

The A to Z Guide

to Afghanistan Assistance

2009

Seventh Edition



AFGHANISTAN RESEARCH AND EVALUATION UNIT

Improving Afghan Lives Through Research

IMPORTANT NOTE: The information presented in this Guide relies on the voluntary contributions of ministries and agencies of the Afghan government, embassies, development agencies and other organisations representing donor countries, national and international NGOs, and other institutions. While AREU undertakes with each edition of this Guide to provide the most accurate and current information possible, details evolve and change continuously. Users of this guide are encouraged to submit updates, additions, corrections and suggestions to publications@areu.org.af.

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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research organisation based in Kabul. AREU's mission is to conduct high-quality research that informs and influences policy and practice. AREU also actively promotes a culture of research and learning by strengthening analytical capacity in Afghanistan and facilitating reflection and debate. Fundamental to AREU's vision is that its work should improve Afghan lives.

AREU conducts research on a wide variety of topics in the thematic fields of education, gender, governance, health, livelihoods and human security, natural resource management, and political economy and markets. It produces approximately 25 research publications each year, ranging from policy-focused briefing papers to comprehensive issues and synthesis reports. 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). In addition, AREU organises workshops and conferences to enable and encourage debate among policy makers and other stakeholders.

AREU was established in 2002 by the assistance community working in Afghanistan. Its Board of Directors includes representatives from donors, the UN and other multilateral agencies, and NGOs. AREU has recently received funding from: the European Commission; the governments of Denmark (DANIDA), the United Kingdom (DFID), Switzerland (SDC), Norway and Sweden (SIDA); the United Nations High Commissioner for Refugees (UNHCR); the Government of Afghanistan's Ministry of Agriculture, Irrigation and Livestock; the World Bank; UNICEF; the Aga Khan Foundation; and the United Nations Development Fund for Women (UNIFEM).

The AREU Library

Established in 2003, the AREU Library's main role is to support the research activities of AREU; the collection (currently 9,000 titles) is fully available for public use. Materials in the collection are selected primarily for long-term research value, with a specific focus on Afghanistan and the region. In particular, contemporary materials produced inside Afghanistan and materials in Afghan languages are collected. One particular aim is to make available for public use materials that have been produced outside of Afghanistan. The collection comprises materials of all types (books, journal articles, maps, CDs, DVDs, databases, etc.), which are available for use inside the library – no public borrowing is allowed. The entire collection is listed online (see the "Library" page of the AREU website).

Researchers are welcome to visit the library in Kabul or email inquiries (library@areu.org.af). AREU Library staff work collaboratively with several other libraries in Kabul and can suggest sources for materials not available at AREU. The library is open from Sunday to Thursday (closed Friday, Saturday and public holidays) 0900-1230 and 1300-1600 (0800-1400 during Ramazan).

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: an extensive 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 contact 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.” Subsequent editions also saw an expanded Government section, acknowledging that working with Afghan government institutions is crucial to assistance and noting the importance of comprehending how the government is structured. This 2009 edition – the seventh – follows the same successful model and has also attempted to respond to reader feedback, which has resulted in modified features such as enlarged maps, a list of acronyms in Afghanistan assistance, the return of the Government of Afghanistan organogram, and a fresh, new look.

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

AREU Publications 2008

These and all other AREU publications are available for download from www.areu.org.af and in hardcopy at the AREU office in Kabul.

- Microcredit, Informal Credit and Rural Livelihoods: A Village Case Study in Balkh Province, by Erna Andersen and Amanda Sim (Dec. 2008)
- Counter-Narcotics in Afghanistan: The Failure of Success?, by David Mansfield and Adam Pain (Dec. 2008)
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- Love, Fear and Discipline: Everyday Violence toward Children in Afghan Families, by Deborah J. Smith (Feb. 2008)

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Afghan Civil Society Forum (ACSF)

www.acsf.af

The Afghan Civil Society Forum (ACSF) 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. ACSF was established at the Afghan Civil Society Conference, held in parallel with the Bonn Conference (p. 25) in late 2001. At the request of Afghan civil society leaders, ACSF was initially supported by Swisspeace Foundation. ACSF has been completely independent since January 2006.

According to the ACSF definition, “civil society” includes 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 Forum has 137 members — including 85 organisations and 52 individuals — and 315 partners for capacity-building, civic education, advocacy and media. Its Board of Directors comprises seven Afghan and two international representatives, elected for two-year terms by the Annual General Meeting of ACSF members. The overarching goal of the ACSF is to promote the 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; and
- collecting, analysing, raising and incorporating civil society’s perspectives and concerns in the political, social and economic development processes of Afghanistan.

During 2002-05, ACSF supported the implementation of the Bonn Agreement (p. 25); conducted educational, media and advocacy activities on the constitution-making process; and carried out civic education and registration campaigns for the presidential and parliamentary elections. After the parliamentary elections in 2005, ACSF modified its practices and approach, moving away from public outreach and toward the support of institution-building. ACSF has revised its strategy for 2009-11 to focus on coordination, capacity-building, advocacy, civic education and research.

