capacity to lead and coordinate participatory approaches to development across the country. After completion of its first phase (2002 to 2004-05), NABDP Phase II was launched in February 2006 and was intended to serve as a key coordination mechanism for government and UN-supported rural development programmes. It focused more on institutional development, capacity building, and intersectoral coordination at the regional and provincial levels, as well as promotion of regional and local economic regeneration activities.

The third and current phase, which began in July 2009, is based on the third pillar of the Afghanistan National Development Strategy (ANDS, p. 15): social and economic development. It is currently budgeted for \$294 million until June 2014.

NABDP Phase III has three main components:

1. *Local Governance and District Development Assemblies (DDA) Institutionalisation*: Following the footsteps of Community Development Councils (see NSP, p. 58), the NABDP will continue the institutionalisation of DDAs to achieve full national coverage.

2. *Sustainable Livelihoods through Rural Infrastructure Services*: This component aims to fill gaps in physical infrastructure to promote agricultural productivity and rural economic development. This includes farm-to-market roads, irrigation works, food storage facilities, and local markets.
3. *Stabilisation through Enhanced Economic Livelihoods*: NABDP will contribute toward “a more holistic resolution” in conflict and post-conflict environments through “innovative operating platforms [which] encompass a number of economic generation models and schemes all of which should have a stabilizing influence on local communities.” This component also promotes alternative livelihood (AL, p. 25) opportunities for farmers dependent on poppy cultivation.

National Budget

www.budgetmof.gov.af

Each year, the government of Afghanistan produces a national budget. This budget is an estimate of the cost of providing services for that year, and specifies how these services are to be paid for. The national budget for the SY1388 (2009-10) fiscal year is the equivalent of approximately \$7.75 billion, which is being spent on a wide range of services including law and order, education, health and welfare provision, and rural and urban development. The cost of this provision is met from the proceeds of national taxation, charges for services provided, and money donated to Afghanistan by the international community in the form of development grants and loans.

Expenditure is classified according to its purpose. **Operating expenditure** is money spent on the day-to-day running costs of the government such as the salaries of civil servants, teachers and policemen; the running costs of offices and other operational premises; and the purchase of equipment and machinery such as computers and vehicles. Most of this expenditure is funded from taxation and other domestic sources. The budget for operating expenditure in SY1388 is \$1.81 billion.

Alongside the operating budget is the country’s **development budget**. This is money spent on expanding and improving service provision to the Afghan people. Most of this expenditure is in the form of development projects—building new schools, constructing new roads, installing new water supply and sanitation schemes, enhancing the capacity of human resources, etc. This budget is funded by international donors who have committed money to assist Afghanistan to improve internal security, raise the standard and coverage of public services, and stimulate the growth of the private sector of the economy.

The development budget is divided into two parts. The “**core**” **development budget** consists of development funding managed by the Ministry of Finance (MoF) through the government’s own accounting procedures—the core development budget for SY1388 is \$1.14 billion. The “**external**” **development budget** is money provided by donors that does not pass through government procedures—these funds are distributed directly by donors to their contracting partners. For SY1388, the “external” development budget is \$4.8 billion.

Producing the annual budget is a lengthy and complex process. Under the Afghan Constitution (p. 96), responsibility for managing this process is vested in the MoF. The annual budget preparation cycle takes about one year and MoF sets and monitors the timetable that governs it.

Budgeting activity always starts from the national plan—the Afghanistan National Development Strategy (ANDS, p. 15). This is a five-year programme setting out what the government, with the assistance of the donor community, wishes to achieve over that period, and specifying the main priority areas. The cost of delivering the plan, and the amounts and sources of income required to fund it, is projected in the medium-term financial and budget framework (MTBF), which in turn informs the annual budget-setting process.

MoF sets the rules for the preparation of the annual budget by issuing a series of budget circulars to line (i.e., service providing) ministries. These specify the budget rules and provide expenditure ceilings for both operating and development budgets. The line ministries draw up their own budget proposals which they submit to MoF. The budget estimates from all the ministries are then consolidated into the National Budget Document (NBD), which once approved by the Cabinet is presented to Parliament. Parliament discusses the budget for up to 45 days, at the end of which it “appropriates” (i.e., approves) the necessary funds.

In 2009, the MoF introduced a number of initiatives to improve national budgeting, and support the principles of good governance. Amongst these was the introduction of policy-based budgeting linking ministry spending directly to ANDS requirements in the form of program budgets. MoF has also taken a number of steps to assist line ministries by providing technical support, simplifying budget procedures, and allowing extra time for budget preparation. The ultimate objective is to enable line ministries to improve the quality and coverage of the services they provide to the people of Afghanistan.

National Development Framework (NDF)

The National Development Framework (NDF) was drawn up by the Afghan Interim Authority (AIA, p. 56) in 2002 as a roadmap for the development and reconstruction process in Afghanistan. It identified 16 National Development Programmes (NDPs) and six cross-cutting issues under three broad pillars: 1) human capital and social protection, 2) physical infrastructure, and 3) an enabling environment for development. The NDF also identified 12 National Priority Programmes (NPPs) that were meant to be major policy priorities for the government.

The 16 NDPs were overseen by corresponding Consultative Groups (CGs, p. 30). These CGs operated as a forum within which the details of reconstruction and development projects in each sector were designed and discussed. Each CG then implemented its sector’s plans by proposing a Public Investment Programme (PIP) for the National Development Budget (p. 56). In addition, Advisory Groups existed for each of the six cross-cutting issues.

The NDF, under the auspices of the Ministry of Finance, remained the primary basis for government and donor planning until January 2006, when it was replaced by the Interim Afghanistan National Development Strategy (see ANDS, p. 15).

National Human Development Report (NHDR)

www.cphd.af/nhdr.html

National Human Development Reports (NHDRs) are based on the human development concept, which emphasises the diversity of human needs, such as income, access to knowledge, nutrition and health, security, political and cultural freedom, and participation in the community. Since 1992, more than 500 NHDRs have been produced, primarily by developing countries with UNDP support.

Afghanistan's first NHDR was released in February 2005, "Security with a Human Face," which focused on the relationship between security and development. Produced by Kabul University and UNDP on behalf of the Afghan government, the report was based on a number of sectoral and thematic background papers commissioned from national researchers.

The second Afghanistan NHDR, released in late 2007, "Bringing Modernity and Tradition," was produced by the UNDP-sponsored Centre for Policy and Human Development (CPHD) at Kabul University. It focused on the linkages between rule of law and human development, highlighting key challenges to the expansion of the rule of law in Afghanistan and proposing approaches to bridge modernity and tradition in the search for social justice.

The third NHDR, again being prepared by the CPHD, is planned for release in 2010, and is tentatively titled, "Water Security and Human Development in a Stabilising Society." The report places water at the heart of the development debate and highlights case studies that look at vulnerable groups and areas with poor sanitation, such as rainfed farming communities in arid and semi-arid areas.

National Risk and Vulnerability Assessment (NRVA)

www.nrva.cso.gov.af

The National Risk and Vulnerability Assessment (NRVA) is the primary instrument through which the National Surveillance System (NSS, p. 59) Unit of the Central Statistics Organisation (CSO, p. 28) gathers and analyses information about poverty, food security, and vulnerability of the Afghan population. The NRVA aims to provide timely, credible information for use by the government and assistance actors in the design and implementation of social protection programmes, policies and strategies, such as the Afghanistan National Development Strategy (ANDS, p. 15). It is the only comprehensive, nationwide, multipurpose household survey in Afghanistan.

The first NRVA was conducted in 2003 in 32 provinces with cooperation from the World Food Programme and the Vulnerability Analysis Unit (VAU) of the Ministry of Rural Rehabilitation and Development (MRRD). The second NRVA was jointly conducted by CSO and VAU in 2005 in all 34 provinces, with significant improvements in (1) questionnaire scope to include remittances and reproduction and child health and (2) coverage of women, nomadic Kuchi, and large urban centres.

The CSO and MRRD, with cooperation from the European Commission, released the findings from the 2007/8 NRVA in October 2009. Compared to its predecessors, the latest NRVA was a shift

away from short-term data collection to a year-round strategy. Fieldwork was conducted from August 2007 to August 2008, which aimed to capture the seasonality of consumption to improve the quality of collected data, and to field a smaller group of carefully selected interviewers. The assessment collected information on: population structure and change, labour force characteristics, agriculture, poverty and equality, education, health, housing, position of women, and household shocks and community preferences.

Data results and reports from NRVA activities are available on the website of the CSO (www.cso.gov.af). In 2011, the NRVA is expected to change its name to the “Household Income and Expenditure Survey” or “Living and Standards Survey,” with new indicators.

National Solidarity Programme (NSP)

www.nspafghanistan.org

The National Solidarity Programme (NSP) was defined in the National Development Framework (NDF, p. 56) and is one of the still-functioning, original National Priority Programmes (NPP). The NSP is intended to improve access of rural communities to social and productive infrastructure and services and create a foundation for improved governance through:

- Establishing a framework for village-level consultative decision-making and representative local leadership as a basis for interaction within and between communities on the one hand, and with the government and aid agencies on the other
- Promoting local-level reconstruction, development, and capacity building

The NSP seeks to attain these objectives through four core program elements: 1) facilitating the creation of Community Development Councils (CDCs, representative decision-making bodies elected by secret ballot in fair and open elections involving both male and female community members); 2) helping the CDCs produce a Community Development Plan (CDP), which outlines development priorities and proposes reconstruction projects; 3) providing direct block grant transfers to fund CDP priorities; and 4) linking CDCs to government agencies, NGOs, and donors to improve access to services and resources. The programme is implemented by the communities themselves with the help of NSP Facilitating Partners (FPs), which include one UN agency, one private firm, and 26 local/international NGOs (as of November 2009).

As of January 2010, NSP had facilitated the election of more than 22,200 CDCs and guided the preparation of over 22,000 CDPs in 359 of Afghanistan’s 394 districts and provincial centres. Since the Programme’s inception, more than US\$678 million in grants have been disbursed to rural communities, nearly 36,000 projects have been completed, and another 13,500 have been approved. The projects have been undertaken in the areas of transportation (25% of projects), water supply and sanitation (24%), irrigation (17%), power supply (13%), education (12%), livelihoods (5%), and other sectors (3%). Human Capital Development (HCD) projects account for 15% of projects and 3% of grants. In many remote parts of the country, NSP is the only functioning government development programme.

The responsibility for overall management and supervision of the NSP lies with the Ministry of Rural Rehabilitation and Development (MRRD); Management Support Consultants (MSC) assist certain departments, including Finance and Management Information Systems. In addition, a World Bank task team has a supervisory function and a donor working group regularly liaises with NSP management.

The original NSP was followed by a second phase (referred to as NSP II) launched in April 2007. NSP II extended the programme to communities that were not covered by the first phase and currently closes in September 2011. NSP II aims to complete national roll-out of the programme.

The Afghan Government, NSP donors, Facilitating Partners, community members, and other programme stakeholders continue with preparation of a third phase of NSP. It is anticipated that the third phase will provide repeater block grants to CDCs and support for maintaining the institutional quality of CDCs.

Funding for the NSP comes from the World Bank, the Afghanistan Reconstruction Trust Fund (ARTF, p. 21), and bilateral donors. Contributing governments include Australia, Canada, Denmark, the European Commission, Finland, France, Germany, Italy, Japan, New Zealand, Norway, Spain, Sweden, Switzerland, the Netherlands, the United Kingdom, and the United States.

National Surveillance System (NSS)

www.mrrd.gov.af/nss-vau

The National Poverty, Vulnerability and Food Security Surveillance System, or the National Surveillance System (NSS) Project, was designed to bring data collection on food security, poverty, and vulnerability under one umbrella. The NSS is implemented by the Vulnerability Analysis Unit (VAU) of the Ministry of Rural Rehabilitation and Development (MRRD) as well as the NSS Unit of the Central Statistics Organisation (CSO, p. 28).

Activities began in September 2003, led by the VAU in close collaboration with the World Food Programme, the Ministry of Public Health, UNICEF, and the Ministry of Agriculture, Irrigation and Livestock. In 2005, NSS partnered with the CSO, and an NSS unit was created within CSO to take over National Risk and Vulnerability Assessment (NRVA, p. 57) data collection.

The objectives of the NSS Project are to generate information that contributes to improved policy development and programming, and to ensure relevant government institutions have the capacity to implement NSS activities in the future. The Project has four major components:

1. Baseline monitoring through the biannual NRVA
2. Emergency needs assessments
3. An early warning and information system
4. Research and specific studies

NSS is working to develop methodologies that better satisfy the government's need for information in times of acute crisis, such as earthquakes or severe flooding, and to develop early warning systems and emergency assessment services.

NGO Legislation and Code of Conduct

For the full text of the NGO Code of Conduct, see p. 141.

Since 2002 there have been two major initiatives to clarify what is, and what is not, a nonprofit nongovernmental organisation (NGO), and to strengthen the accountability and transparency of NGO activities in Afghanistan. The first initiative was legislation to determine what an NGO is and what are permissible NGO activities, set criteria for the establishment and internal governance of NGOs, clarify reporting requirements for NGOs, enable profit-making bodies currently registered as NGOs to establish themselves as businesses, and enhance the transparency and accountability of NGOs. The second initiative was an NGO Code of Conduct, designed by the NGO community working in Afghanistan as a self-governing mechanism to ensure commitment to transparency, accountability, and professional standards from all signatories.

In consultation with NGOs and with technical assistance from the International Centre for Not-for-Profit Law (ICNL), an initial draft for the NGO legislation was presented to the Ministry of Justice in 2003. NGOs called for the timely finalisation of the legislation at the Afghanistan Development Fora (ADF, p. 14) in both April 2004 and April 2005, and the NGO legislation was eventually passed in June 2005. This legislation provided a means by which nonprofit NGOs can be differentiated from the many contractors registered as NGOs (between 2001 and 2004 around 2,400 entities had registered with the government as NGOs, despite the lack of any official criteria for such a registration).

Shortly after the first NGO legislation draft was prepared for the government in July 2003, 120 NGOs participated in a workshop to discuss the content of the NGO Code of Conduct. The text of the Code was jointly drafted by the four major NGO coordination bodies in Afghanistan: Agency Coordinating Body for Afghan Relief (ACBAR, p. 23), Afghan NGOs Coordinating Bureau (ANCB, p. 9), Southern and Western Afghanistan and Balochistan Association for Coordination (SWABAC, p. 67), and Afghan Women's Network (AWN, p. 10). A Code of Conduct Secretariat was established under the auspices of ACBAR to coordinate and finalise the draft, which was completed in May 2004. The NGO community publicly launched the Afghanistan NGO Code of Conduct on 30 May 2005. In order to be a signatory to the Code of Conduct, NGOs are required to submit several documents to prove their NGO status, including legal registration documentation, coordination body membership, financial records, and proof of reporting to the relevant ministry. The NGO Code of Conduct has 100 Afghan and international signatories.

Office of Administrative Affairs and Council of Ministers Secretariat (OAA/CMS)

www.president.gov.af/root_eng.aspx?id=171

The Office of Administrative Affairs and Council of Ministers Secretariat (OAA) is an executive-level coordinating, facilitating and advising body that supports the President of Afghanistan in his role as the Head of State and the Head of Government/Chairman of the Council of Ministers. Originally set up in the 1950s under King Zahir Shah, the OAA's structure was modified in 2002; the Council of Ministers Secretariat and the Department of Monitoring and Evaluation were established as two separate directorates in 2003 to ensure systematic support to the Council of Ministers (COM) meetings. The OAA, as a hub for government institutions, mainly acts as the policy coordinator between the three pillars (executive, legislative and judiciary) of the Government of Afghanistan. Its other functions include monitoring the implementation of the Presidential decrees and the decisions of the Council of Ministers. It also provides administrative, logistical and financial support to the offices of the President, Vice Presidents, and Advisors to the President. The OAA also prepares the Government Achievement Report to the National Assembly at the end of each fiscal year to meet the mandate under Article 75, Clause 6 of the Constitution. Other functions of the OAA include reviewing and analysing all proposals aiming to be submitted to the COM, preparing agendas and minutes of Cabinet meetings, and facilitating the Council with required tasks. The OAA facilitates convention of all the regular and emergency meetings of the Cabinet as well as those of the economic, sociocultural and legal sub-committees.

Although an executive body, the OAA is designed to be impartial. It does not create policy, but rather coordinates policy development. The Office and Secretariat review policies drafted by ministries and ensure that these comply with the Afghanistan National Development Strategy (ANDS, p. 15), address cross-cutting initiatives, and contain a clear, accurate budget. Once the OAA approves the draft policy, it is passed on to the President and Cabinet for final review and possible approval. If a policy is approved, the OAA monitors and evaluates its implementation.

In 2008, assisted by other government agencies, the OAA organised many key events, meetings and conferences, including the Afghanistan-Pakistan Joint Peace Jirga and sessions related to the Afghan government's process of accountability to the nation. In 2009, the OAA provided advice and expert observations on policies and proposals, conducted the SY1387 (April 2008–March 2009) accountability process, and published more than 60 publications about government achievements in various sectors.

Paris Conference

www.diplomatie.gouv.fr and search "Paris Conference"

The International Conference in Support of Afghanistan, more widely known as the Paris Conference, was held on 12 June 2008 and was co-chaired by French President Nicolas Sarkozy, Afghan President Hamid Karzai, and UN Secretary-General Ban Ki-Moon. This major international meeting

formally launched the Afghanistan National Development Strategy (ANDS, p. 15). The conference was intended to be a show of “partnership” from the Afghan government and the international community “to work more closely together under Afghan leadership” to support the ANDS, as stated in the resulting declaration. Approximately \$20 billion was pledged to finance the implementation of the ANDS, including support for the preparation of elections in 2009 and 2010.

The declaration from the conference reaffirmed that the Afghanistan Compact (p. 12) would remain the basis for the development of Afghanistan, and it specified the priority areas of strengthening institutions and economic growth, particularly in agriculture and energy. The conference also resulted in statements on a renewed commitment to strengthening the effectiveness and quality of aid, as a shared responsibility. The international community agreed to provide increased resources in a more consistent, coordinated way, while the Afghan government promised to step-up economic and political reform.

Policy Action Group (PAG)

The Policy Action Group (PAG), a high-level task force and crisis management group, was established in June 2006 by President Hamid Karzai and then-Commander of the International Security Assistance Force (ISAF, p. 45) General David Richards to address the growing threat of insurgency in Afghanistan’s southern provinces.

The PAG aims to improve Afghanistan’s high-level capacity to manage crises, and to enhance the coordination of security operations and other security-related matters between the Government and the international community. The PAG meets monthly and includes: the National Security Advisor (as chair); the Ministers of Defence, Interior, Rural Rehabilitation and Development, Communications and Information Technology, Counter Narcotics, and Education; the Director General of the Independent Directorate for Local Governance (IDLG, p. 42); top representatives from the UN Assistance Mission in Afghanistan (UNAMA, p. 68), the International Security Assistance Force (ISAF, p. 45), and CSTC-A (see Coalition Forces, p. 29); and the ambassadors of the United Kingdom, the United States, Australia, Canada, Denmark, and the Netherlands, in addition to the EU Special Representative.

After the Joint Coordination and Monitoring Board (JCMB, p. 47), a high-level governing body, was restructured in 2008, the PAG members agreed in October to use the JCMB Standing Committee on Security to discuss policy issues, while the PAG would be used to discuss operational issues. It was also agreed that the PAG’s work would include security issues related to the whole country.

Key achievements of the PAG have included: the increased delivery of reconstruction assistance to southern Afghanistan; development of a joint security plan for voter registration between ANSF and the international military; and the establishment of the National Communications Coordination Centre, which formed the basis for improved information flow between the Government and its international partners. The new Government Media and Information Centre (GMIC, p. 40) has since taken over this role.

Poverty Reduction Strategy Paper (PRSP)

Poverty Reduction Strategy Papers (PRSPs) are designed to provide a framework of operation for donors and governments of poor countries. To qualify for debt relief and other concessions, low-income countries must produce a PRSP for some donors. The PRSP format is flexible, but it is based on a number of set principles. A PRSP should:

- Be country driven and owned, with the input of civil society and the private sector
- Have results oriented to benefit the poor
- Be comprehensive in recognising the multidimensional nature of poverty
- Be partnership oriented (developed in cooperation with bilateral, multilateral and nongovernmental actors)
- Be based on a long-term perspective for poverty reduction

Interim PRSPs (I-PRSPs) are developed by countries that are not yet ready to develop a full PRSP. At the Berlin Meeting (p. 26) in 2001, Afghanistan agreed to prepare a PRSP, with an I-PRSP due in June 2005. At the April 2005 Afghanistan Development Forum (ADF, p. 14), it was decided that the development of the Afghanistan National Development Strategy (ANDS, p. 15) would meet the benchmarks of a PRSP process. The Interim ANDS, which was launched in January 2006 after a nine-month preparation period, moved the country toward the achievement of a full PRSP. The full ANDS was finalised in April 2008 and submitted to the World Bank and the IMF as Afghanistan's PRSP.

Provincial Development Plan (PDP)

www.and.s.gov.af/ands/ands_docs/index.asp

Aimed at ensuring broad consensus on development priorities in Afghanistan, the creation of a Provincial Development Plan for each of the country's 34 provinces was initiated by the Afghanistan National Development Strategy (ANDS, p. 15). The plans were the result of sub-national consultations with local communities organised in every province to identify priorities and proposals for projects. The plans cover eight key sectors: infrastructure and natural resources, economic governance and private sector development, agriculture and rural development, education, health, social protection, governance, security, and rule of law/human rights. Subsequent consultations were held with representatives from provincial administration, civil society, and donor organisations to ensure the plans were aligned with the strategies of relevant government ministries. According to the Independent Directorate of Local Governance (IDLG, p. 42), the PDP process is among the efforts made to have provincial planning and budgeting performed by the provinces, rather than for the provinces (by central ministries in Kabul).

Provincial Reconstruction Team (PRT)

www.nato.int/isaf/topics/prt

Provincial Reconstruction Teams (PRT) are small teams of both military and civilian staff located in bases; PRTs are intended to facilitate reconstruction and provide security for assistance efforts at the provincial level. The concept was first proposed by the Coalition Forces (CF, p. 29) and the United States embassy in mid-2002 during discussions about shifting from Operation Enduring Freedom's Phase III (combat phase) to Phase IV (reconstruction phase). The establishment of PRTs was officially announced and endorsed by President Karzai in November 2002.

PRTs were originally established by Coalition Forces. The International Security Assistance Force (ISAF, p. 45), however, began taking over and establishing new PRTs in the North and West of Afghanistan in 2004, after an October 2003 UN Security Council resolution expanded ISAF's mandate beyond Kabul. Command of PRTs in the South and East was transferred to ISAF in 2006, leaving ISAF in charge of all PRTs in Afghanistan.

The objective of PRTs, as set forth by the PRT Executive Steering Committee, is to:

assist the Islamic Republic of Afghanistan to extend its authority, in order to facilitate the development of a stable and secure environment in the identified areas of operations, and enable SSR [Security Sector Reform] and reconstruction efforts.

This broad mission statement is not backed by a detailed mandate, and there is no single PRT model. While PRTs are led by individual lead nations, the military components of PRTs come under the command of ISAF commanders. The structure and operation of PRTs are influenced by the situation in particular provinces as well as by the philosophies, caveats and instructions of troop-contributing countries.

Each PRT comprises an average of 100-200 staff. The military personnel provide protection for the civilian component, which includes foreign affairs representatives, development officers, and donors. Some PRTs also have agricultural and veterinary advisors, civilian police trainers, governance advisors, development advisors, and counter-narcotic specialists. The coordination of reconstruction and development activities is the responsibility of civilian PRT staff.

PRT activities are monitored and guided by a PRT Executive Steering Committee chaired by the Minister of Interior and co-chaired by the ISAF and CF commanders. The Committee includes representatives from the Ministry of Finance, the Ministry of Rural Rehabilitation and Development, Coalition Forces, ISAF, UNAMA (p. 68), and troop-contributing countries. A PRT working group supports the work of the Steering Committee.

Some NGO actors are concerned that PRT involvement in humanitarian assistance blurs the distinction between the military and aid sectors. Proponents counter that PRTs can enable assistance projects to be carried out in high-risk areas generally inaccessible to aid agencies.

As of January 2010, there are 26 PRTs operating in the country. Twelve are provided by the United States, two by Germany, and one each by New Zealand, Turkey, Canada, the United Kingdom, the Netherlands, Italy, Spain, Lithuania, Norway, Hungary, Sweden, and the Czech Republic.

Public Administration Reform (PAR)

The Afghan government's Public Administration Reform (PAR) framework seeks to create an efficient, effective and transparent civil service in Afghanistan. Overseen by the Independent Administrative Reform and Civil Service Commission (IARCSC, p. 41) and the Independent Directorate of Local Governance (IDLG, p. 42), PAR is one of the priorities laid out in the Afghanistan Compact (p. 12) and the Afghanistan National Development Strategy (ANDS, p. 15).

PAR aims to address a variety of problems, including: the fragmentation of government structures, with many overlapping functions and a lack of coordination among agencies; the often tenuous connection between the centre (Kabul) and the provinces; the unclear lines of accountability with weak reinforcement mechanisms; the lack of experienced professional staff with the necessary skills; the lack of robust procedures for recruitment and appointment on merit, which has led to a high level of patronage-based appointments; the need for a pay and grading structure which attracts, retains and motivates civil servants; poor physical infrastructure; and slow and outdated administrative systems.

A central element of PAR has been the Priority Reform and Restructuring (PRR) initiative, aimed at creating administrative capacity in ministries and giving targeted salary increases. PRR was also designed to ensure consistency across ministries that are reforming with the help of different donors.

In 2005, the PAR programme was redesigned and a framework for SY1385-89 (2006-10) was developed, shifting the focus away from piecemeal initiatives toward more comprehensive reform involving whole ministries and other independent agencies that are allocated funds directly from the Ministry of Finance (also known as primary budget units); it was also intended to move the reforms from the centre to provinces and districts. This new version of the PAR programme was reorganised into five parts, along functional and programmatic themes: 1) administrative reform, 2) salaries and incentives, 3) civil service management, 4) ensuring and expanding merit-based appointments, and 5) capacity enhancement.

For more information on Afghanistan's public sector, see p. 80.

Rome Conference on Justice and Rule of Law

www.rolafghanistan.esteri.it

See Justice Sector Reform, p. 48.

Security Sector Reform (SSR)

Poor security is one of the primary obstacles to the timely progress of reconstruction and development activities in Afghanistan. The government's framework for Security Sector Reform

(SSR) aims to address this problem. Announced at the February 2003 Tokyo Meeting on the Consolidation of Peace in Afghanistan (p. 67), SSR has five pillars:

1. The establishment of the Afghan National Army (ANA, p. 5)
2. The establishment of the Afghan National Police (ANP, p. 6)
3. Justice Sector Reform (JSR, p. 48)
4. Disarmament, Demobilisation and Reintegration (DDR, p. 35)
5. Counter Narcotics (CN, p. 32)

Upon completion of the DDR process in June 2005, the Disbandment of Illegal Armed Groups (DIAG, p. 35) commenced. DIAG is designed to disarm and disband illegal armed groups operating outside central government control.

With the exception of DDR, these pillars corresponded explicitly to the reform and creation of government ministries—the Ministry of Defence, the Ministry of Interior, the Ministry of Justice, and the Ministry of Counter Narcotics. At the Bonn (p. 27) and Tokyo (p. 67) meetings, five donor countries agreed to each take the lead on a specific SSR pillar: the United States on the ANA, Germany on the ANP (a role later taken over by the European Union Police Mission in Afghanistan, p. 38), Italy on JSR, Japan on DDR, and the United Kingdom on counter-narcotics. Originally referred to as “lead donors,” these “key partners” were responsible for overseeing their particular sectors, although they were not necessarily contributing the most funds; the “lead donor” or “key partner” terminology is no longer used. Additional donors are involved to various degrees in each area, and the United States is involved to some extent in all of them.

Since 2004, the National Security Council (NSC) and the Office of the National Security Council have been responsible for overall coordination of SSR activities and established two coordinating committees, both of which included international representation: the Security Sector Reform Coordination Committee and the Security Coordination Forum. A new SSR strategy was referred to in the final Afghanistan National Development Strategy (ANDS, p. 15), which was approved by President Hamid Karzai in April 2008. However, unlike the ANDS, the national security policy and SSR strategy are not publicly available.

In 2009, a non-state security force was created as a short-term solution until effective state security forces are realised. The Afghan Public Protection Program (APPP or AP3) is an Afghan-led initiative that recruits and trains local people to serve as community guard forces in unsecured regions. It is intended to bolster police as a tangible and immediate-improvement community watch/policing program. Operated under the Ministry of the Interior (MoI), it is currently a pilot program in Wardak Province, with plans for expansion in 2010. Some concerns have been raised that the effort could undermine state authority and progress made in disarmament.

In October 2009, the United States authorised APPP/AP3 for the 2010 fiscal year under the National Defence Authorisation Act, and will require reporting on long-term plans for the program. In the meantime, other police services are being developed as part of the security strategy, including the Afghan Uniformed Police (AUP) and National Civil Order Police (ANCOP).

Southern and Western Afghanistan and Balochistan Association for Coordination (SWABAC)

The Southern and Western Afghanistan and Balochistan Association for Coordination (SWABAC) is a coordination body for Afghan and international NGOs working in southern Afghanistan. Its head office is in Kandahar and it is currently in the process opening a sub-office in Kabul.

SWABAC was founded in September 1988 by 12 NGOs engaged in relief and rehabilitation work with Afghan refugee villages in Balochistan and communities inside Afghanistan. Membership is open to government-registered NGOs working in southern Afghanistan who show a dedication to coordination and have proof of donor funding, have an organisational profile, and are certified by five other NGOs. As of November 2009, SWABAC had 35 members. It holds regular membership meetings, monthly general assembly meetings, and biweekly panel meetings for the advisory committee, as well as meetings on an as-needed basis.

SWABAC's activities fall within three major categories: coordination, advocacy, and capacity-building. SWABAC provides a forum for members to discuss their concerns about policy guidelines for delivering assistance, resource management, and other operational issues, with the ultimate goal of improving coordination among the assistance community in southern Afghanistan. SWABAC was involved in drafting the NGO Code of Conduct (p. 60) in cooperation with the Agency Coordinating Body for Afghan Relief (ACBAR, p. 23), the Afghan NGO Coordination Bureau (ANCB, p. 9), and the Afghan Women's Network (AWN, p. 10). On behalf of its member NGOs and as a representative of the southern region, SWABAC played a role in developing both the Agriculture and the Rural Development sectors in the Afghanistan National Development Strategy (ANDS, p. 15).

SWABAC is also a member of the Afghan Civil Society Forum Organisation (ACSFO, p. 3) and is the lead agency for the Local Cooperation and Coordination Sector of Kandahar's Provincial Development Committee. The association's funding sources include membership fees; its monitoring and evaluation projects are funded by the United Nations. In the future, the association plans to focus more on capacity building of civil society through workshops, training, and the establishment of a resource centre. SWABAC is also in the process of applying for membership with the International Council of Voluntary Agencies (ICVA).

Tokyo Meetings

www.mofa.go.jp/region/middle_e/afghanistan/min0201

The Tokyo Ministerial Meeting—formally known as the International Conference on Reconstruction Assistance to Afghanistan—was a meeting of the Afghanistan Reconstruction Steering Group (ARSG) that mobilised the first substantial post-Taliban donor commitments for the reconstruction of Afghanistan. It took place on 21-22 January 2002, and was co-chaired by Japan, the United States, the European Union, and Saudi Arabia. Ministers and representatives from 61 countries and 21 international organisations attended. NGOs held a separate parallel meeting, the results of which were reported to the plenary session of the Ministerial Meeting.

Discussions focused on a comprehensive framework for reconstruction over the longer term and costed the recovery needs of Afghanistan over the following ten years at US\$15 billion. This figure was increased to US\$27.4 billion in the Securing Afghanistan's Future report that resulted from the Berlin Meeting (p. 26) held in March 2004.

In February 2003 another meeting was held in Tokyo: the Tokyo Conference on the Consolidation of Peace in Afghanistan. It was held to discuss security reform in Afghanistan and resulted in the five-pillar Security Sector Reform (SSR, p. 65) strategy.

United Nations Assistance Mission in Afghanistan (UNAMA)

unama.unmissions.org

The United Nations Assistance Mission in Afghanistan (UNAMA) was established by UN Security Council Resolution 1401 on 28 March 2002 following the Bonn Agreement of December 2001. UNAMA is responsible for fulfilling the UN's obligations in Afghanistan as originally outlined by the Bonn Agreement (p. 27) and for managing UN humanitarian relief, recovery and reconstruction activities in coordination with the Afghan government.

UNAMA absorbed the two UN agencies that preceded it: the Special Mission to Afghanistan (UNSMIA), a political mission that had begun in July 1996, and the Office for Coordination of Humanitarian Assistance to Afghanistan (UNOCHA), a relief and reconstruction mission that had begun in January 1993. Prior to UNOCHA, the UN Office for the Coordination of Humanitarian and Economic Assistance Programmes (UNOCA) coordinated reconstruction efforts in Afghanistan. The chart on page 71 illustrates the evolution of UN coordination in Afghanistan.

UNAMA's mandate has been extended six times by the UN Security Council by: Resolution 1471 (March 2003), Resolution 1536 (March 2004), Resolution 1589 (March 2005), Resolution 1662 (March 2006), Resolution 1806 (March 2008), and Resolution 1868 (March 2009). Security Council Resolution 1868 extended UNAMA's mandate until March 2010 and recognised the key role played by the UN in coordinating international efforts in Afghanistan and in supporting the scheduled 2010 elections. It also instructs UNAMA to continue to: provide political and strategic advice for the peace process; provide good offices; assist the Afghan government in the implementation of the Afghanistan Compact; promote human rights; provide technical assistance; and continue to manage all UN humanitarian relief, recovery, reconstruction and development activities in coordination with the Afghan government. Resolution 1868 also mandates for the Secretary-General to report to the Council every three months with benchmarks on measuring and tracking progress of UNAMA's mandate.

UNAMA, the main point of contact for the entire UN system in Afghanistan, is the only agency authorised to speak on behalf of the UN regarding political insecurity in the country. It is led by the Special Representative of the UN Secretary-General (SRSG); in Spring 2010, Staffan di Mistura of Sweden replaced Kai Eide in the post. The Office of the SRSG is responsible for policy guidance and

high-level decision-making, and it liaises with the Government, the Coalition Forces (CF, p. 29), and the International Security Assistance Force (ISAF, p. 45). The SRSG has Special Advisers on human rights, gender, drugs, rule of law, police, military, demobilisation, and legal issues, as well as a spokesperson who runs the Strategic Communication and Spokespersons Unit.

Two Deputy Special Representatives to the Secretary-General head the two pillars of UNAMA's operations: 1) Political Affairs, and 2) Relief, Recovery and Reconstruction. The UNAMA Chief of Staff is responsible for integrating the two strands of the mission and providing support to UNAMA's 23 operational regional and provincial offices in areas including Kabul, Balkh, Kunduz, Ghor, Herat, Nangarhar, Bamiyan, Paktia, Khost, Nimroz, Badghis, Herat, Faryab, Badakhshan, Daikundi, Kandahar, Sar-i-Pul and Zabul, as well as liaison offices in Tehran and Islamabad.

In recent years UNAMA's activities have included focus on: improving donor and government coordination through the Joint Coordination and Monitoring Board (JCMB, p. 47), the Policy Action Group (PAG, p. 62), and ISAF; conflict resolution at provincial levels; raising the issue of civilian casualties and promoting the process of casualty verification; vetting senior officers within the Afghan National Police (ANP, p. 6) for criminal and human rights violations as part of pay and rank reform; advocating for reform of the Ministry of Interior; and promoting the implementation of the Afghan National Development Strategy (ANDS, p. 15).

In 2009, for the fourth year in a row, UNAMA took the lead in organising activities surrounding the International Day of Peace as well as National Youth Day. The agency also worked closely with the Independent Election Commission to provide assistance with the elections process (IEC, p. 44). The Electoral Complaints Commission (ECC, p. 36), the body responsible for hearing and adjudicating elections-related complaints, has three international commissioners appointed by the SRSG.

United Nations Development Assistance Framework (UNDAF)

The United Nations Development Assistance Framework (UNDAF) is a programme-planning framework for all UN agencies operating in Afghanistan. It is important to note that although the UNDAF describes the common response of the UN system at country-level, it does not replace each agency's individual programme.

In Afghanistan, the first UNDAF (2006-2008) revolved around four critical areas of support and cooperation for the period: 1) governance, rule of law and human rights, 2) sustainable livelihoods, 3) health and education, and 4) environment and natural resources.

The second UNDAF, which spans from 2010-2013, was launched in October 2009. The 33 members of the UN Country Team jointly and extensively consulted national and international partners and prepared the framework to support the Afghan National Development Strategy (ANDS, p. 15). The UNDAF comprises three mutually reinforcing priorities: 1) governance, peace and stability, 2) sustainable livelihoods: agriculture, food security and income opportunities, and 3) basic social services: health, education, water and sanitation.

The first priority area, “good governance, peace and stability,” will focus on strengthening people’s trust in the state, tackling corruption, fighting impunity, enhancing respect for human rights, building effective institutions, and increasing access to justice. Under this priority area, the UN will strengthen national capacities and continue its engagement in demining, improved border management, security sector reform (SSR, p. 65), strengthening the rule of law, and efforts to curb the drug trade (Counter-Narcotics, p. 32).

Under the second priority area, “sustainable livelihoods,” the UN will attempt to improve and diversify food at the household level, expand irrigation networks, provide better quality seeds, and implement food security programmes. UN agencies will also support national capacity to address natural disasters and manage natural resources in ways that reduce poverty and resolve disputes.

The “basic social services” priority area will complement the Government’s efforts to support literacy and vocational training, primary and secondary schooling, and higher education. The UN Country Team will also help to improve health systems and services, safe drinking water, sanitation, and healthier lifestyles.

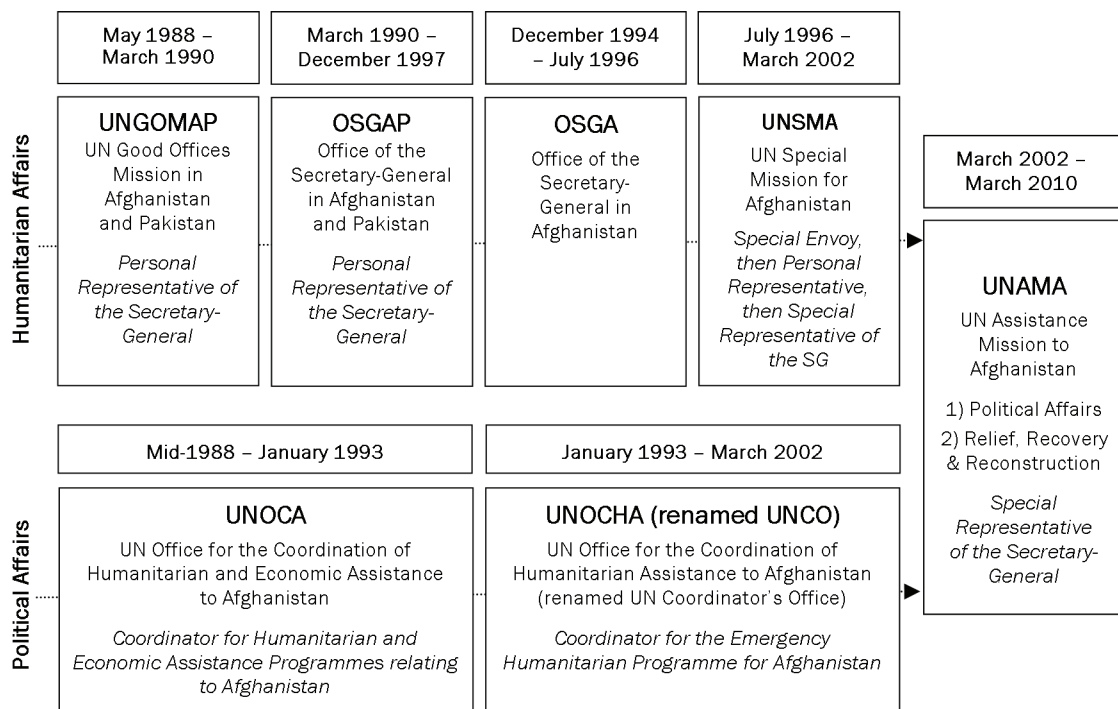
With an overall budget estimated at around \$4 billion, the UN agencies will make a particular effort to deliver more and to engage jointly in a few under-served provinces, pulling together their expertise and capacity. A UN Common Fund will be established to mobilise resources, ensure more equitable distribution of assistance, and encourage agencies to work together.

The 26 UN signatories to the new Framework are:

- United Nations Assistance Mission in Afghanistan (UNAMA)
- Food and Agriculture Organisation of the United Nations (FAO)
- United Nations Human Settlements Programme (UN-HABITAT)
- International Labour Organisation (ILO)
- International Organisation for Migration (IOM)
- International Monetary Fund (IMF)
- United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)
- United Nations Development Programme (UNDP)
- United Nations Environment Programme (UNEP)
- United Nations Educational, Scientific and Cultural Organisation (UNESCO)
- United Nations Population Fund (UNFPA)
- Office of the United Nations High Commissioner for Refugees (UNHCR)
- United Nations Children’s Fund (UNICEF)
- United Nations Industrial Development Organisation (UNIDO)

- United Nations Development Fund for Women (UNIFEM)
- United Nations Integrated Regional Information Network (UNIRIN)
- Mine Action Coordination Centre of Afghanistan (MACCA)
- United Nations Office on Drugs and Crime (UNODC)
- Office of the High Commissioner for Human Rights (UNOHCHR)
- United Nations Office for Project Services (UNOPS)
- World Food Programme (WFP)
- World Health Organisation (WHO)
- World Bank (WB)
- Asian Development Bank (ADB)
- United Nations Conference on Trade and Development (UNCTAD)
- United Nations Joint Programme on HIV/AIDS (UNAIDS)

United Nations Coordination in Afghanistan, 1998-2010



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Background

Following the collapse of the Taliban regime at the end of 2001, Afghan factional leaders came together at a UN-sponsored conference in Bonn, Germany, where the Bonn Agreement (p. 27) was signed. The Agreement appointed the Afghanistan Interim Administration and set out a timetable for re-establishing permanent government institutions and “a broad-based, gender sensitive, multi-ethnic and fully representative government” in Afghanistan over the course of two and a half years. The Emergency Loya Jirga (ELJ, p. 37) of June 2002 replaced the AIA with the Afghanistan Transitional Authority (ATA), and elected Hamid Karzai as the Head of State—and temporary Head of Government, in the absence of a legislature—of the Transitional Islamic State of Afghanistan.

In line with the Bonn timetable, a new Constitution (full text, p. 96) was debated and endorsed by a Constitutional Loya Jirga (CLJ, p. 31), which ran from 14 December 2003 to 4 January 2004. The Constitution provides for an elected President, along with two nominated Vice Presidents, and a National Assembly comprising two houses, the lower *Wolesi Jirga* (House of the People) and the upper *Meshrano Jirga* (House of Elders). On the sub-national level, it provides for elected Provincial, District, Village and Municipal Councils, as well as Governors and Mayors appointed by the President.

In an election held on 9 October 2004, Hamid Karzai became the first popularly elected President of Afghanistan, with 55% of the vote. He was sworn in on 7 December 2004, at which time the transitional state officially became the new Islamic Republic of Afghanistan. Legislative and Provincial and District Council elections were supposed to be held concurrently with the Presidential election, but were postponed due to security and technical problems. Elections for the *Wolesi Jirga* and Provincial Councils were eventually held on 18 September 2005. A second set of Presidential and Provincial Council elections took place in 2009, a controversial process that ended with President Karzai assuming office for his second term.

Government in Afghanistan

The Executive

The executive branch of Afghanistan’s central government is comprised of the Office of the President, two Vice Presidents, the Attorney General, the Cabinet comprised of 26 ministers, as well as several independent bodies and other central government agencies (see Organogram, p. 84). The President is directly elected for a five-year period and can serve a maximum of two terms. Candidates for the presidency name their two vice presidential candidates at the time of nomination. The President is the Head of State, the Chair of the Cabinet, and the Commander-in-Chief of the armed forces.

The overall Office of the President consists of the Office of the President itself, the Security Council, the Press Office, and the Office of Administrative Affairs (OAA, p. 61), which provides administrative, logistical and financial support to the President, Vice Presidents, and advisors to the President.

The President nominates ministers, the Attorney General, the Governor of Da Afghanistan Bank (the

central bank), the members of the Supreme Court, the Head of the National Security Directorate, and the President of the Red Crescent Society. Nominees are then subject to parliamentary vote, and if rejected by the National Assembly, may not assume office. Of 24 ministerial nominees initially put forward by the President in December 2009, only 7 were accepted by the *Wolesi Jirga*. In January 2010, 10 of the 17 replacement nominees were rejected. According to the Constitution, all other executive posts, including that of the Vice Presidents, the Mayor of Kabul, and the heads of various commissions, are appointed by the President and do not require the approval of the National Assembly.

The Legislature

National Assembly

As provided by the 2004 Constitution, the National Assembly—commonly referred to as the Parliament—consists of two houses, the lower *Wolesi Jirga* (House of the People) and the upper *Meshrano Jirga* (House of Elders). The new National Assembly convened for the first time in December 2005, following the September 2005 parliamentary elections.

Members of the *Wolesi Jirga* are directly elected for five years by provincial constituencies. There are currently 249 seats in the *Wolesi Jirga*; the Constitution stipulates that the maximum number of seats is 250. Seats are distributed among the provinces according to population size (see table on p. 86). The Constitution states that an average of two seats from each province, 68 in total, are reserved for women. Ten seats are reserved for the Kuchi (nomad) population, three of which must go to women. The provision for Kuchis has, however, been hotly contested among parliamentarians since the 2005 elections.

The *Meshrano Jirga* has 102 members, selected by a mixture of Presidential appointments (one third) and indirect elections following popular elections for the *Wolesi Jirga* and Provincial and District Councils (two-thirds). The Constitution stipulates that members of the *Meshrano Jirga* are elected and appointed as follows:

- From among the members of each Provincial Council, the respective council elects one person for a period of four years
- From among the District Councils of each province, the respective councils elect one person for a period of three years

The President appoints the remaining one-third of the members, including two representatives of the disabled and two representatives of Kuchis, for a period of five years. Of these presidential appointees, 50% must be women.

While the Constitution has provisions for District Council elections, these have not been held to date. A temporary solution was devised for the interim: Instead of one, each Provincial Council elects two of its members to the *Meshrano Jirga* (one for four years and a second for three years or until district elections are held), thereby maintaining the 2:1 ratio of elected to appointed seats. Five years after the temporary solution was adopted, plans to hold district elections are

still unclear and they remain postponed. The temporary means of forming the *Meshrano Jirga* will remain in place for the coming round of parliamentary elections, and will continue to function until District Councils are formed.

Members of the National Assembly must be Afghan citizens. Candidates must be at least 25 years of age at the date of candidacy for the *Wolesi Jirga*, and at least 35 at the date of election or appointment to the *Meshrano Jirga*. It is not possible to be a member of both the *Meshrano Jirga* and *Wolesi Jirga* at the same time.

The National Assembly convenes two ordinary sessions per year, and its term is nine months in the year. Sessions are open to the public unless secrecy is requested by the Chairman of the National Assembly or at least 10 members, and it is granted by the Assembly.

According to Article 90 of the Constitution, the National Assembly has the following authorities:

- Ratification, modification or abrogation of laws and legislative decrees
- Approval of plans for economic, social, cultural and technological development
- Approval of state budget, permission for obtaining and granting loans
- Creation, modification and abrogation of administrative units
- Ratification of international treaties and agreements, or abrogation of the membership of Afghanistan to them
- Other authorities specified in the Constitution

Policies and legislation can be initiated by the Office of the President, individual ministries, or the National Assembly, and become law after passing through both houses of the National Assembly and being endorsed by the President. Article 94 of the Constitution states that:

- Law is what both Houses of the National Assembly approve and the President endorses unless this Constitution states otherwise
- In case the President does not agree to what the National Assembly approves, he can send the document back with justifiable reasons to the *Wolesi Jirga* within 15 days of its submission
- With the passage of this period or in case the *Wolesi Jirga* approves a particular case again with a two-third majority vote, the bill is considered endorsed and enforced

Certain legislative documents (rules, directives and guidelines) can be decreed by individual ministers. A proposed bill or signed decree should be passed by the National Assembly within one month of its submission. There are 18 commissions in the *Wolesi Jirga* and 14 in the *Meshrano Jirga*.

The 2001 Bonn Agreement stated that the Constitution of 1964 and other existing laws (providing they were not inconsistent with the Bonn Agreement or Afghanistan's international legal obligations) would constitute an interim legal framework until a new Constitution was passed. The

new Constitution entered into force in 2004 and numerous decrees and laws have been enacted according to its provisions. The department of the Ministry of Justice responsible for drafting legislation, the *Taqnin*, has drafted many laws that have replaced old legislation. Contradictory legislation enacted by various former regimes remains, however, and harmonisation efforts continue.

For more information about laws in Afghanistan, see p. 50.

Support to the National Assembly

A number of international actors have provided technical support to the National Assembly, including UNDP's SEAL (Support to the Establishment of the Afghan Legislature) project, which began in February 2005 and was extended in March 2008 for a further four years. This project has provided assistance including legal support, information and communication technologies, parliamentary outreach and public awareness programmes, project management, and specialised training. More recently, SEAL has been involved with encouraging political party/issues-based group development inside parliament. Key actors in the project are France (the lead nation for parliamentary support), UNDP, UNAMA (p. 68), and the Afghan government.

Other actors supporting the development of the National Assembly have included the Afghanistan Parliamentary Assistance Project run by the State University of New York (SUNY) (APAP, p. 20), International Republican Institute (IRI), National Democratic Institute (NDI), International Foundation for Electoral Systems (IFES), Friedrich-Ebert-Stiftung, Global Rights, and UNIFEM.

Provincial Councils

The 34 Provincial Councils have between 9 and 29 members depending on the size of the province's population, and are elected in a single provincial constituency. Candidates must reside in the province in which they stand for election, and cannot stand simultaneously for both *Wolesi Jirga* and Provincial Council elections. The Election Law states that one-quarter of the seats on a Provincial Council should be reserved for women. Two members from each Provincial Council serve in the *Meshrano Jirga* (this will decrease to one member per Provincial Council if District Councils are elected and formed). To date, two rounds of Provincial Council elections have taken place, in 2005 and 2009, following the Constitutional requirement that they occur every four years. Accordingly, the next elections for these provincial bodies will take place in 2013.

The 2007 Provincial Council Law is vague on the Councils' responsibilities, and significant confusion remains about their exact role—while a mandate exists, it is ambiguous and does not allocate them decision-making authority. Thus far, Provincial Council activities have included: electing provincial representatives from their own membership to the *Meshrano Jirga*; participating in the development of the provinces and improvement of administrative affairs; and advising provincial administrations of issues such as development planning. Their role in a given province is often dependent on the relationship between the Council and the Provincial Governor.

District Councils

According to the Constitution, District Councils will have between 5 and 15 members depending on the size of the district's population, and be elected every three years. Candidates must reside in the district in which they stand for election. If formed, they will elect one-third of the members of the *Meshrano Jirga*.

To date, however, elections for District Councils have not been held. There are a number of reasons for this. First, district boundaries in some areas have not been confirmed, and thus it is not possible to calculate district populations or judge how many District Council seats should be allocated to these districts. This problem is compounded by the lack of an up-to-date census for the country as a whole. Second, voter registration processes have not registered voters by district, given the ambiguity of boundaries, and instead have only been by province. Thus, in order to conduct District Council elections, another registration process would be required.

A Constitutional provision (Article 110) states that should a *Loya Jirga* need to be held (for example, in order to change the Constitution, or discuss "supreme interests of the country"), it must be comprised of the National Assembly plus the chairpersons of Provincial and District Councils. As such, the formation of District Councils would be necessary in the event that a *Loya Jirga* is called.

During 2009, District Council elections were mooted for 2010, alongside *Wolesi Jirga* elections, although this is unlikely to occur.

Village Councils and Municipal Councils

The Constitution also calls for the election of Village Councils, Municipal Councils, and Mayors through free, general, secret and direct elections. Village Councils are to be elected for three years. The terms of Municipal Councils and Mayors are not yet specified, and the mandates of Village and Municipal Councils are not elaborated in the Constitution or the Election Law. Elections for these bodies are unlikely to be held in the next several years.

The Judiciary

The major permanent justice institutions in Afghanistan are the Supreme Court, the Office of the Attorney General, and the Ministry of Justice. The justice sector was heavily factionalised, with strained relationships among justice institutions, but in recent years Justice Sector Reform (JSR, p. 48) has advanced significantly, with coordinated and integrated approaches adopted and implemented by Afghan justice institutions, the Afghan government, and the international assistance community. This included the adoption of a National Justice Sector Strategy and National Justice Program that encompasses the entire justice sector.

The 2004 Constitution states: "The judicial branch is an independent organ of the state of the Islamic Republic of Afghanistan. The judicial branch consists of the Supreme Court (*Stera Mahkama*), High Courts, Appeal Courts, and Primary Courts, the structure and authorities of which are determined by law." In June 2005, a new law regulating the judiciary and courts was

passed by the Cabinet. Until this point, the system had been governed by the 1990 Law of the Jurisdiction and Organisation of the Courts of Afghanistan (*Official Gazette* no. 63, SY1369). The new law divides the courts into three tiers: the Supreme Court, the Courts of Appeal, and the Primary Courts. It allows for travelling or mobile courts in the event that they are needed; these must be approved by the President.

The Supreme Court has wide-ranging powers of interpretation: Its duties include the review of laws, decrees, international treaties, and international covenants to ensure they comply with the Constitution. The Office of the Attorney General is an independent body, part of the Executive branch, responsible for investigation and prosecution.

The reach of the formal justice system varies significantly across the country. A large proportion of disputes in Afghanistan are settled outside the formal court system—particularly, but not exclusively, in rural areas. Community-based justice mechanisms—*shuras*, *jirgas* and *jalasas*—often settle civil and sometimes criminal disputes using Islamic and customary/tribal laws of that area. The justice system is therefore composed of both formal and informal mechanisms that include civil law, Islamic, and customary/tribal law. Many instances are found in which formal and informal mechanisms and actors engage with one another. There are common elements among these systems with respect to issues such as land and property, but they can diverge quite dramatically on criminal matters and the role and nature of punishment.

As specified in the Bonn Agreement, the Judicial Reform Commission (JRC) was established in November 2002 to review and reform the fragmented justice sector. The JRC was tasked with guiding the physical and structural restoration of the justice system—balancing modern and Islamic law, addressing the plurality of legal organs, and clarifying the roles and reporting structures of the various parts of the judicial branch. The JRC was a temporary institution, and by early 2005 its responsibilities had devolved to the permanent justice institutions. As part of the Afghanistan National Development Strategy (ANDS, p. 15) process, national-level coordination of justice sector initiatives came under the responsibility of the Justice Sector Consultative Group. According to the ANDS, the National Justice Programme’s Project Oversight Committee and Program Support Unit (see Justice Sector Reform, p. 48) are intended to take over these coordinating functions.

The Constitution allows for judges to be trained in either civil or Islamic law. Sitting judges are not allowed to hold political party membership.

The Supreme Court

In accordance with the Constitution, the Supreme Court has nine members, appointed for ten-year terms by the President, with the approval of the *Wolesi Jirga*. The President selects one of the nine members to serve as Chief Justice. The Supreme Court manages the personnel, budgets, and policy decisions of the entire national, provincial and district court system.

The Supreme Court convenes regular sessions, at least once every 15 days, and additional sessions can be convened by request. The presence of at least six members is needed for a Supreme Court quorum, and decisions are made by majority vote. The Supreme Court is divided

into four sub-courts or departments (*dewans*)—General Criminal, Public/National Security, Civil and Public Rights, and Commercial—each headed by a Supreme Court Justice.

Nine new Supreme Court members were sworn in on 5 August 2006. The new Court is characterised as moderate, technocratic and highly educated in comparison to its ultra-conservative predecessor.

Courts of Appeal

Courts of Appeal are operational in all provinces (although a few in some provinces do not have the requisite number of judges to hear appeal cases). They comprise the Chief of the Court, other judicial members, and heads of *dewans*. Courts of Appeal in more populous provinces have five *dewans*—General Criminal (which also deals with traffic violations), Public Security, Civil and Family, Public Rights, and Commercial. Those in less populous provinces have four *dewans*—City Primary Court, General Criminal, Civil, and Public Security. Only the Court of Appeal in Kabul has a Juvenile Court specially created to hear cases involving juveniles; however, in many provinces there are judges experienced or trained to deal with juvenile cases. The Courts of Appeal oversee the rulings and decisions of the Primary Courts in their respective province, and have the authority to correct, overturn, amend, confirm or repeal these rulings and decisions. They are also responsible for deciding on conflicts of judicial jurisdiction.

Primary Courts

At the district level, the City Primary Court (which is the primary court in the provincial capital) consists of five *dewans*—General Criminal, Civil, Public Rights, Public Security, and Traffic. Primary Courts in all districts outside the provincial capital have three *dewans*—General Criminal, Public Security, and Civil and Public Rights. Many districts do not currently have functional primary courts, mainly due to security concerns. In many cases, judges hold primary court sessions in the provincial capital.

Criminal cases are initiated by the Prosecutor's Office filing them with the Primary Court; civil rights cases are filed with an office in the Ministry of Justice. Thereafter, a series of judicial sessions may be held until a decision is reached by the Primary Court. Almost as a matter of customary practice, most cases decided by the Primary Courts are appealed to the Courts of Appeal. When appeals reach the Supreme Court, judges often send the case back to the Primary Court for a new hearing.

The Public Sector

Structure

Afghanistan's public sector consists of the central government, provinces, municipalities (urban sub-units of provinces), and districts (rural sub-units of provinces), as well as state enterprises (wholly and majority owned). State agencies, including central government ministries and institutions, are considered to be primary budgetary units with their own discrete budgets.

In theory, Afghanistan is a unitary state: All political authority is vested in the government in Kabul. The powers and responsibilities of the provincial and district administrations are determined (and therefore may be withdrawn) by the central government. Though provinces and districts are legally recognised units of sub-national administration, they are not intended to be autonomous in their policy decisions. However, given the political and military strength of some regional power-holders, the practical reality is that certain provinces have considerable decision-making authority.

Legally recognised local government units

- 34 provinces (each a *wolayat*)
- Approximately 384 districts (a *woliswali*)—the number of districts in each province varies between 4 and 27
- Provincial municipalities (a *sharwali wolayat*)—in principle each province contains one municipality
- Rural municipalities (a *sharwali woliswali*)—each district contains at most one rural municipality, but some do not have any

The Constitution explicitly allows a measure of decentralisation 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 137). 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.

The country’s 34 provinces are the basic units of local administration. The executive at the provincial level is the Governor (*Wali*), who is appointed by the President. The provinces are not distinct political entities and formally have a very modest role in decisions concerning their own structure, recruitment of senior staff, and size and composition of work force. In effect, the administration of each province is a collection of branches of central government ministries. The majority of decisions on provincial staffing are made in Kabul by the parent ministry, in negotiation with the Office of Administrative Affairs (OAA, p. 61) and with oversight by the head of the Independent Administrative Reform and Civil Service Commission (IARCSC, p. 41). As of SY1386 (2007–08), certain key posts also require ratification by the Independent Appointments Board of the IARCSC. A government body for sub-national administration, the Independent Directorate for Local Governance (IDLG, p. 42), was created in August 2007. IDLG has a mandate to improve governance and achieve stability on the sub-national level, and is responsible for supervising Provincial and District Governors, Provincial Councils, and municipalities (except Kabul Municipality).

Provinces are divided into districts and municipalities. Administrative arrangements between the province and its districts are similar to those in the relationship between the centre and the province. The central ministry in Kabul determines district senior staffing and budget allocations, however, leaving provincial officials with relatively little discretion in this regard, at least officially. Municipalities are overseen by the IDLG, in some provinces with significant influence by the Governor. The IDLG approves staffing numbers and budgets in each municipality, even though municipalities are entitled to collect and retain their own taxes. In some provinces, such as Herat and Kandahar, rural municipalities also have a reporting relationship with the provincial municipality, although this is contrary to the established government structure.

Central government ministries and institutions are primary budget units with specific budgets determined by law; provincial departments of the central government ministries and some independent units are secondary budget units—that is, they receive their allotments at the discretion of their ministries and relevant independent agencies. There are no specific provincial department budgets. Districts are tertiary budget units; their budget allocations depend on the decisions made at the request of the relevant provincial-level departments of Kabul ministries and other independent units. All revenues collected by provinces and districts are national revenues; provinces are merely the tax collectors. In effect, both provincial and district staffing levels and budgets are determined based more on precedent than on rational planning. This system gives Kabul considerable political authority over provincial expenditure policy, although Provincial and District Governors have a certain amount of de facto authority.

State enterprises report to the ministry or department in their respective sector. For example, the head of a coal mine would report to the provincial Department of Mines as well as the Ministry of Mines in Kabul. There are no provincially-owned enterprises.

Although they do not hold formal power, community *shuras* or *jirgas* can also be influential local actors. *Shuras* (best translated as local councils) are longstanding features of Afghan political society. They are convened on an ad hoc basis and are rarely permanent bodies with identifiable members. *Shuras* of *ulema* (Islamic scholars) and *shuras* of elders are usually found at the provincial level, though there are often competing local and district *shuras*, some of which are run by unelected strongmen. As District Councils have not yet been elected, many district administrators make use of *shuras* in their activities. Many districts are also effectively divided into villages (*qaryas*), which correspond to areas of shared resources.

In addition to the provincial and district administrative structures, historically there has been a definition of regions or zones (*hawzas*) in Afghanistan, primarily for military purposes. These *hawzas* have no legal standing as administrative units and, unlike provinces, districts and municipalities, are not mentioned in the 1964 Constitution or the current 2004 Constitution. At times, however, they have been used for administrative convenience. Formally, this zonal structure no longer exists, but some inter-provincial coordination and sectoral activities based on zones continue.

The President is Commander-in-Chief of the Afghan National Army (ANA, p. 5). The ANA serves under the Ministry of Defence while the Afghan National Police (ANP, p. 6) operates under the authority of the Ministry of Interior.

Pay and grading

Every public employee has a grade—in Kabul, in the provinces, and at the district level. Two scales apply throughout Afghanistan, one for permanent staff (*karmand*) and one for contract staff (*agir*). *Karmand* are regular, permanent public employees, whereas *agir* are (officially) hired on fixed-term contracts. In practice, most *agir* employees remain in government for many years and follow a career path very similar to that of *karmand* staff. The two pay scales are almost identical.

The key differences between *karmand* and *agir* employees are:

- *Agir* employees are meant to occupy lower-skilled and manual labour posts (such as drivers, cooks, painters, etc.)
- Advancement through the grade (and pay) structure for many *agir* positions is capped at a particular level (for instance, drivers cannot be promoted beyond grade 1); however, higher-skilled *agir* employees can advance to the top of the scale (“over” grade)
- *Agir* employees are not entitled to receive a professional bonus in addition to their salary

Pay policy is set centrally for all public employees in Afghanistan. The pay system emphasises rank-in-person arrangements (employees are promoted even if they remain in the same position) rather than the more common rank-in-post arrangements (where promotion generally comes with a new job). Thus, through years of service and regular promotions (once every three years), staff in lower positions of authority can occupy a higher grade and earn a higher salary than their managers. Different occupational groups have ceilings above which they cannot be promoted.

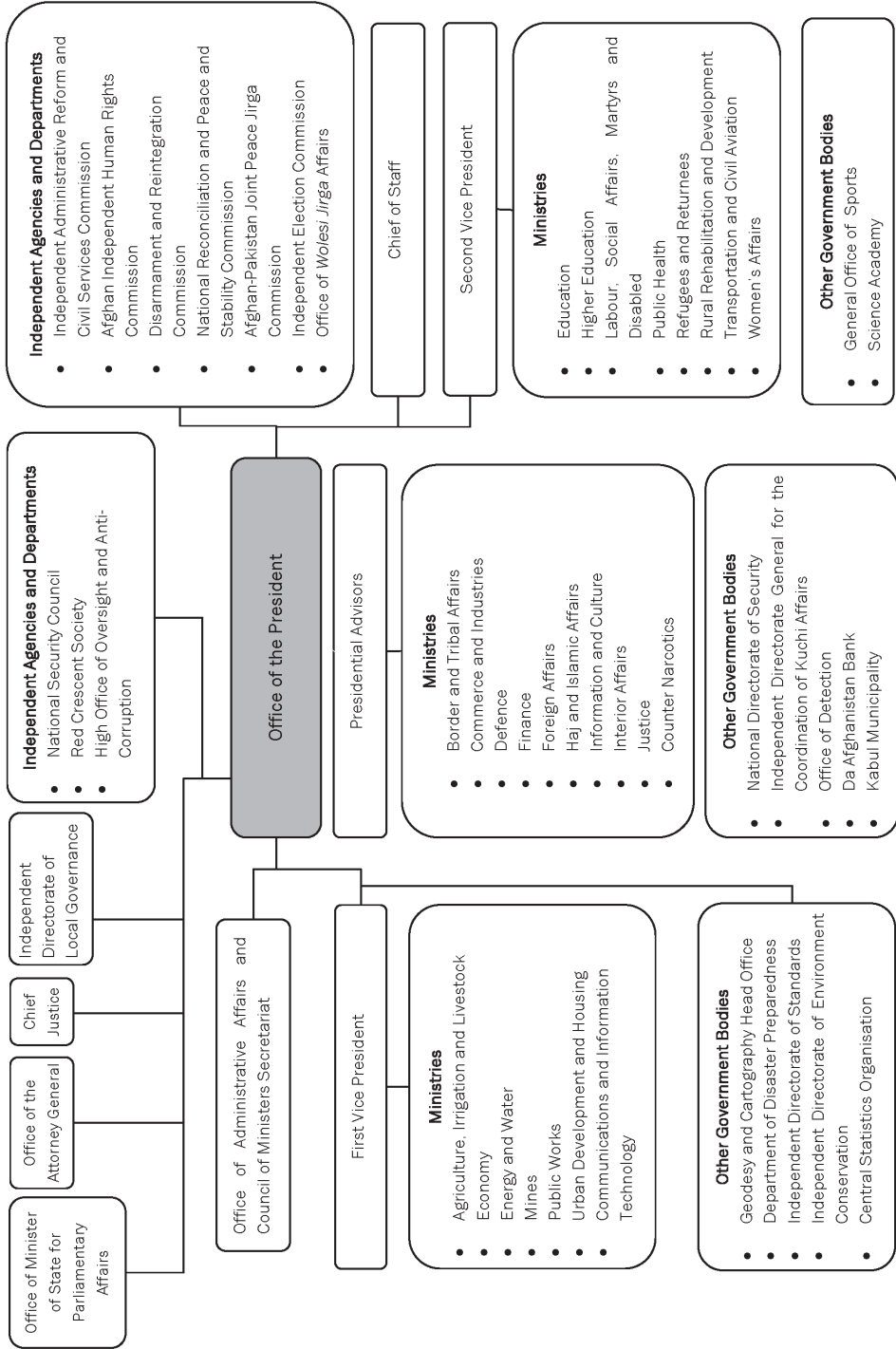
The underlying pay scale, established by the 1970 Law on the Status and Condition of Government Employees, and amended by the 1977 Decree No. 143, offers a reasonably well-structured scale for base pay. The real salary scale for public employees is low—meal allowances (given equally to all public employees) can account for over 90% of the monthly pay. Since 2004, the Independent Administrative Reform and Civil Service Commission (IARCSC, p. 41) has been working to update the government’s pay and grading structure, crucial to the government’s efforts to attract and retain qualified staff and to reduce incentives for corruption within the civil service. A new Civil Service Law was passed in 2005, and in 2007 an eight-grade structure was designed, with new pay scales attached to these grades (with a minimum salary of US\$100 and maximum of \$650). Implementation will be sequenced, re-grading senior positions (Grades 1 and 2) first, followed by junior grades on a ministry-by-ministry basis.

Pay and grading reform is one element of the IARCSC-led Public Administration Reform (PAR, p. 65) framework, which seeks to restructure the civil service and institute merit-based, non-partisan recruitment. Practical reforms have taken place in several government departments and agencies through a revised Priority Restructuring and Reform (PRR) process that streamlines the work and structure of key departments, reduces costs, and improves effectiveness.

The effectiveness of pay and grading reforms may be complicated by the so-called “second civil service” consisting of officials, advisors and staff of aid contractors and international agencies, most of whom receive much higher salaries.

Organogram: Central Government of Afghanistan

December 2009 (This diagram is a guide only. Due to ongoing reforms, it may not be fully up-to-date.)



Source: OAA

Elections in Afghanistan

Electoral system

In Afghanistan, suffrage is universal for male and female citizens 18 years of age and older. The Constitution (p. 96) provides for the election of:

- A President (along with two Vice Presidents)
- A National Assembly (Parliament) consisting of the *Wolesi Jirga* (House of the People) and the *Meshrano Jirga* (House of Elders)
- Provincial Councils
- District Councils
- Village Councils
- Municipal Councils and Mayors

Thus far, elections have only been held for the first three categories.

The President is elected by absolute majority; if no candidate receives over 50% of the votes, a run-off election is held between the top two candidates (although the run-off was cancelled in 2009 when a candidate withdrew). The next Presidential election is due to be held in 2014.

A revised version of the 2004 Election Law was approved by Presidential decree on 29 April 2005, ending a long debate over the system for electing representatives to the *Wolesi Jirga*. The system chosen was the unusual Single Non-Transferable Vote (SNTV). Under SNTV, each eligible Afghan voter casts one vote for one individual in his or her multi-member constituency (province). The principal benefits of the SNTV system are that it is easy to explain to voters and simple to count. It also ensures representation of independent candidates, which can be important in a country suspicious of political parties.

On the other hand, SNTV encourages personality-driven politics and undermines the role of political parties and constituency platforms. Because all votes go to individuals, a party's candidates may win the majority of votes in a province, but still receive only a minority of the seats. SNTV can also have a negative impact on the development of effective Parliamentary politics by encouraging candidates to push local, ethnic or tribal issues rather than promoting a national agenda and encouraging coalition building and cooperation between ethnic or regional groupings.

Election experts have debated whether other electoral models might be more appropriate for Afghanistan. Some critics of SNTV have argued that Open List Proportional Representation would be a better system, due to its transparent translation of votes into seats and its encouragement of national-based, multi-ethnic parties. Another suggestion put forward by some Afghan Members of Parliament in 2008 is that of a combined SNTV and party list system, whereby the role of political parties is acknowledged formally. This suggestion was rejected by the plenary in the first instance, although it may be refloated.

According to the Constitution, the Electoral Law cannot be changed within a year of the election in which it would be implemented. In 2008 and 2009, the SNTV electoral system was debated in the *Wolesi Jirga*, and other options considered. It was decided, however, that SNTV would be used again in the 2009 Presidential and Provincial Council elections. Some minor changes have been put forward in the revised Electoral Law, but due to delays in passing the revisions in Parliament, largely as a result of controversy over reserved seats for Kuchis, any changes that are introduced will not take effect in time for the scheduled September 2010 *Wolesi Jirga* elections. As such, it will be necessary for those providing technical assistance for the elections to work within the existing system, at least in the short term.

Schedule of elections

The Constitution prescribes the following elections schedule:

Election	Frequency
Presidential	every 5 years
<i>Meshrano Jirga</i> (Presidential appointees)	every 5 years
<i>Meshrano Jirga</i> (Provincial Council representatives)	every 4 years
<i>Meshrano Jirga</i> (District Council representatives)	every 3 years
<i>Wolesi Jirga</i>	every 5 years
Provincial Councils	every 4 years
District Councils	every 3 years
Village Councils	every 3 years
Municipal Councils	Unspecified
Mayoral	Unspecified

This schedule thus determined that Presidential and Provincial Council elections would take place in 2009, and that *Wolesi Jirga* elections should follow in 2010.

These *Wolesi Jirga* elections were postponed in January 2010 from May to September 2010, and further revisions to the electoral calendar are possible, given the capacity constraints of the Independent Election Commission (IEC, p. 44), the high cost and difficulty of holding elections in Afghanistan, the lack of security in some areas, the unclear mandates of some elected bodies, and the political fallout from the disarrayed 2009 elections.

Allocation of seats

The Constitution states that *Wolesi Jirga* seats are to be distributed among the provinces according to population. This provision has proved difficult because some district and provincial boundaries remain disputed and no authoritative population data is available. The last census in Afghanistan was conducted in 1979 and was never completed. After several delays, a new national census is now planned for 2011 (see CSO, p. 28). In preparation for it, a household listing survey was conducted in 2004–05. Seat allocations for the 2005 *Wolesi Jirga* elections were based on an average of this recent household listing and the 1979 census figures adjusted for population growth using an annual population growth rate of 1.92 percent.

Seat Allocations in 2005 Based on Population

Province	Population	Wolesi Jirga seats		Provincial Council seats	
		Total	Women	Total	Women
TOTAL	21,677,700	249	68	420	124
Badakhshan	790,200	9	2	15	4
Badghis	412,400	4	1	9	3
Baghlan	748,000	8	2	15	4
Balkh	1,052,500	11	3	19	5
Bamiyan	371,900	4	1	9	3
Daikundi	383,600	4	1	9	3
Farah	420,600	5	1	9	3
Faryab	824,500	9	3	15	4
Ghazni	1,020,400	11	3	19	5
Ghor	574,800	6	2	15	4
Helmand	767,300	8	2	15	4
Herat	1,515,400	17	5	19	5
Jawzjan	443,300	5	1	9	3
Kabul	3,013,200	33	9	29	8
Kandahar	971,400	11	3	15	4
Kapisa	367,400	4	1	9	3
Khost	478,100	5	1	9	3
Kunar	374,700	4	1	9	3
Kunduz	817,400	9	2	15	4
Laghman	371,000	4	1	9	3
Logar	326,100	4	1	9	3
Nangarhar	1,237,800	14	4	19	5
Nimroz	135,900	2	1	9	3
Nuristan	123,300	2	1	9	3
Paktia	458,500	5	1	9	3
Paktika	362,100	4	1	9	3
Panjshir	127,900	2	1	9	3
Parwan	550,200	6	2	15	4
Samangan	321,500	4	1	9	3
Sar-i-Pul	463,700	5	1	9	3
Takhar	811,700	9	2	15	4
Uruzgan	291,500	3	1	9	3
Wardak	496,700	5	2	9	3
Zabul	252,700	3	1	9	3
Reserved for Kuchi		10	3	n/a	n/a

* Population figures from the Central Statistics Organisation.

Vetting and complaints

Afghanistan's Constitution states that members of the National Assembly "should not have been convicted by a court for committing a crime against humanity, a crime, or sentenced to deprivation of his/her civil rights." However, as no one has been (or is likely to be in the near future) prosecuted for crimes against humanity, this constitutional safeguard is currently unused.

The Election Law also specifies that candidates for the *Wolesi Jirga*, Provincial Councils, and District Councils shall not:

- Pursue objectives that are opposed to the principles of the holy religion of Islam and the word and spirit of the Constitution
- Use force, or threaten with, or propagate the use of force
- Incite ethnic, linguistic, regional or religious tension and discrimination
- Create a real danger to the rights or freedoms of individuals or intentionally disrupt public order and security
- Have non-official military forces
- Receive funds from foreign sources
- Receive funds from internal illegal sources

When filling in nomination papers, candidates sign a Code of Conduct. In doing so, candidates swear an oath that they have not been involved in any crimes or other activities that would disqualify them from standing. If they are subsequently found guilty of a crime, they will have broken the Code of Conduct and will be required to give up their seat.

The Electoral Complaints Commission (ECC, p. 36), supported by a small team of investigators, is tasked with adjudicating on complaints about electoral offences and challenges to candidates' eligibility. If there is evidence of criminal activity, the ECC can impose warnings, fines, or referral to the public prosecution office. If they determine that an electoral offence has been committed, they can order recounts or a repeat voting.

Political parties

It is widely believed that in a democratic system, political parties are necessary for effective representation of citizens' interests and to advance and support policy creation and governance. Many Afghans, however, have a negative view of political parties, which they associate with the communist parties and the Soviet invasion, as well as with mujahiddin factions whose in-fighting caused much of the instability and bloodshed of the 1990s. Thus, Afghans generally do not trust political parties but rather see them as pursuing policies that are in the interest of their particular ethnic group, clan or tribe. One rationale for Afghanistan's unusual choice of electoral system was its emphasis on individual candidates rather than parties.

Afghans also often associate political parties with militias, which previously acted with impunity in Afghanistan. While most of the major parties in Afghanistan once had close ties to military groups (and some still do), other fledgling parties have civilian roots and democratic intentions. The Constitution and the Political Party Law clearly prohibit political parties from having military wings, and a political party registration department was established in 2003 by the Ministry of Justice to approve those parties that meet the criteria set out in the Constitution. As of January 2010, 110 parties had been approved and registered by the Ministry of Justice, and added to the official Dari list on the Ministry's website (www.moj.gov.af/?lang=da&p=label19 – an incomplete English list is also available: www.moj.gov.af/?lang=en&p=e16).

For the 2005 elections, candidates were technically not allowed to indicate their political party affiliation on the ballot (although some did so regardless). While this made ballots simpler, it may have prevented voters from knowing the alliances of those for whom they could vote. Before the Presidential elections in 2009, the IEC announced a regulation stipulating that officially registered candidates were now allowed to include their party affiliation on the ballots. This regulation is likely to stand for the upcoming *Wolesi Jirga* elections, although it could be changed by the IEC at any time because it is only a regulation. A provision requiring stated party affiliation may emerge in the revised Electoral Law, but this is unlikely to take effect before the coming round of elections.

Elections 2009-2010

Introduction

Presidential and Provincial Council elections were held on 20 August 2009, with turnout officially recorded as 31.4% (after fraudulent ballots were excluded), down from an estimated 70% in 2004. Fraud and insecurity combined to mire the elections in controversy, with the Electoral Complaints Commission disqualifying enough ballots to reduce Hamid Karzai's total to below 50% and thus force a run-off with the second-placed candidate, Dr Abdullah Abdullah. However, the run-off vote was cancelled when Abdullah withdrew, and the IEC declared Karzai the winner. He was inaugurated for his second term on 19 November 2009.

Results for Provincial Council elections were initially announced on 27 September, but were in many cases disputed and for some provinces not finalised until 9 December (although dissatisfaction remained in some areas after this time). Despite being much lower-profile internationally than the Presidential election, the Provincial Council elections were hotly contested and followed closely by the public in many areas, largely due to their addressing of local issues.

In January 2010, the IEC rescheduled *Wolesi Jirga* elections from 22 May to 18 September 2010, citing a lack of funding and security concerns. Access to funding may further affect this schedule, and has been jeopardised by donor demands for electoral-system reform (although the IEC is an Afghan body, electoral funding in 2009 was provided almost entirely by the international community).

Candidate nomination

The candidate nomination process for Presidential and Provincial Council candidates ran from 25 April to 8 May 2009. After the IEC's consideration of Presidential nominations, three candidates were disqualified, leaving a total of 41 candidates, including two women. This was a significant increase in candidates compared with 2004, when 18 candidates (including one woman) contested the final race. In total, 3,324 individuals, including 342 women, nominated themselves for a total of 420 seats in the Provincial Councils—a slight increase from 2005 numbers both in total and number of women candidates. According to the IEC, this represented an increase in female candidates across most provinces in the country.

The IEC and ECC had four weeks (9 May–12 June) to review the 3,368 Presidential and Provincial Council candidates and respond to complaints. Candidates with links to armed groups, government officials who failed to resign their previous posts, and nominees who had forged signatures on their nomination forms were vetted. On 26 May, the IEC made available a provisional list of candidates including challenges, corrections and appeals. Between 26 May and 8 June, the ECC held hearings and came to decisions concerning nomination challenges. A final list of confirmed candidates was made public on 12 June.

In provinces with a large number of candidates for the Provincial Council, as in 2005, the ballot papers resembled tabloid newspapers, with several pages of candidates. For many, this made the process of finding chosen candidates difficult. To make identification easier the IEC again included photos of the candidates and allocated “neutral” symbols. Nevertheless, in Kabul Province, with 524 candidates on the final ballot, locating individuals remained an arduous process.

Civic education

Explaining Afghanistan's new democratic institutions, the election process, and voting rights is a complex and challenging exercise, particularly in a country with limited infrastructure and many remote villages, as well as low levels of literacy and formal education.

While efforts were made in 2004 and 2005 in the run up to the elections to promote civic education by various agencies, including the International Foundation for Electoral Systems (IFES) and the Afghan Civil Society Forum Organisation (ACSFO, p. 3), very little activity took place in this regard in the interim period between elections. Although agencies including UNAMA (p. 68) and UNDP ELECT (p. 37) supported civic education programmes run by the IEC in the run-up to the 2009 polls, very little international funding was available for this kind of activity prior to October 2008. This is partly a result of the late planning and organising of the elections themselves, and the late stage by which donor funding for the elections themselves had been confirmed.

Voter registration

An enormous voter registration exercise was carried in the run-up to the 2005 Presidential elections. Throughout the country, a total of 10,567,834 registration cards were issued between 1 December 2003 and 20 August 2004.

Another round of voter registration was undertaken in preparation for the 2009 elections, as many Afghans would have turned 18 years old since the last round of registration, some would have returned from Iran, Pakistan or other countries in the ongoing repatriation efforts, and others who had already registered may have moved provinces or lost their original cards. This process began in October 2008 and was carried out in four consecutive phases. The phases were determined by weather and security concerns in different provinces. The process was completed in February 2009, but was far from straightforward. According to a report produced by monitoring group Free and Fair Elections for Afghanistan (FEFA, p. 39), multiple instances of proxy registration, fraud, and underage registration, for example, took place. Initial IEC figures for voter registration were also questionable, with extremely high numbers of registered women in notably conservative areas of the country, for instance.

In total, the IEC reported that 4,365,292 people had been registered to vote in 2008-09, in addition to those who had registered prior to the 2004-05 elections.

Polling centres and staffing

Before the 2009 elections there was a concern that decreasing security would prevent the establishment of polling centres in a number of areas, particularly in the south and east of the country, thus disenfranchising a significant number of people. In total, however, the IEC reported having set up 28,000 polling stations in approximately 6,800 centres across the country (compared with 30,000 in 5,000 centres in 2004), staffed by around 160,000 election workers. 36 million ballot papers were printed in total for both Presidential and Provincial Council elections. A number of polling centres were nevertheless closed in certain insecure areas. Furthermore, over 440 centres were reportedly ordered not to open on polling day by Afghan election officials due to fears of pre-planned fraud.

Other logistical problems reported by voters on polling day included intimidation (and in some cases, attacks) by insurgent groups, shortage of ballot papers, dysfunctional hole-punches (used to mark used voting cards), and indelible ink proving washable in practice.

In 2009, for the first time, ballots were counted at polling stations (instead of at provincial centres), and initial results posted outside them.

Election monitoring and observation

Due to decreasing security conditions, the number of international election observation missions (EOMs) in 2009 was significantly decreased from that in 2004. The biggest delegation of observation staff was sent by the European Union (EU), whose mission comprised 67 expert analysts and 50 short-term observers at polling stations across the country. Whereas in 2004 the Organisation for Security and Cooperation in Europe (OSCE) sent 42 observers to the field, in 2009 it provided an Election Support Team (EST) of 20 experts, which was based in Kabul with a mandate to support the government and international effort in producing a post-elections report of recommendations. The Asian Network for Free Elections (ANFREL), supported by the Asia Foundation, had a mission of 20 long-term and 30 short-term observers, with a core team of

five experts. In addition, a small number of observation staff from diplomatic missions and other international agencies based in Afghanistan were deployed to polling centres.

Along with the problem of limited numbers of international observation staff was the issue of their limited mobility. Most were largely unable to travel beyond provincial centres, and few even outside Kabul. By contrast, Afghanistan's own elections monitoring organisation, the Free and Fair Election Foundation of Afghanistan (FEFA), was able to conduct a comprehensive mission on election day itself and during the voter registration process in previous months. As one of the few elections-oriented organisations active in the interim period between the 2005 and 2009 elections, it had representatives in all provinces observing the polls.

Security

Insecurity undermined the elections in 2009, despite the considerable measures taken to mitigate its effects. An extra 26,000 troops were brought in to support the electoral effort, but an October 2009 report from the International Crisis Group said that the weeks "before the August election saw the worst levels of violence since the US-led intervention in 2001" and that at least four Provincial Council candidates were also killed. In total, around 300 incidents were reported and 31 people killed pre-election and on election day itself. Partly as a result, voter turnout dropped to 31% from over 70% in 2004.

Another effect of the deteriorating security environment since the first round of elections was the essential exclusion of potential voters living in insecure areas in Afghanistan. This was a concern prior to the polls, and it appears to have been a valid one. Many of the areas deemed either too insecure to even establish polling centres, or too insecure for established polling centres to actually open on election day, were in the south and east of the country, in the Pashtun belt. The inability of polling stations to open in insecure areas also facilitated much election-day fraud.

Fraud

The 2009 polls became infamous for widespread fraud. In October 2009, after receiving over 2,800 complaints, of which 726 were considered serious enough to affect the outcome of elections, the ECC ordered a recount of 10% of randomly selected ballots. Overall, 18.8% of the total number of ballots cast were invalidated by the ECC, reducing valid voter turnout from the IEC's initial figure of 5,662,758 (38.7%) to 4,597,727 (31.4%). These percentages are however based on the most recent voter registration figures, which, according to FEFA, were also inaccurate and contained significant levels of fraud. Ultimately, the ECC invalidated enough votes that a Presidential run-off election was called. Fraud was also identified in Provincial Council elections, but this received less attention from the ECC.

It should be noted that there were also significant instances of fraud reported in the 2004 elections, but these did not receive nearly as much attention from the international community or media. Indeed, for international donors, the issue of fraud in 2009 is considered severe enough to potentially prevent or delay financial support to the planned *Wolesi Jirga* elections in 2010.

Key actors in 2009-10

The principle organiser of the elections was and will be the Afghan-led Independent Election Commission (IEC, p. 44), supported by UNDP's Enhancing Legal and Electoral Capacity for Tomorrow (ELECT, p. 37). A critical role is also played by the Electoral Complaints Commission (ECC, p. 36).

Timeline of key events: Elections 2009

Date	Activity
21 April	Publication of election calendar
18-24 April	Launch of candidate registration process
25 April–8 May	Nomination of candidates
9-15 May	Scrutiny of applications
16 May	Notification to candidates of any deficiencies in nomination applications
17-22 May	Remedy of deficiencies in nomination applications
23-25 May	Preparation of preliminary list of candidates
26 May-1 June	Display of preliminary list of candidates plus challenges, corrections and appeals
26 May–8 June	ECC hearings and decisions
9 June	ECC informs IEC of decisions on nominations
9-12 June	IEC prepares final list of candidates
12 June	Publication of final list of candidates
15 June–15 July	Printing of ballot papers
16 June–18 August	Political campaign period
1 to 10 July	Recruitment of polling and counting staff
15 July	Finalisation of polling centre locations and number of polling stations
16 July	Ballot papers arrive in Kabul
20 July–20 August	Publicisation of polling centre locations
20 August	Polling day
20 August	Retrieval of results from polling centres
26 August	First partial results released from 10% of polling stations (Karzai 41%, Abdullah 39%); IEC announces that partial results will be given continually over the coming days
27 August	Second partial results released from 17% of polling stations (Karzai 45%, Abdullah 35%)
29 August	Third partial results released from 35% of polling stations (Karzai 46.3%, Abdullah 31.4%)
31 August	Fourth partial results released from 48% of polling stations (Karzai 45.9%, Abdullah 33.3%)
2 September	Fifth partial results released from 60.3% of polling stations (Karzai 47.3%, Abdullah 32.6%)

6 September	Sixth partial results released from 74.2% of polling stations (Karzai 48.6%, Abdullah 31.7%)
8 September	Seventh partial results released from 91.6% of polling stations (Karzai 54.1%, Abdullah 28.3%); ECC announces clear occurrence of fraud and demands that polling stations be re-counted where more than 600 ballots were cast and where 95% of the votes were cast for one candidate
12 September	Eighth partial results released from 92.8% of polling stations (Karzai 54.3%, Abdullah 28.1%)
16 September	IEC announces uncertified final result: Karzai wins outright with 54.6% (Abdullah 27.8%); result not final until confirmed by ECC
5-11 October	ECC recount of random 10% of ballots
19 October	ECC recount results presented to IEC: Karzai with 48% of the vote, run-off required
20 October	Karzai agrees to a run-off, set for 7 November
21 October	Final certified results announced by IEC (Karzai 48.7%, Abdullah 30.6%)
24 October	Run-off campaign period opens
1 November	Abdullah withdraws from run-off
2 November	IEC cancels run-off, Karzai declared winner
19 November	Karzai inaugurated for second Presidential term

(Source: UNDP ELECT, others)

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The Constitution of Afghanistan (2004)

This is an unofficial translation of the 2004 Constitution of Afghanistan; refer to the official Dari and Pashto versions for accuracy. (Source: IDLO; Office of the President website: www.president.gov.af)

Year 1382

In the Name of God, the Merciful, the Compassionate

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In the name of God, the Merciful, the Compassionate

Preamble

We the people of Afghanistan:

1. With firm faith in God Almighty and relying on His lawful mercy, and believing in the sacred religion of Islam,
2. Realising the injustice and shortcoming of the past, and the numerous troubles imposed on our country,
3. While acknowledging the sacrifices and the historic struggles, rightful Jihad and just resistance of all people of Afghanistan and respecting the high position of the martyrs for freedom of the country,
4. With the understanding that Afghanistan is a single and united country and belongs to all ethnicities residing in this country,

5. Observing the United Nations Charter and respecting the Universal Declaration of Human Rights,
6. For strengthening national unity, safeguarding independence, national sovereignty, and territorial integrity of the country,
7. For establishing a government based on people's will and democracy,
8. For creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, protection of human rights, and dignity and ensuring the fundamental rights and freedoms of the people,
9. For strengthening the political, social, economic, and defensive institutions of the country,
10. For ensuring a prosperous life and sound environment for all those residing in this land,
11. Finally, for regaining Afghanistan's deserved place in the international community, have adopted this Constitution in accordance with historical, cultural, and social requirements of the era, through our elected representatives in the *Loya Jirga* dated 14 Jaddi 1382 in the city of Kabul.

Chapter One: The State

- 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.
- The nation of Afghanistan consists of all individuals who are the citizens of Afghanistan.
 - The nation of Afghanistan is comprised of Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pashai, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujur, Brahwui and other ethnic groups.
 - The word Afghan applies to every citizen of Afghanistan.
 - No member of the nation can be deprived of his/her citizenship of Afghanistan.
 - Affairs related to citizenship and asylum are regulated by law.

- Article 5 • Implementation of the provisions of this constitution and other laws, defending independence, national sovereignty, territorial integrity, and ensuring the security and defence capability of the country, are the basic duties of the state.
- 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, realisation 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 7 • The state shall observe the Charter of the United Nations, international treaties, international conventions that Afghanistan is a party to, and the Universal Declaration of Human Rights.
 - The state prevents all types of terrorist activities, cultivation and smuggling of narcotic drugs, and production and consumption of intoxicants (*muskirat*).
- Article 8 • The state regulates the foreign policy of the country on the basis of preserving the independence, national interests, territorial integrity, non-interference, good neighbourliness, mutual respect, and equal rights.
- Article 9 • Mines and other underground resources and cultural heritages are the properties of the state.
 - Protection, management and mode of proper utilisation of the public properties shall be regulated by law.
- Article 10 • The state encourages and protects private investments and enterprises based on the market economy and guarantees their protection in accordance with the provisions of law.
- Article 11 • Affairs related to domestic and external trade shall be regulated by law in accordance with the needs of the national economy and the public interest.
- Article 12 • Da Afghanistan Bank is the central and independent bank of the state.
 - Issuance of currency and formulation and implementation of monetary policy of the country are the mandates of the central bank in accordance with the law.
 - The central bank shall consult the economic commission of the *Wolesi Jirga* in matters related to printing of currency.
 - Structure and operation of this bank shall be regulated by law.
- Article 13 • The state shall formulate and implement effective programs for the development of industries, growth of production, increasing of public living standards, and supportive of craftsmanship.

- Article 14 • The state shall design and implement within its financial resources effective programs for the development of agriculture and animal husbandry, improving the economic, social and living conditions of farmers, herders, settlement and living conditions of the nomads.
- The state adopts necessary measures for housing and distribution of public estates to deserving citizens in accordance within its financial resources and the law.
- Article 15 • The state is obliged to adopt necessary measures for safeguarding and improving forests and the environment.
- Article 16 • From among the languages of Pashto, Dari, Uzbeki, Turkmani, Baluchi, Pashai, Nuristani, Pamiri and other languages spoken in the country, Pashto and Dari are the official languages of the state.
- In areas where the majority of people speak one of the Uzbeki, Turkmani, Baluchi, Pashai, Nuristani and Pamiri languages, that language shall be recognised as third official language in addition to Pashto and Dari, the modality of its implementation shall be regulated by law.
 - The state adopts and implements effective plans for strengthening and developing all languages of Afghanistan.
 - Publications and mass media are allowed in all languages spoken in the country.
 - The existing national academic and administrative terminology of the country shall be preserved.
- 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 18 • 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.
- Article 19 • 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 coloured 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 “There is no God but Allah and Mohammad is his prophet, 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.
- Article 20 • The National Anthem of Afghanistan shall be in Pashto and mention “Allahu Akbar” and the names of the ethnic groups of Afghanistan.
- Article 21 • The capital of Afghanistan is the city of Kabul.

Chapter Two: Fundamental Rights and Duties of Citizens

- Article 22 • Any kind of discrimination and privilege between the citizens of Afghanistan is prohibited.
- The citizens of Afghanistan—whether woman or man—have equal rights and duties before the law
- Article 23 • Life is a gift of God and a natural right of human beings. No one shall be deprived of this right except by the provision of law.
- Article 24 • Liberty is the natural right of human beings. This right has no limits unless affecting the rights of others and public interest, which are regulated by law.
- Liberty and dignity of human beings are inviolable.
 - The state has the duty to respect and protect the liberty and dignity of human beings.
- Article 25 • Innocence is the original state.
- An accused is considered innocent until convicted by a final decision of an authorised court.
- Article 26 • Crime is a personal action.
- The prosecution, arrest, and detention of an accused and the execution of penalty cannot affect another person.
- Article 27 • No act is considered a crime, unless determined by a law adopted prior to the date the offence is committed.
- No person can be pursued, arrested or detained but in accordance with the provisions of law.
 - No person can be punished but in accordance with the decision of an authorised court and in conformity with the law adopted before the date of the offence.
- Article 28 • No citizen of Afghanistan accused of a crime can be extradited to a foreign state unless according to mutual agreement and international conventions that Afghanistan has joined.

- No Afghan can be sentenced to deprivation of citizenship or to exile inside the country or abroad.
- Article 29 • Torture of human beings is prohibited.
- No person, even with the intention of discovering the truth, can resort to torture or order the torture of another person who may be under prosecution, arrest, detention or convicted to be punished.
 - Punishment contrary to human integrity is prohibited.
- Article 30 • Any statement, confession or testimony obtained from an accused or of another person by means of compulsion, is invalid.
- Confession to a crime is a voluntary admission before an authorised court by an accused in a sound state of mind.
- Article 31 • Every person upon arrest can seek an advocate to defend his/her rights or to defend his/her case for which he/she is accused under the law.
- The accused upon arrest has the right to be informed of the attributed accusation and to be summoned to the court within the limits determined by law.
 - In criminal cases, the state shall appoint an advocate for a destitute.
 - The confidentiality of oral, written or telephonic communications between an advocate and his/her accused client are immune from invasion.
 - The duties and authorities of advocates shall be regulated by law.
- Article 32 • Being in debt does not limit a person's freedom or deprive him/her of liberty.
- The mode and means of recovering a debt shall be regulated by 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 34 • Freedom of expression is inviolable.
- Every Afghan has the right to express thoughts through speech, writing, or illustration or other means by observing the provisions of this Constitution.
 - Every Afghan has the right to print or publish topics without prior submission to the state authorities in accordance with the law.
 - Directives related to printing houses, radio, television, the press, and other mass media, shall be regulated by law.
- Article 35 • The citizens of Afghanistan have the right to form social organisations 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 organisational structure and financial sources of the party are made public.
 3. The party does not have military or paramilitary aims and structures.
 4. The party 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 authorised court.
- Article 36 • The citizens of Afghanistan have the right to unarmed demonstrations for legitimate peaceful purposes in accordance with the law.
- Article 37 • Confidentiality and freedom of correspondence and communication, whether in the form of letters or through telephone, telegraph and other means, are immune from invasion.
- The state does not have the right to inspect personal correspondence and communication unless authorised by the provisions of law.
- Article 38 • A person's residence is immune from invasion.
- Other than the situations and methods indicated in the law, no one, including the state, is allowed to enter or inspect a private residence without prior permission of the resident or holding a court order.
 - In case of an evident crime, an official in charge of the situation can enter or conduct a house search prior to the permission of the court.
 - The official involved in the situation is required to obtain a subsequent court order for the house search within the period indicated by law.
- Article 39 • Every Afghan has the right to travel or settle in any part of the country except in the regions forbidden by law.
- Every Afghan has the right to travel abroad and return home in accordance with the provisions of law.
 - The state shall protect the rights of the citizens of Afghanistan abroad.
- Article 40 • Property is immune from invasion.
- No person shall be forbidden from acquiring and making use of a property except within the limits of law.
 - No person's property shall be confiscated without the provisions of law and the order of an authorised court.

- Acquisition of a person's property, in return for a prior and just compensation within the bounds of law, is permitted only for securing public interests in accordance with the provisions of law.
 - Inspection and disclosure of a private property are carried out only in accordance with the provisions of law.
- Article 41 • Foreign individuals do not have the right to own immovable property in Afghanistan.
- Lease of immovable property for the purpose of investment is permissible in accordance with the law.
 - The sale of estates to diplomatic missions of foreign countries and to those international agencies of which Afghanistan is a member is permissible in accordance with the provisions of law.
- Article 42 • Every Afghan is obligated to pay taxes and duties to the government in accordance with the provisions of law.
- No taxes and duties are enforced without provisions of the law.
 - The rate of taxes and duties and the method of payments are determined by law on the basis of observing social justice.
 - This provision is also applied to foreign individuals and agencies.
 - Every kind of tax, duty and income collected shall be delivered to the state account.
- Article 43 • Education is the right of all citizens of Afghanistan, which shall be provided up to the level of the Bachelors (*lisâns*) free of charge by the state.
- The state is obliged to devise and implement effective programs for a balanced expansion of education all over Afghanistan, and to provide compulsory intermediate level education. The state is also required to provide the opportunity to teach native languages in the areas where they are spoken.
- Article 44 • The state shall devise and implement effective programs for balancing and promoting education for women, improving of education of the nomads and elimination of illiteracy in the country.
- Article 45 • 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 develop the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan.
- Article 46 • Establishing and operating higher, general and vocational education are duties of the state.
- The citizens of Afghanistan also can establish higher, general, and vocational private educational institutions and literacy courses with the permission of the state.

- The state can also permit foreign persons to set up higher, general and vocational educational private institutes in accordance with the law.
 - The conditions for admission to state higher education institutions and other related matters to be regulated by the law.
- Article 47 • The state shall devise effective programs for the promotion of science, culture, literature and the arts.
- The state guarantees the rights of authors, inventors, and discoverers and encourages and supports scientific researches in all areas and publicises the effective use of their results in accordance with the law.
- Article 48 • Work is the right of every Afghan.
- Working hours, paid holidays, rights of employer and employee and other related affairs are regulated by law.
 - Choice of occupation and craft is free within the limits of law.
- Article 49 • Forced labour is forbidden.
- Active participation in times of war, calamity, and other situations threatening lives and public welfare is a national duty of every Afghan.
 - Children shall not be subjected to forced labour.
- 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 information from government offices in accordance with the provisions of law. This right has no limits, unless in 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 51 • Any person suffering undue harm by government action is entitled to compensation, which he can claim by appealing to court.
- With the exception of situations stated in the law, the state cannot claim its right without the order of an authorised court.
- Article 52 • The state is obliged to provide free means of preventive health care and medical treatment, and proper health facilities to all citizens of Afghanistan in accordance with the law.
- The state encourages and protects the establishment and expansion of private medical services and health centres in accordance with law.

- The state in order to promote physical education and improve national and local sports adopts necessary measures.
- Article 53 • The state takes necessary measures for regulating medical services and financial support to descendants of martyred and lost, re-integration of 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 54 • 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.
- Article 55 • The defence of the country is the responsibility of all citizens of Afghanistan.
- The conditions for military service are regulated by law.
- Article 56 • Observing the provisions of the Constitution, obeying the laws, and adhering to public law and order are the duties of all people of Afghanistan.
- Ignorance about the provisions of law is not considered an excuse.
- Article 57 • The state guarantees the rights and liberties of the foreign citizens residing in Afghanistan in accordance with the law. These people are obliged to observe the laws of the state of Afghanistan in accordance with International Law.
- Article 58 • The State, for the purpose of monitoring the observation of human rights in Afghanistan, and their promotion and protection, shall establish the Independent Human Rights Commission of Afghanistan.
- Any person in case of a violation of his/her rights can report their complaint to this Commission.
 - The Commission can refer cases of violations of the human rights of persons to the legal authorities, and assist them in defending their rights.
 - Structure and mode of function of this Commission will be regulated by law.
- Article 59 • No one can misuse the rights and freedoms under this Constitution against independence, territorial integrity, sovereignty and national unity.

Chapter Three: The President

- Article 60 • The President is the head of state of the Islamic Republic of Afghanistan, and conducts authority in executive, legislative, and judicial branches in accordance with the provisions of this Constitution.
- The President shall have first and second Vice Presidents.
 - The candidate to the Presidency on his or her candidacy shall also declare the names of the Vice Presidents to the nation.
 - The First Vice President in the absence, resignation, or death of the President, acts in accordance with the provisions of this Constitution.
 - In the absence of the First Vice President, the Second Vice President shall act in accordance with the provisions of this Constitution.
- Article 61 • The President is elected by receiving more than 50% of the votes cast through free, general, secret, and direct voting.
- The presidential term expires on the first of Jawza of the fifth year after the elections.
 - Elections for the new President are held thirty to sixty days before the end of the presidential term.
 - If none of the candidates succeeds to receive more than 50% of the votes in the first round, a run-off election shall be held within two weeks.
 - In this round, only the two candidates with the highest number of votes will participate.
 - In the run-off, the candidate who gets the majority of the votes shall be elected as the President.
 - In case of death of one of the candidates during the first or second round, after the elections or prior to the announcement of the results of elections, new elections shall be held in accordance with the provisions of law.
- Article 62 • Presidential candidates should possess 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/her age should not be less than forty years.
 3. Should not have been convicted of crimes against humanity, a criminal act, or deprivation of civil rights by a court.
- No one can be elected as president for more than two terms.
 - The provision of this article applies to the Vice Presidents as well.
- Article 63 • 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 of Allah, the Merciful, the Compassionate; In the name of 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.

- Article 64 • The power and duties of the President are as follows:
1. Supervising the implementation of the Constitution
 2. Determining the fundamental policies of the state with the approval of the National Assembly
 3. Being the Commander-in-Chief of the armed forces of Afghanistan
 4. Declaration of war and ceasefire with the confirmation of the National Assembly
 5. Taking the required decision to defend the territorial integrity and protect the independence
 6. Sending contingents of the armed forces to foreign countries with the confirmation of the National Assembly
 7. Convening the *Loya Jirga* except in the situation stated in Article 68 of this Constitution
 8. Declaring the state of emergency and ending it with the confirmation of the National Assembly
 9. Inaugurating the National Assembly and the *Loya Jirga*
 10. Accepting resignation of the Vice Presidents
 11. Appointing Ministers, the Attorney General, the Governor of the Central Bank, Head of the National Security Directorate and the President of the Afghan Red Crescent Society with the confirmation of the *Wolesi Jirga*, dismissing them and accepting their resignations
 12. Appointing the head and members of the Supreme Court with the confirmation of the *Wolesi Jirga*
 13. Appointing, retiring and accepting the resignation of and dismissing judges, officers of the armed forces, police, national security, and high-ranking officials in accordance with the law
 14. Appointing heads of the diplomatic missions of Afghanistan in foreign countries and international organisations
 15. Accepting the credentials of diplomatic missions in Afghanistan

16. Signing laws and legislative decrees
 17. Issuing credential letters for the conclusion of bilateral and international treaties in accordance with the provisions of law
 18. Reducing and pardoning penalties in accordance with the law
 19. Issuing medals and honorary titles in accordance with the provisions of law
 20. Establishing commissions for the improvement of the administrative condition of the country, in accordance with the law
 21. Exercising other authorities in accordance with the provisions of this Constitution.
- Article 65 • The President can call for a referendum on important national political, social or economic issues.
- Calling for a referendum shall not be contrary to the provisions of this Constitution or for amending it.
- Article 66 • The President takes into consideration the supreme interests of the people of Afghanistan while enforcing the powers stated in this Constitution.
- The President cannot sell or bestow state properties without the provisions of law.
 - The President cannot act based on linguistic, ethnic, religious, political, and regional considerations during his/her term in office.
- Article 67 • In case of resignation, impeachment, or death of the President, or of a serious illness that could hinder the performance of duties, the First Vice President undertakes his/her duties and authorities.
- The President submits his/her resignation personally to the National Assembly.
 - Serious illness shall be proved by an authorised medical committee appointed by the Supreme Court.
 - In this case, an election for a new President shall be held within the period of three months in accordance with Article 61 of this Constitution.
 - During the time when the First Vice President acts as the interim President, he/she cannot perform the following:
 1. Amendment of the Constitution
 2. Dismissal of Ministers
 3. Call for a referendum
 - During this period the Vice Presidents can nominate themselves as candidates for the post of President in accordance with the provisions of this constitution.
 - In the absence of the President, the duties of the First Vice President shall be determined by the President.

- Article 68 • In case of resignation or death of one of the Vice Presidents, another person shall replace him/her by the proposal of the President and approval of the *Wolesi Jirga*.
- In case of the simultaneous death of the President and the First Vice President, in turn the Second Vice President, the Chair of the *Meshrano Jirga* and in the absence of the chair of the *Meshrano Jirga*, the Chair of the *Wolesi Jirga*, and in the absence of the Chair of the *Wolesi Jirga*, the Foreign Minister shall perform the duties of the President in accordance with Article 67 of this Constitution.
- Article 69 • The President is responsible to the nation and the *Wolesi Jirga* according to this Article.
- Accusations of crimes against humanity, national treason or crime can be levelled against the President by one-third of the members of the *Wolesi Jirga*.
 - If two thirds of the *Wolesi Jirga* votes for charges to be brought forth, the *Wolesi Jirga* shall convene a *Loya Jirga* within one month. If the *Loya Jirga* approves the accusation by a two-thirds majority of votes the President is then dismissed, and the case is referred to a special court. The special court shall be composed of three members of the *Wolesi Jirga*, and three members of the Supreme Court appointed by the *Loya Jirga* and the Chair of the *Meshrano Jirga*.
 - The lawsuit is conducted by a person appointed by the *Loya Jirga*.
 - In this situation, the provisions of Article 67 of this Constitution are applied.
- Article 70 • The salary and expenditures of the President are regulated by law.
- After expiration of their term, the President is entitled to the financial benefits of the presidency for the rest of his/her life in accordance with the law except in the case of dismissal.

Chapter Four: The Government

- Article 71 • The government consists of the Ministers who work under the Chairmanship of the President.
- The number of Ministers and their duties shall be regulated by law.
- Article 72 • A person who is appointed as a Minister should have the following qualifications:
4. Must have only the citizenship of Afghanistan. Should a nominee for a ministerial post also hold the citizenship of another country, the *Wolesi Jirga* shall have the right to confirm or reject his or her nomination.
 5. Should have higher education, work experience and good reputation.
 6. His/her age should not be less than thirty-five.
 7. Should not have been convicted of crimes against humanity, a criminal act, or deprived of civil rights by a court.

- Article 73 • The Ministers can be appointed from within and without the National Assembly.
- If a member of the National Assembly is appointed as a minister, he/she loses his/her membership in the National Assembly, and is replaced by another person in accordance with the provisions of law.
- Article 74 • Prior to taking office, the Minister shall perform the following oath in the presence of the President:
- In the name of Allah, the merciful and compassionate: I swear in the name of God Almighty to support the provisions of the sacred religion of Islam, follow the Constitution and other laws of Afghanistan, protect the rights of citizens, and safeguard the independence, territorial integrity and national unity of Afghanistan, and consider God Almighty present in performing all my responsibilities, and honestly perform the duties assigned to me.*
- Article 75 • The government shall have the following duties:
8. Execute the provisions of this Constitution, other laws, and final orders of the courts
 9. Protect the independence, defend the territorial integrity, and safeguard the interests and dignity of Afghanistan in the international community
 10. Maintenance of public law and order and elimination of administrative corruption
 11. Prepare the budget, regulate financial affairs and protect public wealth
 12. Devise and implement programs for social, cultural, economic, and technological progress
 13. 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
 14. Perform other duties as recognised by this Constitution and other laws to be duties of the government.
- Article 76 • In order to implement the main policies of the country and regulation of its duties, the government shall devise and approve regulations. These regulations should not be contradictory to the text and spirit of any law.
- Article 77 • As heads of administrative units and members of the government, the Ministers perform their duties within the limits determined by this Constitution and other laws.
- The Ministers are responsible to the President and the *Wolesi Jirga* for their particular duties.
- Article 78 • If a Minister is accused of crime against humanity, national treason or a criminal act, the case shall be referred to a special court in accordance with Article 134 of this Constitution.

- Article 79 • In cases of recess of the *Wolesi Jirga*, the government can adopt legislation in an emergency situation on matters other than those related to budget and financial affairs.
- The legislative decrees become laws after they are signed by the President. The legislative decrees should be submitted to the National Assembly in the course of thirty days beginning from the first session of the National Assembly.
 - In case of rejection by the National Assembly, the legislations become void.
- Article 80 • Ministers during the course of their work cannot use their posts for linguistic, regional, ethnic, religious and partisan purposes.

Chapter Five: The National Assembly

- Article 81 • The National Assembly of the Islamic Republic of Afghanistan, as the highest legislative organ, is the manifestation of the will of its people and represents the whole nation.
- Every member of the National Assembly takes into judgment the general welfare and supreme interests of all people of Afghanistan at the time of casting their vote.
- Article 82 • The National Assembly consists of two houses: *Wolesi Jirga* (the House of People) and *Meshrano Jirga* (House of Elders).
- No one can become a member of both houses simultaneously.
- Article 83 • Members of the *Wolesi Jirga* are elected by the people through free, general, secret and direct elections.
- Their mandate ends on the 1st of Saratan of the fifth year after the elections and the new assembly starts its work.
 - The election of the members of the *Wolesi Jirga* shall be held 30 to 60 days before the expiry of the term of the *Wolesi Jirga*.
 - The number of members of the *Wolesi Jirga*, proportionate to the population of each region, shall be not more than two hundred and fifty.
 - Electoral constituency and other related issues shall be determined by election laws.
 - In the Election Law, measures should be adopted so the election system shall provide general and just representation for all the people of the country and based on the population, from each province on average at least two female delegates shall have membership to the *Wolesi Jirga*.
- Article 84 • Members of the *Meshrano Jirga* are elected and appointed as follows:
1. From among the members of each Provincial Council, the respective council elects one person for a period of four years.

2. From among the District Councils of each province, the respective councils elect one person for a period of three years.
 3. The President from among experts and experienced personalities—including two representatives of the disabled and impaired and two representatives from the Nomads — appoints the remaining one-third of the members for a period of five years.
- The president appoints 50 percent of these people from among women.
 - A person who is appointed as a member of the *Meshrano Jirga* shall relinquish their membership in the respective council, and another person replaces him/her in accordance with the law.
- Article 85 • A person who is nominated or appointed as a member of the National Assembly should have the following qualifications in addition to those considered by voters:
1. Should be a citizen of Afghanistan, or has obtained citizenship of the state of Afghanistan at least ten years before becoming a candidate or being appointed.
 2. Should not have been convicted by a court for committing a crime against humanity, a crime, or sentenced to deprivation of his/her civil rights.
 3. Members of *Wolesi Jirga* should be at least twenty-five years old at the date of candidacy and members of the *Meshrano Jirga* should be at least thirty-five years old at the date of candidacy or appointment.
- Article 86 • Credentials of members of the National Assembly are reviewed by the Independent Election Commission in accordance with the law.
- Article 87 • In the beginning of the legislative period, each one of the two houses elects one of its members as the Chairperson for one legislative period, and two people as the first and second Vice Chairperson, and two people as the Secretary and Assistant Secretary for a period of one year.
- These individuals constitute the Bureau in their respective houses.
 - The duties of the Bureau are determined in the regulations pertaining to the internal duties of each house.
- Article 88 • Each house of the National Assembly sets up commissions to study the topics under discussion in accordance with its internal regulations.
- Article 89 • The *Wolesi Jirga* has the authority to set up a special commission if one-third of its members put forward a proposal to inquire about and study government actions.
- The composition and procedure of this commission is specified in the internal regulations of *Wolesi Jirga*.

- Article 90 • The National Assembly has the following authorities:
1. Ratification, modification, or abrogation of laws and or legislative decrees
 2. Approval of plans for economic, social, cultural, and technological development
 3. Approval of state budget, permission for obtaining and granting loans
 4. Creation, modification, and or abrogation of administrative units
 5. Ratification of international treaties and agreements, or abrogation of the membership of Afghanistan to them
 6. Other authorities specified in this Constitution.
- Article 91 • The *Wolesi Jirga* has the following special authorities:
- Deciding on interrogation of a Ministers in accordance with the provisions of Article 92 of this Constitution.
 - Taking decisions about the State's development programs and the State budget.
 - Approval or rejection of the appointments according to the provisions of this Constitution.
- Article 92 • The *Wolesi Jirga*, based on a proposal by twenty percent of its members, can interrogate a Minister.
- If the responses given are not satisfactory, *Wolesi Jirga* shall consider a vote of no confidence.
 - The vote of no confidence on a Minister shall be explicit, direct, and on the basis of well-founded reasons. This vote should be approved by a majority of all members of the *Wolesi Jirga*.
- Article 93 • Any commission of both Houses of the National Assembly can question each of the Ministers about specific topics.
- The person questioned can provide verbal or written response.
- Article 94 • Law is what both Houses of the National Assembly approve and the President endorses unless this Constitution states otherwise.
- In case the President does not agree to what the National Assembly approves, he can send the document back with justifiable reasons to the *Wolesi Jirga* within fifteen days of its submission. With the passage of this period or in case the *Wolesi Jirga* approves a particular case again with a majority of two-thirds votes, the bill is considered endorsed and enforced.
- Article 95 • Proposal for the promulgation of a law can be initiated by the government, or members of the National Assembly, and in the domain of regulating judicial affairs through the Supreme Court by the government. Proposals for drafting

the budget and financial affairs laws shall be made only by the Government.

- Article 96 • If a proposal for the promulgation of law includes imposition of new taxes or reduction in State incomes, it is included in the working agenda on condition that an alternative source is also envisioned.

- Article 97 • Proposals for promulgation of law initiated by the government are submitted first to the *Wolesi Jirga*.
 - The *Wolesi Jirga* approves or rejects as a whole the proposal for promulgation of law including budget and financial affairs and the proposal of taking or giving a loan after discussion.
 - The *Wolesi Jirga* cannot delay the proposal more than one month.
 - The proposed draft of law is submitted to the *Meshrano Jirga*, after its approval by the *Wolesi Jirga*.
 - The *Meshrano Jirga* decides on the draft within a period of fifteen days.
 - The National Assembly shall give priority to the promulgation of laws, treaties, and development plans of the government that require urgent consideration and decision as per the request of the government.
 - If a proposal for promulgation of law is initiated by ten members of one of the two Houses and then approved by one fifth members of the respective houses, it can be admitted to the agenda of the respective houses.

- Article 98 • The state budget and development plan of the government is submitted through the *Meshrano Jirga* along with advisory comments to the *Wolesi Jirga*.
 - The decision of the *Wolesi Jirga*, irrespective of the consent of the *Meshrano Jirga*, is enforceable after it is signed by the President.
 - If for some reason the budget is not approved before the beginning of the new fiscal year, the budget of the year before is applied until the approval of the new budget.
 - The government is obligated to give to the *Wolesi Jirga* the budget of the new fiscal year and a brief account of the current year's budget within the fourth quarter of the fiscal year.
 - The definite account of the previous fiscal year shall be submitted by the government to the *Wolesi Jirga* within six months of the new year, in accordance with the provisions of law.
 - The *Wolesi Jirga* cannot delay the approval of the budget for more than one month or permission to give or take a loan for more than 15 days.
 - If during this period the *Wolesi Jirga* does not take any decision with regards to taking or giving a loan, the proposal will be considered as approved.

- Article 99 • If, during a session of the National Assembly, the annual budget or a developmental plan or an issue related to public security, territorial integrity, and

the country's independence is under discussion, the session of the Assembly cannot end before the approval of the matter.

- Article 100 • In case the decision of one house is rejected by another house, a combined committee composed of equal members of each house is formed to resolve the disagreement.
- The decision of the committee is enforced after its approval by the President.
 - In case the combined committee cannot solve the disagreement, the defeated resolution is considered void.
 - In this case the *Wolesi Jirga* can approve it at the next session of the *Wolesi Jirga* by a two-thirds majority vote of its all members.
 - This approval is assumed as enforceable, after it is signed by the President, without submission to the *Meshrano Jirga*.
- Article 101 • No member of the National Assembly is legally prosecutable for expressing his /her views while performing their duty.
- Article 102 • When a member of the National Assembly is accused of a crime, the law enforcement authority informs the house of which the accused is member about the case, and the accused member can be prosecuted.
- In case of an evident crime, the law enforcement authority can legally pursue and arrest the accused without the permission of the house of which the accused is a member.
 - In both cases, when legal prosecution requires detention of the accused, law enforcement authorities are obligated to inform the respective house about the case immediately.
 - If the accusation takes place when the National Assembly is in recess, the permission of arrest is obtained from the administrative board of the respective house and the decision of this board is presented to the first session of the aforementioned house for a decision.
- Article 103 • The Ministers can participate in the sessions of each one of the two houses of the National Assembly.
- Each house of the National Assembly can demand the participation of Ministers to take part in its session.
- Article 104 • Both houses of the National Assembly hold their sessions separately at the same time.
- Under the following circumstances, both houses can hold joint sessions:
 1. When the legislative session or the annual session is inaugurated by the President
 2. When it is deemed necessary by the President.

- In this case, the head of the *Wolesi Jirga* chairs the joint session of the National Assembly.
- Article 105 • The sessions of the National Assembly are open unless the Chairman of the assembly, or at least ten members of the National Assembly, request secrecy and the assembly accepts this request.
- No one shall enter the building of the National Assembly by force.
- Article 106 • The quorum of the sessions of each house of the National Assembly for voting is complete with the presence of the majority of the members, and its decisions are taken with the majority of the members present, unless this Constitution states otherwise.
- Article 107 • The National Assembly convenes two ordinary sessions each year.
- The term of the National Assembly in each year is nine months. When necessary, the Assembly can extend this period.
 - Extraordinary sessions of the Assembly during recess can take place by the order of the President.
- Article 108 • In cases of death, resignation and dismissal of a member of the National Assembly, and/or disability or handicap, which prevents performance of duties permanently, election in the related constituency is held for a new representative for the rest of the legislative period, in accordance with the law.
- Matters involving the presence or absence of members of the National Assembly are regulated according to internal rules.
- Article 109 • Proposals for amendments of the electoral law cannot be included in the working agenda of the Assembly during the last year of the legislative period.

Chapter Six: Loya Jirga

- Article 110 • *Loya Jirga* is the highest manifestation of the people of Afghanistan.
- *Loya Jirga* consists of the following:
 1. Members of the National Assembly
 2. Chairpersons of the Provincial and District Councils
 - The Ministers, Chief Justice and members of the Supreme Court and the Attorney General can participate in the sessions of the *Loya Jirga* without the right to vote.
- Article 111 • *Loya Jirga* shall be convened in the following situations:
- To take decisions on issues related to independence, national sovereignty, territorial integrity, and supreme interests of the country

- To amend the provisions of this Constitution
 - To prosecute the President in accordance with the provisions of Article 69 of this Constitution.
- Article 112 • The *Loya Jirga* in its first session elects from among its members a Chairperson, a Deputy Chair, a Secretary and an Assistant Secretary.
- Article 113 • The quorum of the *Loya Jirga* for voting is completed by the majority of members.
- The decisions of the *Loya Jirga* are taken by a majority of the present members except in cases explicitly stated in this Constitution.
- Article 114 • Discussions of the *Loya Jirga* are open except when one-fourth of its members demand their secrecy, and the *Loya Jirga* accepts this demand.
- Article 115 • During the session of a *Loya Jirga*, the provision of Articles 101 and 102 of this Constitution are applied on its members.

Chapter Seven: The Judiciary

- Article 116 • The judicial branch is an independent organ of the state of the Islamic Republic of Afghanistan.
- The judicial branch consists of the Supreme Court (*Stera Mahkama*), High Courts, Appeal Courts, and Primary Courts, the structure and authorities of which are determined by law. The Supreme Court shall be the highest judicial organ, heading the judicial power of the Islamic Republic of Afghanistan.
- Article 117 • The Supreme Court is composed of nine members who are appointed by the President for a period of ten years with the confirmation of the *Wolesi Jirga* with observance of the provisions of the final clause of Article 50 and Article 118 of this Constitution. In the beginning the appointment will be as such:
- Three members are appointed for a period of four years, three members for seven years and three members for ten years.
 - Later appointments will be for a period of ten years.
 - The appointment of members for a second term is not permissible.
 - The President appoints one of its members as the Head of the Supreme Court.
 - Members in no way can be dismissed from their service until the end of their term, except circumstances stated in Article 127 of this Constitution.
- Article 118 • A member of the Supreme Court should have the following qualifications:
1. The age of the Head of the Supreme Court and its members should not be

lower than forty at the time of appointment

2. Should be a citizen of Afghanistan
3. Should have higher education in law or in Islamic jurisprudence, and enough expertise and experience in the judicial system of Afghanistan
4. Should enjoy high ethics and good reputation
5. Should not have been convicted of crimes against humanity, crimes, or sentenced to deprivation of civil rights by a court
6. Should not be a member of any political party during the term of official duty.

Article 119 • 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 accordance 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 nonpartisanship.

Article 120 • The authority of the judicial organ is to attend to all lawsuits in which real individuals or incorporated bodies including the state stand before it as plaintiff or defendant and in its presence is expressed in accordance with provisions of the law.

Article 121 • The Supreme Court on the request of the Government or the Courts shall review laws, legislative decrees, international treaties and international covenants for their compliance with the Constitution and provide their interpretation in accordance with the law.

Article 122 • No law, under any circumstance, can transfer a case from the jurisdiction of the judicial branch to another organ as has been determined in this Constitution.

- This provision does not apply to establishing special Courts stated in Articles 69, 78 and 127 of this Constitution and military courts in matters relating to them.
- The structure and authority of these courts are regulated by law.

Article 123 • With observance of the provisions of this Constitution, the rules related to the structure, authority, and performance of the courts, and the duties of judges are regulated by law.

Article 124 • Other officials and administrative personnel of the judicial branch are subject to the provisions of the laws related to the officials and other administrative personnel of the state, but their appointment, dismissal, promotion, pension, rewards and punishments are regulated by the Supreme Court in accordance with the law.

- Article 125 • The budget of the judicial branch is prepared by the Supreme Court in consultation with the government and presented by the government to the National Assembly as part of the state budget.
- Implementation of the budget of the judicial branch is the authority of the Supreme Court.
- Article 126 • Members of the Supreme Court enjoy official financial benefits for the rest of their lives provided they do not occupy state or political positions.
- Article 127 • When more than one-third of the members of the *Wolesi Jirga* demand the trial of the Chief Justice, or a member of the Supreme Court due to a crime committed during the performance of duty, and the *Wolesi Jirga* approves of this demand by a majority of two-thirds votes, the accused is dismissed from their post and the case is referred to a special court.
- The setting up of the court and the procedures of trial are regulated by law.
- Article 128 • In the courts of Afghanistan, trials are open and everyone is entitled to attend trials in accordance with the law.
- The court, in situations, which are stated in the law or in situations in which the secrecy of the trial is deemed necessary, can conduct the trial behind closed doors, but the announcement of the court decision should be open in all instances.
- Article 129 • The court is obliged to state the reasons for the decisions it issues.
- All final decisions of the courts are enforceable, except for capital punishment, which is conditional upon approval of the President.
- Article 130 • While processing cases, 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.
- Article 131 • The Courts shall apply the Shia school of law in cases dealing with personal matters involving the followers of the 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.
- Article 132 • Judges are appointed with the recommendation of the Supreme Court and approval of the President.
- The appointment, transfer, promotion, punishment, and proposal to retire judges are within the authority of the Supreme Court in accordance with the law.

- The Supreme Court shall establish the General Administration Office of Judicial Power for the purpose of better arrangement of the administration and judicial affairs and insuring the required improvements.
- Article 133• When a judge is accused of having committed a crime, the Supreme Court shall inquire about the case involving the judge in accordance with the law.
- After listening to the defence, when the Supreme Court regards the accusation to be valid, it shall present a proposal about the judge's dismissal to the President.
 - After Presidential approval, the accused judge shall be dismissed from duty, and punished in accordance with the provisions of the law.
- Article 134• Discovery of crimes is the duty of the police and investigation and prosecution are conducted by the Office of the Attorney General in accordance with the provisions of the law.
- The Office of the Attorney General is part the Executive branch, and is independent in its performance.
 - The structure, authority and activities of the Office of the Attorney General are regulated by law.
 - Discovery and investigation of crimes related to the armed forces, police, and national security officials are regulated by a special law.
- Article 135• If parties involved in a case do not know the language in which the trial is conducted, they have the right to understand the material and documents related to the case through an interpreter and the right to speak in their mother language in the court.

Chapter Eight: The Administration

- Article 136• 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.
- Article 137• 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.

- Article 138 • 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 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.
- Article 139 • 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 cooperation with the provincial administration.
- Article 140 • In order to organise activities involving people and provide them with the opportunity to actively participate in the local administration, Councils are established 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.
- Article 141 • 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.
- Article 142 • For the purpose of the implementation of the provisions, and ensuring the values of this Constitution, the State shall establish the required departments.

Chapter Nine: The State of Emergency

- Article 143 • If due to war, threat of war, serious rebellion, natural disasters, or situations similar to these, protecting the nation's independence or survival becomes impossible by following the provision of this Constitution, the President in confirmation with the National Assembly shall declare a state of emergency in some or all parts of the country.
- If the state of emergency continues for more than two months, the agreement of the National Assembly is required for its extension.
- Article 144 • During the state of emergency, the President, with the consultations of heads of the National Assembly and the Supreme Court, can transfer some authorities of the National Assembly to the government.
- Article 145 • During the state of emergency, the President, with the consent of the heads of the National Assembly and the Supreme Court, can suspend the validity of the

following Articles or can place restrictions on them:

1. Clause two of Article 27
2. Article 36
3. Clause two of Article 37
4. Clause two of Article 38.

Article 146 • During the state of emergency, the Constitution cannot be amended.

Article 147 • If the Presidential term of office and or the legislative period expire during a state of emergency, the new elections shall be postponed, and the presidency, and the legislative period shall be extended for up to four months.

- If the state of emergency continues for more than four months, a *Loya Jirga* shall be called by the President for further decisions.
- Following the termination of state of emergency, elections should be held within two months.

Article 148 • After the end of the state of emergency, the measures adopted on the basis of Articles 144 and 145 of this Constitution shall be considered invalid immediately.

Chapter Ten: Amendments

Article 149 • The provisions of adherence to the provisions of the sacred religion of Islam and the regime of an Islamic Republic cannot be amended.

- The amendment of the fundamental rights of the people are permitted only in order to make them more effective.
- Considering new experiences and requirements of the time, other contents of this Constitution can be amended by the proposal of the President or by the majority of members of the National Assembly in accordance with the provisions of Articles 67 and 146 of this Constitution.

Article 150 • In order to implement proposals regarding amending the Constitution, a commission composed of members of the government, National Assembly, and the Supreme Court, would be established by a Presidential decree, and the commission shall prepare a draft of the amendments.

- For approval of the amendments, a *Loya Jirga* shall be convened by the decree of the President in accordance with the provisions of the Chapter on the *Loya Jirga*.
- When the *Loya Jirga* approves an amendment by a majority of two-thirds of its members, it shall be enforced after endorsement by the President.

Chapter Eleven: The Miscellaneous Provisions

- Article 151 • The President, Vice Presidents, Ministers, Head and Members of the Supreme Court, Attorney General, Head of the Central Bank, National Security Directorate, Governors and Mayors cannot engage in any profitable business contracts with the government during their term of office.
- Article 152 • The President, Vice Presidents, Ministers, Heads and Members of the National Assembly, Head and members of the Supreme Court, Attorney General and judges, cannot undertake other jobs during their terms of office.
- Article 153 • Judges, Attorneys, and Officers of the Armed Forces and Police, and members of National Security, cannot be members of political parties during their terms of office.
- Article 154 • The wealth of the President, Vice Presidents, Ministers, members of the Supreme Court and the Attorney General before and after their term of office should be registered and monitored by an organ to be set by law.
- Article 155 • Appropriate salaries shall be paid to the Vice Presidents, Ministers, Chairs and members of the National Assembly, the Supreme Court, Attorney General and Judges in accordance with the provisions of law.
- Article 156 • The Independent Electoral Commission shall be set up for the organisation and supervision of any election and for holding a referendum within the country based on the provisions of the law.
- Article 157 • The Independent Commission for the Supervision of the Implementation of the Constitution will be established by the provisions of the law.
 - Members of this Commission shall be appointed by the President with the confirmation of the *Wolesi Jirga*.

Chapter Twelve: The Transitional Provisions

- Article 158 • The title of the Father of the Nation and the privileges granted by the Emergency Loya Jirga of 1381 (2002) to His Majesty Mohammad Zahir Shah Former King of Afghanistan are preserved for him during his lifetime, in accordance with the provisions of this Constitution.
- Article 159 • The period, following the adoption of this Constitution, until the date of inauguration of the National Assembly, is deemed as transitional period.
 - During the transitional period, the Transitional Islamic State of Afghanistan shall carry out the following tasks:

1. Issue legislative decrees related to the elections of the President, National Assembly and local councils within six months
2. Issue decrees regarding the structure and authorities of the courts and basic administration structures within a period of less than one year
3. Establish an Independent Election Commission
4. Take necessary measures for reform of executive and judicial affairs
5. Adopt necessary measures for preparing the ground for enforcement of the provisions of this Constitution.

- Article 160 • The first elected President shall take up his/her duties after thirty days of the announcement of the elections in accordance with this Constitution.
- Every effort shall be made to hold the first presidential elections and the parliamentary elections at the same time.
 - Until the establishment of the National Assembly, the powers of this assembly outlined in this Constitution will be held by the government, and the interim Supreme Court shall be established by Presidential Decree.

- Article 161 • The National Assembly will exercise its powers immediately after its establishment in accordance with this Constitution.
- The Government and the Supreme Court shall be established within thirty days of the first session of the *Wolesi Jirga* taking place.
 - The President of the Transitional Islamic State of Afghanistan shall continue his duties until the elected President has taken office.
 - The executive and judicial organs of the state in accordance with provisions of Clause 4 of Article 159 of this constitution shall continue their duties, until the formation of the Government and the Supreme Court.
 - The decrees enforced from the beginning of the interim period shall be submitted to the first session of the National Assembly.
 - These decrees are enforceable until they are annulled by the National Assembly.

- Article 162 • This Constitution is enforced upon its approval by the *Loya Jirga*, and will be signed and announced by the President of the Transitional Islamic State of Afghanistan.
- Upon the enforcement of this Constitution, laws and decrees contrary to the provisions of it are invalid.

The Afghanistan Compact (2006)

For more information on the Afghanistan Compact, see page 11.

Preamble

The Islamic Republic of Afghanistan and the international community:

Determined to strengthen their partnership to improve the lives of Afghan people, and to contribute to national, regional and global peace and security;

Affirming their shared commitment to continue, in the spirit of the Bonn, Tokyo and Berlin conferences, to work toward a stable and prosperous Afghanistan, with good governance and human rights protection for all under the rule of law, and to maintain and strengthen that commitment over the term of this Compact and beyond;

Recognising the courage and determination of Afghans who, by defying violent extremism and hardship, have laid the foundations for a democratic, peaceful, pluralistic and prosperous state based on the principles of Islam;

Noting the full implementation of the Bonn Agreement through the adoption of a new constitution in January 2004, and the holding of presidential elections in October 2004 and National Assembly and Provincial Council elections in September 2005, which have enabled Afghanistan to regain its rightful place in the international community;

Mindful that Afghanistan's transition to peace and stability is not yet assured, and that strong international engagement will continue to be required to address remaining challenges;

Resolved to overcome the legacy of conflict in Afghanistan by setting conditions for sustainable economic growth and development; strengthening state institutions and civil society; removing remaining terrorist threats; meeting the challenge of counter narcotics; rebuilding capacity and infrastructure; reducing poverty; and meeting basic human needs;

Have agreed to this Afghanistan Compact.

Purpose

The Afghan Government has articulated its overarching goals for the well-being of its people in the "Afghanistan Millennium Development Goals Country Report 2005 – Vision 2020". Consistent with those goals, this Compact identifies three critical and interdependent areas or pillars of activity for the five years from the adoption of this Compact:

- 1 Security;
- 2 Governance, Rule of Law and Human Rights; and

3 Economic and Social Development.

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

The Afghan Government hereby commits itself to realising this shared vision of the future; the international community, in turn, commits itself to provide resources and support to realise that vision. Annex I of this Compact sets out detailed outcomes, benchmarks and timelines for delivery, consistent with the high-level goals set by the Afghanistan National Development Strategy (ANDS). The Government and international community also commit themselves to improve the effectiveness and accountability of international assistance as set forth in Annex II.

Principles of Cooperation

As the Afghan Government and the international community embark on the implementation of this Compact, they will:

- Respect the pluralistic culture, values and history of Afghanistan, based on Islam;
- Work on the basis of partnership between the Afghan Government, with its sovereign responsibilities, and the international community, with a central and impartial coordinating role for the United Nations;
- Engage further the deep-seated traditions of participation and aspiration to ownership of the Afghan people;
- Pursue fiscal, institutional and environmental sustainability;
- Build lasting Afghan capacity and effective state and civil society institutions, with particular emphasis on building up human capacities of men and women alike;
- Ensure balanced and fair allocation of domestic and international resources in order to offer all parts of the country tangible prospects of well-being;
- Recognise in all policies and programmes that men and women have equal rights and responsibilities;
- Promote regional cooperation; and
- Combat corruption and ensure public transparency and accountability.

Security

Genuine security remains a fundamental prerequisite for achieving stability and development in Afghanistan. Security cannot be provided by military means alone. It requires good governance, justice and the rule of law, reinforced by reconstruction and development. With the support of the international community, the Afghan Government will consolidate peace by disbanding all illegal armed groups. The Afghan Government and the international community will create a secure environment by strengthening Afghan institutions to meet the security needs of the country in a fiscally sustainable manner.

To that end, the NATO-led International Security Assistance Force (ISAF), the US-led Operation Enduring Freedom (OEF) and partner nations involved in security sector reform will continue to provide strong support to the Afghan Government in establishing and sustaining security and stability in Afghanistan, subject to participating states' national approval procedures. They will continue to strengthen and develop the capacity of the national security forces to ensure that they become fully functional. All OEF counter-terrorism operations will be conducted in close coordination with the Afghan Government and ISAF. ISAF will continue to expand its presence throughout Afghanistan, including through Provincial Reconstruction Teams (PRTs), and will continue to promote stability and support security sector reforms in its areas of operation.

Full respect for Afghanistan's sovereignty and strengthening dialogue and cooperation between Afghanistan and its neighbours constitute an essential guarantee of stability in Afghanistan and the region. The international community will support concrete confidence-building measures to this end.

Governance, Rule of Law and Human Rights

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 Afghan Government will give priority to the coordinated establishment in each province of functional institutions—including civil administration, police, prisons and judiciary. These institutions will have appropriate legal frameworks and appointment procedures; trained staff; and adequate remuneration, infrastructure and auditing capacity. The Government will establish a fiscally and institutionally sustainable administration for future elections under the supervision of the Afghanistan Independent Election Commission.

Reforming the justice system will be a priority for the Afghan Government and the international community. The aim will be to ensure equal, fair and transparent access to justice for all based upon written codes with fair trials and enforceable verdicts. Measures will include: completing legislative reforms for the public as well as the private sector; building the capacity of judicial institutions and personnel; promoting human rights and legal awareness; and rehabilitating judicial infrastructure.

The Afghan Government and the international community reaffirm their commitment to the protection and promotion of rights provided for in the Afghan constitution and under applicable international law, including the international human rights covenants and other instruments to which Afghanistan is party. With a view to rebuilding trust among those whose lives were shattered by war, reinforcing a shared sense of citizenship and a culture of tolerance, pluralism

and observance of the rule of law, the Afghan Government with the support of the international community will implement the Action Plan on Peace, Justice and Reconciliation.

Economic and Social Development

The Afghan Government with the support of the international community will pursue high rates of sustainable economic growth with the aim of reducing hunger, poverty and unemployment. It will promote the role and potential of the private sector, alongside those of the public and non-profit sectors; curb the narcotics industry; ensure macroeconomic stability; restore and promote the development of the country's human, social and physical capital, thereby establishing a sound basis for a new generation of leaders and professionals; strengthen civil society; and complete the reintegration of returnees, internally displaced persons and ex-combatants.

Public investments will be structured around the six sectors of the pillar on economic and social development of the Afghanistan National Development Strategy:

- 1 Infrastructure and natural resources;
- 2 Education;
- 3 Health;
- 4 Agriculture and rural development;
- 5 Social protection; and
- 6 Economic governance and private sector development.

In each of these areas, the objective will be to achieve measurable results towards the goal of equitable economic growth that reduces poverty, expands employment and enterprise creation, enhances opportunities in the region and improves the well-being of all Afghans.

Counter-Narcotics: A Cross-Cutting Priority

Meeting the threat that the narcotics industry poses to national, regional and international security as well as the development and governance of the country and the well-being of Afghans will be a priority for the Government and the international community. The aim will be to achieve a sustained and significant reduction in the production and trafficking of narcotics with a view to complete elimination. Essential elements include improved interdiction, law enforcement and judicial capacity building; enhanced cooperation among Afghanistan, neighbouring countries and the international community on disrupting the drugs trade; wider provision of economic alternatives for farmers and labourers in the context of comprehensive rural development; and building national and provincial counter-narcotics institutions. It will also be crucial to enforce a zero-tolerance policy towards official corruption; to pursue eradication as appropriate; to reinforce

the message that producing or trading opiates is both immoral and a violation of Islamic law; and to reduce the demand for the illicit use of opiates.

Coordination and Monitoring

The Afghan Government and the international community are establishing a Joint Coordination and Monitoring Board for the implementation of the political commitments that comprise this Compact. As detailed in Annex III, this Board will be co-chaired by the Afghan Government and the United Nations and will be supported by a small secretariat. It will ensure greater coherence of efforts by the Afghan Government and international community to implement the Compact and provide regular and timely public reports on its execution.

ANNEX I: Benchmarks and Timelines

The Afghan Government, with the support of the international community, is committed to achieving the following benchmarks in accordance with the timelines specified.

Security

International Security Forces

Through end-2010, with the support of and in close coordination with the Afghan Government, the NATO-led International Security Assistance Force (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.

Afghan National Army

By end-2010: A nationally respected, professional, ethnically balanced Afghan National Army will be fully established that is democratically accountable, organized, trained and equipped to meet the security needs of the country and increasingly funded from Government revenue, commensurate with the nation's economic capacity; the international community will continue to support Afghanistan in expanding the ANA towards the ceiling of 70,000 personnel articulated in the Bonn talks; and the pace of expansion is to be adjusted on the basis of periodic joint quality assessments by the Afghan Government and the international community against agreed criteria which take into account prevailing conditions.

Afghan National and Border Police

By end-2010, a fully constituted, professional, functional and ethnically balanced Afghan National Police and Afghan Border Police with a combined force of up to 62,000 will be able to meet the security needs of the country effectively and will be increasingly fiscally sustainable.

Disbandment of Illegal Armed Groups

All illegal armed groups will be disbanded by end-2007 in all provinces.

Counter-Narcotics

By end-2010, the Government will strengthen its law enforcement capacity at both central and provincial levels, resulting in a substantial annual increase in the amount of drugs seized or destroyed and processing facilities dismantled, and in effective measures, including targeted eradication as appropriate, that contribute to the elimination of poppy cultivation.

By end-2010, the Government and neighbouring and regional governments will work together to increase coordination and mutual sharing of intelligence, with the goal of an increase in the seizure and destruction of drugs being smuggled across Afghanistan's borders and effective action against drug traffickers.

Mine Action and Ammunition

By end-2010, in line with Afghanistan's Millennium Development Goals (MDGs) and Afghanistan's Ottawa Convention obligations, the land area contaminated by mines and unexploded ordnance will be reduced by 70%; all stockpiled anti-personnel mines will be located and destroyed by end-2007; and by end-2010, all unsafe, unserviceable and surplus ammunition will be destroyed.

Governance, Human Rights and Rule of Law

Public Administrative Reform

By end-2010: Government machinery (including the number of ministries) will be restructured and rationalised 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.

A clear and transparent national appointments mechanism will be established within 6 months, applied within 12 months and fully implemented within 24 months for all senior level appointments to the central government and the judiciary, as well as for provincial governors, chiefs of police, district administrators and provincial heads of security.

By end-2006 a review of the number of administrative units and their boundaries will be undertaken with the aim of contributing to fiscal sustainability.

By 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 civil service positions 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 all senior staff (grade 2 and above) starting by end-2007.

Anti-Corruption

The UN Convention against Corruption will be ratified by end-2006, national legislation adapted accordingly by end-2007 and a monitoring mechanism to oversee implementation will be in place by end-2008.

The Census and Statistics

The census enumeration will be completed by end-2008 and the complete results published.

Reliable statistical baselines will be established for all quantitative benchmarks by mid-2007 and statistical capacity built to track progress against them.

National Assembly

The National Assembly will be provided with technical and administrative support by mid-2006 to fulfil effectively its constitutionally mandated roles.

Elections

The Afghanistan Independent Election Commission will have the high integrity, capacity and resources to undertake elections in an increasingly fiscally sustainable manner by end-2008, with the Government of Afghanistan contributing to the extent possible to the cost of future elections from its own resources. A permanent civil and voter registry with a single national identity document will be established by end-2009.

Gender

By 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.

Rule of Law

By end-2010, 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-2010, 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-2006 and fully implemented by end-2010; by end-2010, 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-2010, justice infrastructure will be rehabilitated; and prisons will have separate facilities for women and juveniles.

Land Registration

A process for registration of land in all administrative units and the registration of titles will be started for all major urban areas by end-2006 and all other areas by end-2008. A fair system for settlement of land disputes will be in place by end-2007. Registration for rural land will be under way by end-2007.

Counter Narcotics

By 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, as part of the appointments mechanism mentioned earlier in this annex.

Human Rights

By 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; 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 end-2008.

Economic and Social Development

Infrastructure and Natural Resources

Roads

Afghanistan will have a fully upgraded and maintained ring road, as well as roads connecting the ring road to neighbouring countries by end-2008 and a fiscally sustainable system for road maintenance by end-2007.

Air Transport

By end-2010: Kabul International Airport and Herat Airport will achieve full International Civil Aviation Organisation compliance; Mazar-i-Sharif, Jalalabad and Kandahar will be upgraded

with runway repairs, air navigation, fire and rescue and communications equipment; seven other domestic airports will be upgraded to facilitate domestic air transportation; and air transport services and costs will be increasingly competitive with international market standards and rates.

Energy

By end-2010: electricity will reach at least 65% of households and 90% of non-residential establishments in major urban areas and at least 25% of households in rural areas; at least 75% of the costs will be recovered from users connected to the national power grid. A strategy for the development and the use of renewable energies will be developed by end-2007.

Mining and Natural Resources

An enabling regulatory environment for profitable extraction of Afghanistan's mineral and natural resources will be created by end-2006, and by end-2010 the investment environment and infrastructure will be enhanced in order to attract domestic and foreign direct investment in this area.

Water Resource Management

Sustainable water resource management strategies and plans covering irrigation and drinking water supply will be developed by end-2006, and irrigation investments will result in at least 30% of water coming from large waterworks by end-2010.

Urban Development

By end-2010: Municipal governments will have strengthened capacity to manage urban development and to ensure that municipal services are delivered effectively, efficiently and transparently; in line with Afghanistan's MDGs, investment in water supply and sanitation will ensure that 50% of households in Kabul and 30% of households in other major urban areas will have access to piped water.

Environment

In line with Afghanistan's MDGs, environmental regulatory frameworks and management services will be established for the protection of air and water quality, waste management and pollution control, and natural resource policies will be developed and implementation started at all levels of government as well as the community level, by end-2007.

Education

Primary and Secondary Education

By end-2010: in line with Afghanistan's MDGs, net enrolment in primary school for girls and boys will be at least 60% and 75% respectively; a new curriculum will be operational in all secondary schools; female teachers will be increased by 50%; 70% of Afghanistan's teachers will have passed a competency test; and a system for assessing learning achievement such as a national testing system for students will be in place.

Higher Education

By end 2010: enrolment of students to universities will be 100,000 with at least 35% female students; and the curriculum in Afghanistan's public universities will be revised to meet the development needs of the country and private sector growth.

Skills Development

A human resource study will be completed by end-2006, and 150,000 men and women will be trained in marketable skills through public and private means by end-2010.

Afghan Cultural Heritage

A comprehensive inventory of Afghan cultural treasures will be compiled by end-2007. Measures will be taken to revive the Afghan cultural heritage, to stop the illegal removal of cultural material and to restore damaged monuments and artefacts by end-2010.

Health

Health and Nutrition

By end-2010, in line with Afghanistan's MDGs, the Basic Package of Health Services will be extended to cover at least 90% of the population; maternal mortality will be reduced by 15%; and full immunisation coverage for infants under 5 for vaccine-preventable diseases will be achieved and their mortality rates reduced by 20%.

Agriculture and Rural Development

Agriculture and Livestock

By end-2010: The necessary institutional, regulatory and incentive framework to increase production and productivity will be established to create an enabling environment for legal agriculture and agriculture-based rural industries, and public investment in agriculture will increase by 30 percent; particular consideration will be given to perennial horticulture, animal health and food security by instituting specialised support agencies and financial service delivery mechanisms, supporting farmers' associations, branding national products, disseminating timely price and weather-related information and statistics, providing strategic research and technical assistance and securing access to irrigation and water management systems.

Comprehensive Rural Development

By end-2010: Rural development will be enhanced comprehensively for the benefit of 19 million people in over 38,000 villages; this will be achieved through the election of at least a further 14,000 voluntary community development councils in all remaining villages, promoting local governance and community empowerment; access to safe drinking water will be extended to 90% of villages and sanitation to 50%; road connectivity will reach 40% of all villages, increasing access to markets, employment and social services; 47% of villages will benefit from small-scale irrigation;

800,000 households (22% of all Afghanistan's households) will benefit from improved access to financial services; and livelihoods of at least 15% of the rural population will be supported through the provision of 91 million labour days.

Counter-Narcotics

By end-2010, the Government will design and implement programmes to achieve a sustained annual reduction in the amount of land under poppy and other drug cultivation by the strengthening and diversification of licit livelihoods and other counter narcotics measures, as part of the overall goal of a decrease in the absolute and relative size of the drug economy in line with the Government's MDG target.

Social Protection

Poverty Reduction

By end-2010, in line with Afghanistan's MDGs, the proportion of people living on less than US\$1 a day will decrease by 3% per year and the proportion of people who suffer from hunger will decrease by 5% per year.

Humanitarian and Disaster Response

By end-2010, an effective system of disaster preparedness and response will be in place.

Disabled

By end-2010, increased assistance will be provided to meet the special needs of all disabled people, including their integration in society through opportunities for education and gainful employment.

Employment of Youth and Demobilised Soldiers

By end-2010, employment opportunities for youth and demobilised soldiers will be increased through special programmes.

Refugees and IDPs

By end-2010, all refugees opting to return and internally displaced persons will be provided assistance for rehabilitation and integration in their local communities; their integration will be supported by national development programmes, particularly in key areas of return.

Vulnerable Women

By end-2010, the number of female-headed households that are chronically poor will be reduced by 20%, and their employment rates will be increased by 20%.

Counter Narcotics

By end-2010, the Government will implement programmes to reduce the demand for narcotics and provide improved treatment for drug users.

Economic Governance and Private Sector Development

Financial Management

By end-2007, the Government will ensure improved transparent financial management at the central and provincial levels through establishing and meeting benchmarks for financial management agreed with and monitored by the international community, including those in the anticipated Poverty Reduction Growth Facility (PRGF). In turn, and in line with improved government accountability, donors will make more effort to increase the share of total external assistance to Afghanistan that goes to the core budget.

Domestic Revenues

Afghanistan's total domestic budgetary revenue — equivalent to 4.5% of estimated legal GDP in 1383 (2004/05) — will steadily increase and reach 8% of GDP by 1389 (2010/11). The ratio of revenue to estimated total recurrent expenditures, including estimated recurrent expenditures in the core and external development budgets, is projected to rise from 28% in 1383 (2004/05) to an estimated 58% in 1389, resulting in a continuing need, in accord with the principles in Annex II, for (1) external assistance to the core budget and (2) increasing cost-effectiveness of assistance that funds recurrent expenditure through the external development budget.

Private Sector Development and Trade

All legislation, regulations and procedures related to investment will be simplified and harmonised by end-2006 and implemented by end-2007. New business organisation laws will be tabled in the National Assembly by end-2006. The Government's strategy for divestment of state-owned enterprises will be implemented by end-2009.

Financial Services and Markets

Internationally accepted prudential regulations will be developed for all core sectors of banking and non-bank financial institutions by end-2007. The banking supervision function of Da Afghanistan Bank will be further strengthened by end-2007. Re-structuring of state-owned commercial banks will be complete by end-2007. State-owned banks that have not been re-licensed will be liquidated by end-2006.

Regional Cooperation

By end-2010: Afghanistan and its neighbours will achieve lower transit times through Afghanistan by means of cooperative border management and other multilateral or bilateral trade and transit agreements; Afghanistan will increase the amount of electricity available through bilateral power purchase; and Afghanistan, its neighbours and countries in the region will reach agreements to

enable Afghanistan to import skilled labour, and to enable Afghans to seek work in the region and send remittances home.

ANNEX II: Improving the Effectiveness of Aid to Afghanistan

The international community has made a significant investment in the future of a democratic state of Afghanistan since December 2001. This Compact is an affirmation of that commitment. The Afghan Government and the international community are further committed to improving the effectiveness of the aid being provided to Afghanistan in accordance with the Paris Declaration on Aid Effectiveness (2005), recognising the special needs of Afghanistan and their implications for donor support.

Consistent with the Paris Declaration and the principles of cooperation of this Compact, the Government and the international community providing assistance to Afghanistan agree that the principles for improving the effectiveness of aid to Afghanistan under this Compact are:

- 1 Leadership of the Afghan Government in setting its development priorities and strategies and, within them, the support needs of the country and the coordination of donor assistance;
- 2 Transparency and accountability on the part of both the Government and the donors of the international assistance being provided to Afghanistan.

Under these principles and towards the goal of improving the effectiveness of aid to Afghanistan, the Government will:

- Provide a prioritised and detailed Afghanistan National Development Strategy (ANDS) with indicators for monitoring results, including those for Afghanistan's Millennium Development Goals (MDGs);
- Improve its abilities to generate domestic revenues through, inter alia, customs duties and taxes; and to achieve cost recovery from public utilities and transportation;
- Agree with donors, international financial institutions and United Nations agencies on the benchmarks for aid channelled through the Government's core budget and for the utilisation of such aid; and monitor performance against those benchmarks; and
- Provide regular reporting on the use of donor assistance and performance against the benchmarks of this compact to the National Assembly, the donor community through the Afghanistan Development Forum and the public at large.

The donors will:

- Provide assistance within the framework of the Afghanistan National Development Strategy; programmes and projects will be coordinated with Government in order to focus on priorities, eliminate duplication and rationalise donor activities to maximise cost-effectiveness;
- Increasingly provide more predictable and multiyear funding commitments or indications of

multiyear support to Afghanistan to enable the Government to plan better the implementation of its National Development Strategy and provide untied aid whenever possible;

- Increase the proportion of donor assistance channelled directly through the core budget, as agreed bilaterally between the Government and each donor, as well as through other more predictable core budget funding modalities in which the Afghan Government participates, such as the Afghanistan Reconstruction Trust Fund (ARTF), the Law and Order Trust Fund for Afghanistan (LOTFA) and the Counter Narcotics Trust Fund (CNTF);
- Provide assistance for the development of public expenditure management systems that are essential for improving transparency and accountability in the utilisation of donor resources and countering corruption;
- Recognise that, because of the need to build Afghan capacity, donor assistance provided through the external budget will be designed in such a manner as to build this capacity in the Government as well as the private sector and non-profit sector;
- Ensure that development policies, including salary policies, strengthen national institutions that are sustainable in the medium to long term for delivery of programmes by the Government;
- For aid not channelled through the core budget, endeavour to:
 - 1 Harmonise the delivery of technical assistance in line with Government needs to focus on priority areas and reduce duplication and transaction costs;
 - 2 Reduce the external management and overhead costs of projects by promoting the Afghan private sector in their management and delivery;
 - 3 Increasingly use Afghan national implementation partners and equally qualified local and expatriate Afghans;
 - 4 Increase procurement within Afghanistan of supplies for civilian and military activities; and
 - 5 Use Afghan materials in the implementation of projects, in particular for infrastructure;
- Within the principles of international competitive bidding, promote the participation in the bidding process of the Afghan private sector and South-South cooperation in order to overcome capacity constraints and to lower costs of delivery;
- Provide timely, transparent and comprehensive information on foreign aid flows, including levels of pledges, commitments and disbursements in a format that will enable the Afghan Government to plan its own activities and present comprehensive budget reports to the National Assembly; this covers the nature and amount of assistance being provided to Afghanistan through the core and external budgets; and
- For external budget assistance, also report to the Government on: the utilisation of funds; its efficiency, quality and effectiveness; and the results achieved.

These mutual commitments are intended to ensure that the donor assistance being provided to Afghanistan is used efficiently and effectively, that there is increased transparency and accountability, and that both Afghans and the taxpayers in donor countries are receiving value for money.

ANNEX III: Coordination and Monitoring

The Afghan Government and the international community recognise that the success of the Afghanistan Compact requires strong political, security and financial commitment to achieve the benchmarks within the agreed timelines. Equally, the success of the Compact relies on an effective coordination and monitoring mechanism.

To this end, and in addition to existing sectoral coordination mechanisms, the Afghan Government and the international community are establishing a Joint Coordination and Monitoring Board with the participation of senior Afghan Government officials appointed by the President and representatives of the international community. The Board will be co-chaired by a senior Afghan Government official appointed by the President and by the Special Representative of the UN Secretary-General for Afghanistan. Its purpose would be to ensure overall strategic coordination of the implementation of the Compact.

The Board will have a small secretariat staffed by the Afghan Government and the United Nations. It will be supported by technical experts, as needed. The Board will hold periodic meetings and special sessions as required to review the implementation of this Compact and suggest corrective action, as appropriate.

Afghan state institutions and sectoral coordination mechanisms involved in the implementation of the Afghanistan National Development Strategy (ANDS) will provide inputs to the Board with regard to the implementation of the Compact. In addition, in carrying out its assessments, the Board will consider inputs from the international community, including United Nations agencies, international financial institutions, donors, international security forces and relevant non-governmental organisations and civil society representatives.

Periodic progress reports on the implementation of the Compact prepared by the Joint Coordination and Monitoring Board will be made public.

ANNEX IV: Participants at the 2006 London Conference on Afghanistan

Participating Countries

Afghanistan (co-Chair)	Belgium	Canada
Australia	Brazil	China
Austria	Brunei	Czech Republic
Bahrain	Bulgaria	Denmark

Egypt	Korea (Republic of)	Romania
Finland	Kuwait	Russia
France	Kyrgyzstan	Saudi Arabia
Germany	Lithuania	Spain
Greece	Luxembourg	Sweden
Hungary	Malaysia	Switzerland
Iceland	Netherlands	Tajikistan
India	New Zealand	Turkey
Iran	Norway	Turkmenistan
Italy	Pakistan	United Arab Emirates
Japan	Poland	United Kingdom (co-Chair)
Jordan	Portugal	United States of America
Kazakhstan	Qatar	Uzbekistan

Participating Organisations

Aga Khan Foundation	International Monetary Fund
Asian Development Bank	North Atlantic Treaty Organisation
European Commission	Organisation of Islamic Conference
European Union	United Nations (co-Chair)
Islamic Development Bank	World Bank

Observers

Argentina	Malta
Chile	Oman
Croatia	Organisation for Security and Cooperation in Europe
Cyprus	Singapore
Estonia	Slovakia
Ireland	Slovenia
Latvia	
Macedonia (FYR)	

Code of Conduct for NGOs engaged in Humanitarian Action, Reconstruction, and Development in Afghanistan (2005)

For more information on the NGO Code of Conduct, see p. 60.

Preamble

Because Afghanistan is at a unique point in its history and has the opportunity to move towards long-term stability, economic prosperity and respect for human rights;

Because NGOs are civil society actors and a strong civil society is essential to the development and functioning of a stable Afghan nation and state;

Because NGOs are committed to the development of Afghanistan and Afghan capacity;

Because the development of a new Constitution and a legislative structure for Afghanistan provide a context in which accountable and responsible behaviour can flourish and be recognised;

Because NGOs, as civil society organisations and emergency and development programme implementers, continue to make important contributions with and for the Afghan people;

Because the nature and roles of NGOs are not well understood, leading to accusations that NGOs misuse funds and are wasteful and self-serving;

Because various “for-profit” and political actors misuse the NGO umbrella to promote their commercial or political interests;

Because NGOs continue to face demands that pull them in many different directions and may threaten their capacity and their independence as civil society actors; and

Because Codes of Conduct are a mechanism by which NGOs can ensure higher standards – including greater transparency and accountability,

We, the accredited representatives of NGOs in Afghanistan, hereby voluntarily affix our signatures to this Code of Conduct and commit our organisations to upholding the Principles of Conduct in this Code.

Definitions

The Code of Conduct is a set of shared norms, principles and values that aims to enhance the conduct and reputation of NGOs.

Non-governmental organisations are voluntary, not-for-profit, non-partisan and independent organisations or associations engaged in serving the public good. NGOs may be national as well as international; secular as well as “faith-based”; and of membership and non-membership categories

Voluntary denotes free will on the part of the NGO as well as community partners.

Not-for-profit means that an NGO cannot distribute its assets, earnings or profits as such to any person. However, there may be paid employees or activities generating revenue which will be used solely for the stated purposes of the organisation.

Non-partisan and independent indicates that the NGO is controlled and directed by its governing body, in keeping with its mandate and not by any other power or group.

Signatories are NGOs whose duly accredited representative has signed and accepted this Code of Conduct.

We refers to all signatories to the Code of Conduct.

Civil society includes all formal and informal groups and associations that are not of the public and business sectors. NGOs are a part of civil society.

Gender equality means that the different behaviour, aspirations, needs and rights of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female.

Gender equity means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities.

Capacity building is the process by which individuals, groups, organisations, institutions and societies increase their abilities to:

- 1 perform core functions, solve problems, define and achieve objectives; and
- 2 understand and deal with their development needs in a broad context and in a sustainable manner.

Humanitarian action includes those activities taken to prevent and alleviate human suffering arising out of conflict, crisis and calamity, including any situation involving:

- 1 damage to or loss of lives of non-combatants in a conflict situation; or
- 2 patterns of (gross) human rights or humanitarian law violations against civilians in conflict and/or ongoing political crisis.

NGO Mission Statement

Our general mission as NGOs operating in Afghanistan is to address humanitarian, reconstruction and sustainable development needs in Afghanistan, with a special focus on the rights of those who are disadvantaged and vulnerable. We work in partnership with each other, the government, donors and communities.

Purpose of the Code

The Code of Conduct will promote:

- improved understanding of NGOs, their purposes and their accomplishments among the general public, government, donors and the media;
- transparency, accountability and good management practices in the operation of NGOs by voluntary self-regulation; and
- improved quality of services provided by NGOs by raising standards of conduct.

Principles of Conduct

1 Our organisations are people-centered

- 1.1 Focus on the people we serve: Our primary loyalty, accountability and responsibility is to the people we serve. Our programmes are designed and developed in response to the needs of the people.
- 1.2 Self-reliance and ownership: We seek to help people and communities to solve their own problems. We encourage and enable the development of self-reliance and advance the right of people to fully participate in decisions that affect their lives.
- 1.3 Human rights: We endeavour to respect, protect and promote the fulfilment of the human rights and obligations of all Afghans in accordance with international law.
- 1.4 Trust: We work to build the trust of the communities with which we work.
- 1.5 Participation and non-discrimination: We involve men, women, youth and children of our target communities to the greatest possible extent, engaging them in the conception, implementation and evaluation of projects and programmes. We strive to ensure the participation of marginalised groups in communities where we work.
- 1.6 Respect for local values: We respect the dignity and identity of the individual, and acknowledge indigenous knowledge, culture, religious faith and values. This does not mean that we support practices that undermine the human rights of any individual or group.

2 Our organisations are committed to sustainable positive impact

- 2.1 Effectiveness: We are committed to effectiveness and to maximising the positive impact of our programmes. We avoid duplication of services.
- 2.2 Sustainability: Whenever possible, our programmes seek durable solutions that are cost effective, that build Afghan ownership and capacity, and that are driven by the long-term development goals of communities.
- 2.3 Environmental impact: We exercise a responsible and responsive approach to the care of the physical, natural environment and to the proper management of Afghanistan's ecosystems in all our activities.
- 2.4 Monitoring and evaluation: We monitor and evaluate the impact of our programmes and share findings with relevant stakeholders, including the communities we serve, donors, government and the general public.

3 Our organisations are committed to transparency and accountability

- 3.1 We are transparent and accountable in our dealings with the government and community partners, the public, donors and other interested parties.
- 3.2 Accountability: We develop and maintain sound financial policies, audits, and systems in order to manage our accounts. We conform to the constitution, laws, rules and regulations of the government of Afghanistan and where necessary, lobby for policy change. We are truthful and honest in all matters related to raising, using and accounting for funds. We maintain sound financial, accounting, procurement, transport and administrative systems that ensure the use of resources in accordance with intended purposes.
- 3.3 Transparency: We disseminate information on our goals and activities to interested stakeholders. We maintain and make available financial and activity reports upon request by relevant and interested parties. We use all available opportunities to inform the public about our work and about the origin and the use of our resources.

4 Our organisations are committed to good internal governance

- 4.1 Governing documentation: We have written constitutions or memorandums of association that clearly define our missions, our objectives and our organisational structures.
- 4.2 Equal opportunity: We develop and apply written policies, rules and procedures that affirm our commitment to equal opportunities in our employment practices and in the promotion of staff.
- 4.3 Employment practices: We apply hiring and termination practices that respect the freedom of choice of individuals and the human resource needs of other stakeholders. We offer positions based on merit, pay appropriate salaries, allocate job responsibilities

according to individual capacities, and demand adequate notice from employees and provide adequate notice for terminations without cause.

- 4.4 No conflicts of interest: All our organisational transactions are free of conflicts of personal and professional interest. The services of board members shall be given freely and voluntarily, other than reimbursements for essential costs incurred during service.

5 Our organisations are committed to honesty, integrity and cost effectiveness

5.1 Honesty: We are truthful in all our professional activities.

5.2 Integrity: We refrain from internal and external practices that undermine the ethical integrity of our organisations. We do not engage in theft, corrupt practices, nepotism, bribery or trade in illicit substances. We accept funds and donations only from sources whose aims are consistent with our mission, objectives and capacity, and which do not undermine our independence and identity.

5.3 Cost effectiveness: We utilise the resources available to our organisations in order to pursue our missions and strategic objectives in cost-effective ways. We strive to minimise waste and unnecessary expense, and to direct all possible resources to the people we serve.

6 Our organisations are committed to diversity, fairness, non-discrimination against marginalised groups and to affirmative action

6.1 Diversity: We seek to have a workforce that appropriately reflects the gender, ethnic, geographic and religious diversity of Afghanistan and of the areas where we work.

6.2 Equity: We seek to advance greater balance and to promote equity in all internal relations as well as equitable access to opportunities within our organisations. We seek to include the underserved, the vulnerable, the disabled and other marginalised groups in all our initiatives.

6.3 Gender equity: We consider and value equally the different behaviour, aspirations, needs and rights of women and men. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities. Their rights, responsibilities and opportunities do not depend on whether they are born male or female.

6.4 Non-discrimination against marginalised groups: Our human resource policies and practices promote non-discriminatory recruitment, hiring, training and working practices, and relationships.

6.5 Affirmative action: We strive to increase the representation of under-represented groups in senior decision-making positions at headquarters, in the field, in boards and in advisory

groups. We seek to include the underserved, the vulnerable, the marginalised and the disabled in all our initiatives. We endeavour to strengthen the position of Afghan women both within and outside our organisations.

7 Our organisations are committed to building Afghan capacity

- 7.1 Capacity building: We take every appropriate opportunity to help build Afghan capacity to understand needs, establish priorities and take effective action so that ultimately humanitarian, development and reconstruction needs are met by Afghans.
- 7.2 Consultation: We design and implement projects in consultation with local communities and the government because we are committed to the long-term sustainable development of Afghanistan.
- 7.3 Sustainability: We design and facilitate projects so that services may be taken over by target communities or by government bodies to enhance sustainability.
- 7.4 Human resources: In line with our policy of commitment to capacity building, we give priority to Afghan nationals in our recruitment, hiring and training practices.
- 7.5 Physical and technical resources: We maximise the utilisation of locally available physical and technical resources, where appropriate.
- 7.6 Appropriate technologies: We promote the use of appropriate technologies that can be owned and maintained by communities.

8 Our organisations are committed to independence

- 8.1 Independence: We formulate our own policies, programs, and implementation strategies. We do not allow ourselves to be used to implement programs or gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those directly consistent with our humanitarian or development missions.
- 8.2 Autonomy: We strive to maintain our autonomy according to Afghan and international law, and to resist the imposition of conditionalities that may compromise our missions and principles.

9 In humanitarian emergency contexts, we adhere to the following additional principles:

- 9.1 Impartiality: We provide aid on the basis of need alone. We provide support regardless of the race, religion, ethnicity, gender, or nationality and political affiliation of the recipients. We do not tie the promise, delivery or distribution of humanitarian assistance to the embracing or acceptance of a particular political or religious creed.

- 9.2 **Neutrality:** We do not promote partisan national or international political agendas. We do not choose sides between parties to a conflict.
- 9.3 **Application of SPHERE:** We are knowledgeable about the SPHERE Humanitarian Charter and Minimum Standards in Disaster Response, and seek to apply these standards and the SPHERE indicators in the implementation, monitoring and evaluation of our humanitarian projects and programs.

Code Observance

The Code Observance Committee

- The Code Observance Committee (hereafter called “the Committee”) shall be the body ultimately responsible for promoting observance of the code.

Composition of the Committee

- The Committee shall have seven members.
- The Agency Coordination Body For Afghan Relief (“ACBAR”), the Afghan NGOs’ Coordinating Bureau (ANCB), and the South-West Afghanistan and Balochistan Association for Coordination (SWABAC) will each nominate two representatives to the Committee.
- The Afghan Women’s Network (AWN) will nominate one member to the committee.
- The term of office of members of the Committee shall be one year.
- A member can only serve for three consecutive terms.
- The Committee shall select a Chair and a Secretary from among its members.

Functions of the Committee

- The Committee shall act as guardian of the Code of Conduct.
- The Committee shall ensure understanding, trust and co-operation between the Public, the Government, the donors, the NGO sector itself and community partners.
- The Committee shall meet twice a year to consider:
 - Petitions by NGOs to become Code signatories. The Committee will permit NGOs to sign the Code only upon such NGOs furnishing the appropriate documentation as listed in Clause 14 below.
 - Petitions or complaints related to the nonobservance of the Code by an NGO. The petition may be received from government, a donor, a community partner, the public or another NGO.

- The Committee shall nominate a Secretary who will manage the administrative responsibilities of the Committee. Among other things, the Committee Secretary shall:
- Receive all requests from NGOs to become Code signatories.
- Maintain files of public documents of signatories, and make those files available to key stakeholders upon request.
- Request a signatory to provide a written report when implicated in alleged breach of Principles of Conduct.
- Ensure that a signatory receives a copy of the complaint registered against it by the person or group of persons who lodged the complaint.
- The Committee shall be engaged in awareness raising about the Code of Conduct enshrined herein involving Signatories.

Becoming a Signatory to the Code of Conduct

To become a signatory to the Code of Conduct an NGO must submit to the secretary in writing:

- **Legal registration:** A copy of the NGO's legal registration with the Government of Afghanistan;
- **Operational experience:** A signed statement on official stationery affirming that the NGO has been operational for at least one year;
- **Coordination Body Membership:** A letter affirming the NGO's current membership in one or more of the following coordination bodies: ACBAR, ANCB, or SWABAC;
- **Governance Documentation:** A copy of the NGO's written constitution or memorandum of association that clearly define the NGO's mission, objectives and organizational structure.
- **Financial Documentation:** A copy of an audited financial report for its most recent fiscal year; and
- **Operational Documentation:** A copy of its annual report for its most recent year of operations. For international NGOs, a copy of the global annual report will suffice.
- **Completed Survey of Accomplishments:** A completed survey of accomplishments allowing the Secretariat to monitor and communicate the combined accomplishments of NGOs.
- **Mandatory Government Reports:** Copies of semi-annual reports required by the Ministry of Planning.

Complaints

Any one person or group of persons may file a complaint or petition (supported by evidence) with the Secretary of the Committee. A written complaint shall include the following:

- The name and address of the complainant;
- The name and address of the NGO or official against whom the petition is lodged;
- The circumstances in which the breach or violation of the Code is alleged to have been committed; and
- Where possible, a reference to the Standard of Conduct that was allegedly breached.

The Secretary shall open a file after receiving a fully documented complaint and shall immediately share a copy of the complaint with all members of the Observance Committee.

Jurisdiction of the Committee

The Committee shall hear and decide on all instances involving the violation or breach of the Code of Conduct by any signatory or any other acting for and/or on behalf of a signatory.

When a complaint is made under Clause 16 hereof, the Committee may either dismiss the case where no breach of the Code is established or notify the signatory or official against whom the complaint is made.

In an instance of a significant breach or violation of the Standards of Conduct, the Committee shall:

- Call a meeting of the accused signatory and/or official of the agency and the person or group of persons who lodged the complaint in order to discuss the case. This can take place either at the regularly scheduled semi-annual meeting of the Committee, or in the case of a grievous violation of the code, an extraordinary meeting can be held.
- Request any signatory and/or Official to provide evidence on the case under consideration;

When the Committee finds that the signatory or its employee has violated the Code, it shall take one or more of the following measures:

- Provide the necessary education for compliance;
- Call on another signatory to assist in the education process;
- Advise the signatory in violation to take corrective measures against the NGO official

or employee who is directly responsible for the breach of the Code;

- Admonish the signatory;
- Suspend or cancel the signature of the NGO to the code.

The Unseating of a Committee Member

A Committee member shall not take part in any deliberation or decision making process where he or she has an interest in the case presented to the Committee.

Scope of Application

The Principles of Conduct shall apply to all NGO signatories to this Code of Conduct working in Afghanistan.

The Principles of Conduct shall apply to all officials and employees who act for and/or on behalf of NGOs which have agreed to abide by this Code.

Compliance to the Code

All signatories and all individuals or groups who act for and/or on behalf of the signatories shall observe, respect and uphold the standards of this Code.

To that end, every signatory shall ensure that all its officials and employees are adequately acquainted with the standards of the Code and work by them.

Revision of Code

Revision of the Code will require the approval of two-thirds of the representatives of the signatory organisations.

The Committee may from time to time review and recommend changes to the Code to the Coordination bodies.

Annex: Historical Context

Since the Soviet invasion of Afghanistan in 1979, national and international NGOs have played a crucial role in providing assistance to people in rural and urban communities throughout the country and to people in refugee camps in Pakistan.

1979-88: Immediately following the Soviet invasion, NGOs began programs to address the food, shelter and health care needs of Afghan refugees in Pakistan. In the early 1980s NGOs initiated

cross-border programs into Afghanistan to address the basic health and livelihood needs of those Afghans in areas not under Soviet control. Cross-border programs working inside Afghanistan included education by 1984 and agricultural and infrastructure projects commenced in 1986. Throughout this period, “cash-for-food” projects sought to give Afghans in resistance-held areas the resources they needed to remain inside Afghanistan. During the 1980s many NGOs were also engaged in advocacy efforts to raise awareness in Western capitals about the plight of Afghans as both victims of military aggression and refugees.

1988-95: By the late 1980s, NGOs had begun to implement development activities – using development principles in a context of “chronic emergency” and political and security instability – in addition to providing emergency assistance. The changed political context and increase in resources for Afghanistan in the late 1980s led to a number of developments in the NGO sector. The number of Afghan NGOs grew rapidly, support for Afghan capacity building increased, and several NGO coordination bodies were formed, which focused on strengthening the accountability, standards, and professionalism of the NGO community and on coordinating to increase impact and reduce duplication of activities. During this period, many Afghan NGOs, and thousands of Afghans, built their professional skills in NGO-led training institutions with support from international NGOs.

1996-2001: In the Taliban period, from 1996 to 2001, despite political restrictions, improved security in many parts of the country enabled agencies to work directly with local communities in remote rural areas. NGOs continued to coordinate closely with UN and donor agencies in establishing programming priorities and setting out agreed principles for the promotion of coherent and well-focused assistance to Afghans. The efforts of around twenty, mostly NGO organisations, to develop an improved set of learning standards for Afghan children, typified the cooperative approach during this period.

The severe drought from 1997-2001 exacerbated humanitarian need for many rural communities and forced new waves of displacement into urban areas, internal camps and refugee camps in Pakistan and Iran. While NGOs expanded their emergency activities to help these populations, they also continued their development programs.

Late 2001-present: Following the events of September 11 2001, the working environment for NGOs in Afghanistan changed dramatically. In 2002, the return to Afghanistan of large numbers of refugees from neighboring countries required new emergency shelter and feeding programmes. Following the fall of the Taliban, NGOs have, in coordination with the transitional Afghan authorities, increasingly sought to balance their emergency response work with longer-term reconstruction and development initiatives. The advent of an internationally recognised Transitional Islamic State of Afghanistan has provided NGOs the opportunity to rearticulate the role of humanitarian actors, not as service contractors, but rather as mission-driven civil society organisations.

Maps

This year, for the first time, maps for the *A to Z Guide to Afghanistan Assistance* have been provided by the Afghan Geodesy and Cartography Head Office (AGCHO, p. 4). These maps are only available in the hardcopy version of the guide.

Map 1:	Afghanistan's Administrative Divisions
Map 2 (reverse side):	Afghanistan Physical Map
Map 3:	Afghanistan Land Cover Map
Map 4 (reverse side):	Afghanistan Population Distribution Map
Map 5:	Afghanistan Mineral Resources Map
Map 6 (reverse side):	Afghanistan Soil Types Map
Map 7:	Kabul City
Map 8 (reverse side):	Herat City
Map 9 (reverse side):	Jalalabad
Map 10:	Kandahar City
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About this section

This section includes contact information for the assistance community, government agencies, and foreign missions in Afghanistan. It does not generally include private companies.

The information in this directory was updated between October 2009 and January 2010. However, addresses, phone numbers, and email contacts constantly change as organisations relocate and staff turn over. The accuracy of this list relies on the voluntary contributions of the organisations listed, which are encouraged to send any additions or changes to areu@areu.org.af. Organisations can also request that their addresses be omitted.

All organisations' contact details are listed by province. Kabul Province is listed first, with the remaining provinces following in alphabetical order. Afghanistan-related contacts in Pakistan are listed at the end. Within each section, contacts are listed alphabetically by the full title of the organisation.

No distinction is made between mobile, satellite and digital phone lines. Afghan numbers beginning with 070 or 079 indicate mobile lines, 0088 indicate satellite lines, and all others indicate digital or ground lines. Numbers in Pakistan (beginning with 0092) are listed as dialled from Afghanistan. When calling Afghanistan from other countries, the country code is +93 and the beginning zero should be dropped.

Kabul Province

Arman **Arman FM Limited**
 Hs 3, St.12
 Wazir Akbar Khan
 (PO Box 1045)
 Phone: 0798 139 530
 0799 321 010
 Fax: 001 865 342 5771
 E-mail: info@arman.fm
 sales@arman.fm
 Web: www.arman.fm
 Manager, Office of the CEO: Yosuf Mohseni

AHF **Abdul Haq Foundation**
 Charahi Torabaz Khan (corner
 of Flower Street, 3rd floor)
 Shahr-i-Naw
 Phone: 0700 202 170
 0799 301 408
 0700 602 182
 E-mail: abdulhaqfoundation@hotmail.com
 Web: www.abdulhaq.org
 Executive Director: Nasrullah Baryalai Arsalai

ASA **Academy of Sciences of
 Afghanistan**
 Charahi Shirpoor
 Shahr-i-Naw
 Phone: 020 210 2921
 020 210 2919
 020 210 3116
 E-mail: afghanistanacademy@yahoo.com
 Deputy for Human Science Section:
 Nasrullah Mangal

AOAD **Accessibility Organization for
 Afghan Disabled**
 Hs. 223, Namayeshgah St,
 Opp. Kabul Nandari, District 8
 Phone: 0773 302 222
 0700 157 417
 E-mail: zazai.abdulkhaliq@gmail.com
 Web: aoad-af.org
 Executive Director: Abdul Khaliq Zazai

ACF **Action Contre La Faim**
 Herati Mosque Street (near to
 the Etisalat building)
 Shahr-i-Naw
 Phone: 0799 566 128
 0799 182 227
 0700 224 694
 E-mail: hom@af.missions-acf.org
 kabul@af.missions-acf.org
 Web: www.actioncontrelafaim.org
 Head of Mission: Shashwat Saraf

ActionAid **ActionAid Afghanistan**
 Hs. 705, St. 9
 Taimani
 Phone: 0799 043 656
 0799 205 324
 0799 758 687
 Fax: 0093 20 220 3771
 E-mail: gb@actionaidafg.org
 zarrena.vasquez@actionaid.org
 Web: www.actionaidafg.org
 Country Director: G. B. Adhikari

ADRA **Adventist Development and
 Relief Agency**
 Hs. 11, Lane 2 of Kolola
 Poshta St., Charahi Ansari
 Shahr-i-Naw
 Phone: 0777 328 402
 0777 328 404
 0777 328 403
 E-mail: admin@adra-af.org
 v.nelson@adra-af.org
 Web: www.adra.euroafrica.org
 Country Director: Vinod Nelson

AABRAR **Afghan Amputee Bicyclists for
 Rehabilitation and Recreation**
 St. 3
 Taimani Project
 Phone: 0700 273 558
 0700 611 917
 0700 284 986
 0088 216 5026 5570

E-mail: aabrar_kabul@yahoo.com.au
 aabrar.jalalabad@gmail.com
 Web: www.aabrar.org
 Executive Director: Abdul Baseer Toryalai

AC **Afghan Center**
 Hs. 1441, 3rd St. (behind Soria
 High School)
 Karte Char

Phone: 0752 001 799
 0700 274 514
 E-mail: baidariwal@yahoo.com
 acafgghanistan@yahoo.com
 Web: www.ariseproject.org
 www.afghancenter.org

Deputy Country Director:
 Fazel Muhammad Baidariwal

ACSOR **Afghan Center for
 Socioeconomic & Opinion
 Research**
 Hs. 112, Lucky Five St, Haji
 Yaqoob Saqare, District 10
 Shahr-i-Naw

Phone: 0799 328 714
 0799 620 639
 E-mail: matthew.warshaw@acsor-surveys.com
 will.hayes@d3systems.com
 Web: www.acsor-surveys.com
 Managing Director: Matt Warshaw

ACSFO **Afghan Civil Society Forum
 Organization**
 Hs. 48, Shahr-Ara-Watt (Opp.
 Malalai Maternity Hospital)
 Shahr-i-Naw

Phone: 0752 023 787
 0202 201 061
 0700 277 284
 0799 337 828
 E-mail: azizrr@acsf.af
 info@acsf.af
 Web: www.acsf.af / www.acsf-rc.com
 Managing Director: Aziz Rafiee

ACDO **Afghan Community
 Development Organization**
 Opp. Tajwar Sultan High
 School, District 4
 Charrah-i-Sarsabzi

Phone: 0700 281 991
 E-mail: acdo1232003@yahoo.com
 Executive Director: Gul Waiz Kazar

ACC **Afghan Conservation Corps**
 Behind Ghazi High School
 Karte Char

Phone: 0700 201 126
 0798 846 906
 E-mail: noorullahm@unops.org
 Web: www.unops.org
 National Project Manager: Noorullah Malung

AGHCO **Afghan General Help
 Coordination Office**
 Hs. 21242, St. 33, Charahi
 Panjsad Family, Part 3
 Khair Khana
 (PO Box 994)

Phone: 0700 224 891
 0799 338 316
 0700 277 766
 0799 330 072
 E-mail: aghco_kbl@yahoo.com
 aghco_kbl@hotmail.com
 Director: Sayed Fazlullah Wahidi

AGCHO **Afghan Geodesy and
 Cartography Head Office**
 Pashtunistan Watt

Phone: 0700 258 608
 E-mail: faizm_2006@yahoo.com
 Web: www.agcho.org
 Chief of Customer Service:
 Faiz Mohammad Askarzada

AHDS **Afghan Health and
 Development Services**
 Hs. 72, Zafar Khan Watt,
 Chawke Qalai Fatullah

Phone: Shahr-i-Naw, (PO Box 53)
0700 284 275
0700 300 417
E-mail: fareed@ahds.org
naim@ahds.org
Web: www.ahds.org
Deputy Director: Mohammad Fareed

AIL Afghan Institute of Learning
Hs. 63, St. 2 (behind Cinema Baharestan, next to Mir Ahmad Mosque)
Karte Parwan
Phone: 0700 284 326
0700 293 579
0700 167 135
E-mail: ail_acasst@yahoo.com
ail_kabul@yahoo.com
Web: www.creatinghope.org/aboutail
President Executive Director: Sakena Yacoobi

AIMTEIC Afghan Institute of Management, Training and Enhancement of Indigenous Capacities
Hs.704, St. 3, Silo Rd.
Kot-i-Sangi
Phone: 0799 190 015
0700 155 410
0772 010 001
Fax: 0752 023 986
E-mail: aimteic@yahoo.com
azimq@hotmail.com
Deputy Director: Mohammad Azim

AITM Afghan Institute of Training and Management
Opp. Masjid Mohammadia,
St. 1, Karte Char
Jamal Mina
Phone: 0799 334 370
0700 078 937
0700 252 117
E-mail: aitm786@yahoo.com
Managing Director: Sardar Mohammad Samoon

ALSO Afghan Landmine Survivors' Organization
Hs. 11, St.12 (near MTN Antenna)
Qalai Fatullah
Phone: 0799 316 253
0799 353 669
E-mail: also.afghan@gmail.com
sulimanaminy@gmail.com
Web: www.afghanlandminesurvivors.org
Executive Director: Suliaman Aminy

AINA Afghan Media and Cultural Center
Hs. 21, Charahi Shaheed District 10
Shahr-i-Naw
Phone: 0700 238 955
0799 333 888
0799 829 808
E-mail: bkverma100@hotmail.com
Web: www.ainaworld.org
Country Director: Brajesh Verma

ANCB Afghan NGOs Coordination Bureau
Hs. 1, St. 3, Qalai Fatullah (PO Box 981)
Phone: 0799 333 621
0700 200 266
E-mail: ancb@ancb.org
admin@ancb.org
Web: www.ancb.org
Executive Director: Ahmad Shah Habib

AOHREP Afghan Organization of Human Rights & Environmental Protection
Behind Sayed Jamaludin School, Karte Char
Phone: 0799 234 026
E-mail: aohrep@yahoo.com
admin.aohrep@gmail.com
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 the Women and Children of
 Afghanistan**
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IDG **Islah Daily Government**
 Macrorayon Azadi Printing Press, Macrorayon

JIFF **Japanese International Friendship and Welfare Foundation**

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IRA **Islamic Relief – Afghanistan**

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Bangladesh Rural Advancement Committee Qala-i-Naw

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ADA Afghan Development Association
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BIHE Baghlan Institute of Higher Education
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CFA ChildFund Afghanistan
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CCA **Cooperation Center for Afghanistan**
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CDU **Country Development Unit**
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EPIC **Emergency Programme of the Italian Cooperation**
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FCCS **Foundation for Culture and Civil Society**
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AREA **Agency for Rehabilitation and Energy Conservation in Afghanistan**
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WHO World Health Organization

Chara-i-Haji Ayoub, beside

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ADRA Adventist Development and Relief Agency

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MSI **Marie Stopes International**
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Qarghayee (next to Qarghayee
District)

Mehtarlam
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**IHSAN Independent Humanitarian
Services Association**
Mehtarlam Bazaar
Mehtarlam

E-mail: coar_kbl@yahoo.com
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Project Manager: Mohammad Rahim Wardak

CDU Country Development Unit
Phone: 0786 500 625
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**IRC International Rescue
Committee**
Behind Baraki Barak
Bus Station, Agriculture/
Communication Houses
Pul-i-Alam
Phone: 0700 260 491
0088 21 633 351 530
E-mail: memu06@dial.pipex.com
info@afghanistan.theirc.org
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**MRCA Medical Refresher Courses for
Afghans**
Opp. Governor's House
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Phone: 0799 399 414
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Provincial Coordinator: Abdul Habib Alem

Logar Province

**AWSE Afghan Women Services and
Education Organization**
Mohammed Agha District
Phone: 0796 106 730
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CoAR Coordination of Afghan Relief
Behind Police Department
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**SAB Solidarité Afghanistan
Belgique**
Next to Qomandani Amnia
Baboos Road
Pul-i-Alam
Web: www.assosab.be

**WADAN The Welfare Association
for the Development of
Afghanistan**
Behind Lodin Market
Pul-i-Alam
Phone: 0799 058 074
Web: www.wadan.org
Coordinator: Gul Ahmad

Nangarhar Province

AHF **Abdul Haq Foundation**
Kama Bus Stand St. (close to
Charahi Mokhabrat)
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Phone: 0700 602 182
 0799 323 931
E-mail: abdulhaqfoundation@hotmail.com
Web: www.abdulhaq.org
Executive Director: Nasrullah Baryalai Arsalai

AABRAR **Afghan Amputee Bicyclists for
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Web: www.aabrar.org
Assistant Director: Abdul Nasir

ACSF0 **Afghan Civil Society Forum
Organization**
Hs. 321, Babaryan Street
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Jalalabad
Phone: 0793 559 426
 0799 326 661
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ADA **Afghan Development
Association**
Hs. 847, St. 5, Part 2 of District
4, Raig-i-Shamat Khan, Fazul
Haq Mujahid House, behind of
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 0700 608 955
 0786 099 777
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Web: www.ada.org.af
Regional Director: Ehsanullah Shinwari

AGHCO **Afghan General Help
Coordination Office**
c/o ACBAR Jalalabad Field Office
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Easter St., Jalalabad

AHSAO **Afghan Health and Social
Assistance Organisation**
Bagh Amir Shaheed
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ANCB **Afghan NGOs Coordination
Bureau**
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to Fruit Market
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AWWD **Afghan Women Welfare
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 awwd@brain.net.pk
Executive Director: Jamila Akberzai

AWEC **Afghan Women's Educational
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project Manager: Zakia Kakar

AHRO **Afghanistan Human Rights
Organization**
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<p>AIHRC</p> <p>Afghanistan Independent Human Rights Commission</p> <p>Jalalabad (PO Box 005, UNDP Kabul)</p> <p>Phone: 0799 352 558 0088 21 621 230 095</p> <p>Web: www.aihrc.org.af</p>	<p>AFRANE</p>	<p>Amitié Franco-Afghane</p> <p>near Afghanistan Women Development Center Chara-i Sahat Ama Jalalabad</p> <p>Phone: 0799 001 695</p> <p>E-mail: afrane.jalalabad@gmail.com</p> <p>Web: www.afrane.asso.fr</p> <p>Project Manager: Olivier Marteau</p>
<p>AIMS</p> <p>Afghanistan Information Management Services</p> <p>UNAMA Compound, JAA- Torkham Highway Jalalabad (PO Box 5906)</p> <p>Phone: 0700 606 843</p> <p>E-mail: shaker.mujaddidi@aims.org.af ghulam.haider@aims.org.af</p> <p>Web: www.aims.org.af</p> <p>Regional Manager: Shaker Mujaddidi</p>	<p>ATA</p>	<p>Anti Tuberculosis Association</p> <p>c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad</p>
<p>ANSO</p> <p>Afghanistan NGO Safety Office</p> <p>Eastern Region Office Jalalabad</p> <p>Phone: 0799 248 362</p> <p>E-mail: east@afgnso.org</p> <p>Web: www.afgnso.org</p> <p>Eastern Region Safety Advisor: Philipp Schweers</p>	<p>BRAC</p>	<p>Bangladesh Rural Advancement Committee</p> <p>Hs. 20, St. 2, Haji Abdul Qader Rd Jalalabad</p> <p>Phone: 0700 175 779</p> <p>E-mail: jabed_brac@yahoo.com</p> <p>Web: www.bracafg.org</p> <p>Project Manager: Mohammad Jabed Ali</p>
<p>ACBAR</p> <p>Agency Coordinating Body for Afghan Relief</p> <p>Behind Old Chaparhar Bus Station, in front of GTZ LOAAR Office, ISRA Office Compound Jalalabad</p> <p>Phone: 0700 601 917</p> <p>E-mail: jalmanager@acbar.org acbarjld@acbar.org</p> <p>Web: www.acbar.org</p>	<p>BEA</p>	<p>Basic Education for Afghans</p> <p>Pul-i-Behsood, Nahr Massi Jalalabad</p> <p>Phone: 075 600 1508 0799 490 167 0700 280 666</p> <p>E-mail: najeebnur@hotmail.com nurista@brain.net.pk</p> <p>Director: Noor Mohammad Najeeb</p>
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Web:	www.cwspa.org	Web:	faoaf-jalalabad@fao.org www.fao.org
CRAA	Committee for Rehabilitation Aid to Afghanistan Hs. 6, St. 2, Area 1, Chashma-i-Khanji PO Box 785, Kabul University Jalalabad	Officer in Charge:	Kushhal Asifi
Phone:	0799 322 493 0700 686 951 0088 21 689 802 320	Phone:	HealthNet-Transcultural Psychosocial Organization Hs. 3, District 4, Zara Saranwaly, Close to UNICEF Office Jalalabad 0700 068 174 0756 002 648
E-mail:	sancraa@brain.net.pk sanashefa@hotmail.com	E-mail:	a.habibyar@yahoo.com
Web:	www.craausa.org	Web:	www.healthnettpo.org
Contact Person:	Subhanullah Shahzada	Contact Person:	Ahmed Zia Habibyar
CDU	Country Development Unit Jalalabad	IARCSC	Independent Administrative Reform and Civil Services Commission Opp. Military Hospital, beside Pakistan Consulate Jalalabad
Phone:	0700 698 556	Phone:	0700 070 365
Web:	www.cduafghan.org	Web:	www.iarcsc.gov.af
Contact Person:	Lal Mohammad	Director:	Gulalai Jabarkhail
DACAAR	Danish Committee for Aid to Afghan Refugees Hs. 134, Opp. Haji Zaher House, Sayed Kaian Street District 4 Jalalabad	IHSAN	Independent Humanitarian Services Association Hs. 2, Area 3 (Opp. Dar-ul- Malimeen), Jalalabad
Phone:	0799 38 26 06	Phone:	0700 600 591 0700 603 050
E-mail:	jalalabad@dacaar.org		
Web:	www.dacaar.org		
Water & Sanitation Programme Provincial Manager:	Haji Mohammad Amin		
FAO	Food and Agriculture Organization of the United Nations Old Torkham Bus Station, close to Agr. High School Jalalabad	IFRC	International Federation of Red Cross and Red Crescent Societies Afghan Red Crescent Society (ARCS) Compound ,Opp. Directorate of Health Jalalabad
Phone:	0700 613 868 0700 603 613 0798 410 572	Phone:	0700 603 574
		Web:	www.arcs.org.af
		Head of Office:	Iftikhar Ahmad

IFHOPE	International Foundation of Hope Block 7, Kabul-Torkham Rd. Jalalabad	E-mail: emuchiri@af.mercycorps.org Web: www.mercycorps.org Program Manager: Elija Muchiri	
Phone: 0700 605 705 E-mail: jim@ifhope.org Web: www.ifhope.org Chief of Operations: Jim Du Brille		MCPA	Mine Clearance and Planning Agency c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad
ISRA	International Islamic Relief Agency c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad	MDC	Mine Detection and Dog Centre c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad
Web: www.isra-relief.org		Web: www.mdcafghan.org	
IMC	International Medical Corps Sector 4, behind Saranwali Office, Tourkham Old Bus Stop Jalalabad	MADERA	Mission d'Aide au Développement des Economies Rurales en Aghanistan 2nd St. (left), Chehil Metra Rd., Reg-i-Shamard Khan, District 4 Jalalabad
Phone: 0798 246 230 E-mail: tsesabe@imcworldwide.org Web: www.imcworldwide.org Program Coordinator: Takele Sesabe		Phone: 0700 613 025 0797 425 405	
IRC	International Rescue Committee Hs. 1, Fazlulhaq Mujahed St. District 4 New Daramsal Jalalabad	E-mail: deputyops.east@madera-afgha.org Web: www.madera-asso.org Deputy Operations Director, East: Abdul Rahman Satarzai	
Phone: 0799 021 207 0700 600 885 E-mail: jlbfc@afghanistan.theirc.org info@afghanistan.theirc.org Web: www.theirc.org Field Coordinator: Abdul Ahad Samoon		NU	Nangarhar University Jalalabad
		Phone: 0700 640 460 Chancellor: Amanullah Hamidzai	
MC	Mercy Corps Gulayie Araban, District 3 Near Iranian General Council and Spin Ghar University Jalalabad	NDI	National Democratic Institute for International Affairs Beside Eid Gah, Masjid Zara Saran Wali Jalalabad
Phone: 0700 660 841 0795 393 455 0088 21 684 441 610		Phone: 0799 382 597 E-mail: ayousof@ndi.org Web: www.ndi.org Regional Manager: Mohammad Yousaf Alkozay	

NRC	Norwegian Refugee Council Regi Shahmard khan, Zone 4 St.4, Sayed Kaykhan Shopes Jalalabad	Web: www.ri.org Head of Office: Rahmatullah Hanifi	
Phone:	0797 132 728 0700 181 656 0700 030 422 0088 21 650 269 014	RRAA/NPO	Rural Rehabilitation Association for Afghanistan Hazratha St. (near medical faculty hospital), District 3 Jalalabad
E-mail:	wam@nrcafpk.org shelter.pc3@nrcafpk.org	Phone: 0700 601 853 E-mail: jro_npo@hotmail.com	
Web:	www.nrc.no	SC-S	Save the Children Sweden c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad
Area Manager:	Olivier David	SERVE	Serving Emergency Relief and Vocational Enterprises c/o ACBAR Jalalabad Field Office Kama Bus Stand, Easter St. Jalalabad
OMAR	Organization for Mine Clearance and Afghan Rehabilitation Hs. 1 (Opp. Chaprahar Bus Station), St. 3 Jalalabad	Web: www.serveafghanistan.org	
Phone:	0799 312 948	SSRA	Social Service and Reconstruction of Afghanistan Chaperhar Bus stop (behind Meia Omar High School) Jalalabad
E-mail:	omar.jalalabad@gmail.com	Phone: 0700 600 729 0700 625 970	
Web:	www.omar.org.af	E-mail: ssra_afg@yahoo.com	
Field Manager:	Bismellah	Director: Kanishka	
PAN	Pajhwok Afghan News Jalalabad	SAB	Solidarité Afghanistan Belgique Mashkaw St., Baghi Tartaj Jalalabad
Phone:	0799 541 118	Web: www.assosab.be	
E-mail:	hashami_pajhowk@yahoo.com	SCA	Swedish Committee for Afghanistan Sarnwali-i-Kuhna Street near UNICEF office Jalalabad
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E-mail:	s.hamdard@killid.com info@killid.com		
Web:	www.killid.com		
Station Manager:	Shafiq Hamdard		
RI	Relief International Jalalabad		
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0700 263 283
0088 216 542 502 93
E-mail: najeebullah@sca.org.af
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WADAN **The Welfare Association
for the Development of
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Hs. 1517, St. 3, District 3, next
to fruit market, Jalalabad
Phone: 0700 045 315
Web: www.wadan.org
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UNAMA **United Nations Assistance
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UNICEF **United Nations Children's Fund**
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jalalabad@unicef.org
Web: www.unicef.org

UNHCR **United Nations High
Commissioner for Refugees**
Behind MOPH, Jalalabad
Phone: 0700 611 631
0041 227 397 508
0088 21 651 121 639
Fax: 0041 227 397 509
E-mail: belleza@unhcr.org
afgja@unhcr.org
Web: www.unhcr.org
Head of Sub-Office: Jose Abiera Belleza

UNODC **United Nations Office on Drugs
and Crime**
Jalalabad
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Web: www.unodc.org
Provincial Coordinator: Mohammad Alem Ghaleb

GAA **Welthungerhilfe/German
AgroAction**
c/o ACBAR Jalalabad Field Office
Kama Bus Stand, Easter St.
Jalalabad
Web: www.welthungerhilfe.de

WHO **World Health Organization**
Old General Attorney's Office,
near UNICEF Office
Jalalabad
Phone: 0700 252 652
E-mail: zamank@afg.emro.who.int
Web: www.emro.who.int/afghanistan
Medical Officer: Khushhal Khan Zaman

Nimroz Province

BRAC **Bangladesh Rural
Advancement Committee**
St. 3, Abudaud Sistany
Phone: 0797 618 925
E-mail: malam_bd07@yahoo.com
Web: www.bracafg.org
Area Manager: Mohammad Mahbub Alam

RI **Relief International**
Phone: 0799 890 546
E-mail: engaman.nimroz@gmail.com
Web: www.ri.org

UNICEF **United Nations Children's Fund**
Phone: 0798 507 588
E-mail: kabul@unicef.org
Web: www.unicef.org

UNAMA **United Nations Assistance Mission in Afghanistan**
St.2, Abudamud Sajistani Rd.
Zaranj
(PO Box 3205)
Phone: 0799 725 579
E-mail: aminh@un.org
Web: www.unama.unmissions.org
Head of Office: Hazrat Sadique Amin

UNHCR **United Nations High Commissioner for Refugees**
Zaranj
Phone: 0799 653 695
0753 520 984
0088 21 651 122 397
E-mail: naeem@unhcr.org
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Web: www.unhcr.org
Field Assistant: Mohammad Naeem Khan

Nuristan Province

Afghanaid
Bargmatal District Center
(PO Box 6066, Karte Parwan Post Office)
Phone: 0088 21 684 400 152
E-mail: afghanaid@ceretechs.com
Web: www.afghanaid.org.uk
Provincial Programme Manager: Sher Afzal

BEA **Basic Education for Afghans**
Want Main Bazar, Want District
E-mail: nuristan@brain.net.pk
Office In Charge: Mohammad Abdullah

IHSAN **Independent Humanitarian Services Association**
Baba Qala
(PO Box 625)

Paktia Province

ACSFO **Afghan Civil Society Forum Organization**
Hs. 5, St. 3 (Opp. Women Affairs Directorate)
Paktia
Phone: 093 559 427
0700 231 166
Web: www.acsf.af/www.acsf-rc.com
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AWEC **Afghan Women's Educational Center**
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Project Manager: Sayed Hasan Hamkar

AIHRC **Afghanistan Independent Human Rights Commission**
Gardez
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0088 21 621 230 058
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Web: www.aihrc.org.af

GTZ/ BEPA **Gesellschaft für Technische Zusammenarbeit (German Technical Cooperation) - Basic Education Program**
Ghazni line, near to Paktia University (next to security office)
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HealthNet-Transcultural Psychosocial Organization
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Web: www.theIRC.org
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PAN Pajhwok Afghan News
Gardez
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PU Paktia University
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Chancellor: Noor Moh Niaz

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Assistance and Development**
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Military Hospital (near
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**UNAMA United Nations Assistance
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UNICEF United Nations Children's Fund
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**UNHCR United Nations High
Commissioner for Refugees**
UN Compound
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Paktika Province

AWEC **Afghan Women's Educational Center**
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Project Manager: Sayed Anwar Saadat

BRAC **Bangladesh Rural Advancement Committee**
Sharan
Phone: 0700 365 678
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Provincial Manager: Ghulam Mustafa Ahmed

IMC **International Medical Corps**
Provincial Hospital
Sharana
Phone: 0799 384 397
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Panjshir Province

ADA **Afghan Development Association**
Next to Emergency Hospital,
Nawabad, Anaba District
Phone: 0799 006 114
E-mail: ada.panjshir@ada.org.af
Web: www.ada.org.af
Provincial Manager: Momen Jabarkhail

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E-mail: emergency@emergency.it
Web: www.emergency.it
Hospital Manager: Akbar Jan

UNAMA **United Nations Assistance Mission in Afghanistan**
E-mail: larin@un.org
Web: www.unama.unmissions.org
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Parwan Province

ACF **Action Contre La Faim**
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Web: www.actioncontrelafaim.org
Head of Base: Jawed Ahmed Hamid

AABRAR **Afghan Amputee Bicyclists for Rehabilitation and Recreation**
Charikar
Phone: 0778 585 491
E-mail: sohail.aabrar@gmail.com
Web: www.aabrar.org
Field Coordinator: Sohail

BRAC	Bangladesh Rural Advancement Committee Darmsal Rd., Charikar	E-mail: log-samangan@af.missions-acf.org Web: www.actioncontrelafaim.org Head of Base: Shawkatullah
Phone: 0700 665 962 E-mail: mizan57@gmail.com Web: www.bracafg.org Regional Manager: Mohammad Mizanur Rahman		ADRA Adventist Development and Relief Agency Aybak Web: www.adra.euroafrica.org
CHA	Coordination of Humanitarian Assistance Wolayat St., Chawk-i-Charikar Charikar	Afghanaid Jada-i-Qutbuddin (Opp. Mastofyat) Aybak
Phone: 0799 887 911 E-mail: parwan@cha-net.org Web: www.cha-net.org Office Manager: Mohammad Nabi Bahaduri		Phone: 0799 172 809 0774 580 760 0799 391 358 0088 21 684 400 150-51 E-mail: smgppm@afghanaid.org.uk Web: www.afghanaid.org.uk Provincial Programme Manager: Abdul Samad Hamkar
JEN	Japan Emergency NGOs Opp. Governor's House, District 2 Charikar	BRAC Bangladesh Rural Advancement Committee Takthe Rustom Rd.
Phone: 0700 280 921 E-mail: tamari@jen-npo.org Web: www.jen-npo.org		Phone: 0700 550 242 E-mail: nspbrac_samangan@yahoo.com Web: www.bracafg.org Provincial Manager: Ahmad Shoaib
PIHE	Parwan Institute of Higher Education Parwan	TKG/DHSA The Killid Group/ Development & Humanitarian Services for Afghanistan Near to Old Cinema, Aybak
Phone: 0700 225 286 Director: Saber Saberi		Phone: 0700 553 884 Web: www.dhsa.af / www.killid.com Acting In Charge: Sayed Qasim
SAB	Solidarité Afghanistan Belgique Parche 7, On 40 Meters Rd., Next to Nomania Mosque Charikar	
Web: www.assosab.be		

Samangan Province

ACF	Action Contre La Faim Aybak District Samangan
Phone: 0799 835 583	

Sar-i-Pul Province

CoAR	Coordination of Afghan Relief Close to the Cinema Building Shahr-i-Naw
-------------	---

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Field Manager: Rafeallah Numani

**IbnSina Public Health
Programme for Afghanistan**

Rahmatabad (near the
Provincial Hospital)

Phone: 0798 675 503
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PWJ Peace Winds Japan

Shahr-i-Naw

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SC-USA Save the Children USA

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0088 21 694 400 116
E-mail: snoori@savechildren.org
Web: www.savethechildren.org
Operations Coordinator: Shukrullah Noori

**UNAMA United Nations Assistance
Mission in Afghanistan**

Shahr-i-Naw, District 2
(PO Box 3205)

Phone: 0796 002 622

Takhar Province

**ADA Afghan Development
Association**

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Mosque

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0700 317 954

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