Since 2005, ACSF 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. In 2006, ACSF established a peacebuilding department that aims to contribute to the rebuilding of Afghanistan’s social infrastructure through workshops on peace building, the “Do No Harm” principle concerning international aid and conflict transformation. In 2006, ACSF also 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, ACSF established regional offices in Jalalabad, Mazar-i-Sharif, Bamiyan and Gardez; ACSF’s peace-building, capacity-building and civic education workshops are now offered in each of these locations. ACSF represented Afghan civil society at the June 2008 Paris Conference

(p. 54). Beginning in 2008, ACSF has been working with its partners to initiate a comprehensive capacity development program for civil servants in the south, southeast and east of Afghanistan.

ACSF maintains a Library Resource Centre and publishes *Jamea-e-Madani* magazine (in Dari and Pashto) and a monthly newsletter (in English, Dari and Pashto). ACSF represents Afghan civil society in many forums, including the Afghanistan Development Forum (ADF, p. 13). Donors include the Swiss Agency for Development and Cooperation, USAID, Oxfam-Novib, Counterpart International, UNDP, DFID, The Asia Foundation, Swedish Committee for Afghanistan, Open Society Institute, German Development Service (DED), Rights & Democracy, IFES, Christian Aid, Heinrich Boell Foundation, GTZ, Development Alternatives, Inc. (DAI), Geneva Centre for Democratic Control of Armed Forces and the British Embassy.

Afghan Interim Authority (AIA)

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

Afghan National Army (ANA)

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 Defense, 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 originally was to be capped at an end-strength of 70,000 service members. When established in 2003, the ANA was adopted by the Bonn Agreement (p. 25) as one of the five pillars of the Afghan government's Security Sector Reform strategy (SSR, p. 58). 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.

As of November 2008 (according to CSTC-A, see p. 28), ANA operating strength stood at nearly 70,900 troops; of these, approximately two-thirds are combat forces and 3 percent are air corps. Based on ongoing threat assessments and the Government's desire to play a larger military role in security efforts in Afghanistan, its request to expand the ANA from a planned 80,000 to 122,000 operational soldiers by 2013 was approved by the Joint Coordination and Monitoring Board (JCMB, p. 40) in September 2008. An additional 12,000 soldiers-in-training were also approved, bringing the eventual total to 134,000 troops. Under this plan, the ANA would then consist 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. In August 2008, the ANA — along with the ANP — took over lead security responsibility for Kabul from the International Security Assistance Force (ISAF, p. 38).

The ANA is a conventionally structured and light infantry-based force. It is designed primarily to combat insurgents and defend Afghanistan's national sovereignty and territorial integrity. ANA's five ground-manoeuvre corps are distributed as regional commands in Kabul, Gardez, Kandahar,

Herat and Mazar-i-Sharif. ANA battalions, or *kandaks*, consist of 700-800 soldiers, sergeants and officers. 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 geographical 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 US, the UK, 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 is expected to graduate 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 US 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 Auxiliary Police (ANAP)

The Afghanistan National Auxiliary Police (ANAP) was dismantled in 2008 and is no longer a recognised force of the Afghan National Police (ANP, p. 6). The ANAP was created in 2006 as a temporary, community-based static police force to fill the need for security in Afghanistan during the build-up of the ANP. ANAP command and control was held by local ANP police chiefs at the Regional, Provincial and District levels.

ANAP's hasty establishment at a time of growing insurgency led many to conclude that its primary purpose was to serve as a paramilitary force in counter-insurgency operations, rather than as a civilian police force. The Ministry of Interior Affairs in January 2007, however, defined ANAP as "not a deployable active force; they are to be used strictly as a static force to back up the ANP." While ANAP was created to cover 21 provinces and 124 districts, initial emphasis was placed on training, equipping and deploying the force in six provinces in southern and eastern Afghanistan. The first ANAP class graduated in October 2006 in Zabul province, where the programme was piloted.

At its peak in November 2007, the ANAP's authorised strength was 11,271. From June 2007 until 1 October 2008, ANAP patrolmen who were selected to join the ANP could attend a three-week transition course. Those who have not taken the course may still be eligible to serve in the ANP but will have to undergo the usual processes for ANP recruitment and training.

Afghan National Police (ANP)

The Afghan National Police (ANP) is the Afghan government's overarching police institution; it operates under the authority of the Ministry of Interior Affairs (MoI). Together with the Afghan National Army (ANA, p. 4), the ANP make up the Afghan National Security Forces (ANSF). 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 its 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) – lead 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, p. 5), which had been 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.

The 2006 Afghanistan Compact (p. 11) 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. 40) raised this number to 82,000. 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 counter-insurgency force. The US Combined Security Transition Command–Afghanistan (CSTC-A; see Coalition Forces, p. 27) estimates ANP's strength at 76,000, as of November 2008.

Reform of the police sector, one of the five pillars of the Afghan government's Security Sector Reform strategy (SSR, p. 58), 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. 43) 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 US has been by far the largest overall contributor of human and financial resources to support the police sector, with a 2007 contribution estimated at US\$2.5 billion. Since 2005, CSTC-A 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 (GPPPO). 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) subsumed Germany's primary role in police reform with the aim of consolidating different approaches among EU members; the mission was established for at least three years. In late October 2008, EUPOL had deployed 270 personnel, mainly police, law enforcement and justice experts, across Afghanistan. Plans to increase to 400 staff were to be implemented from December 2008.

Approaches to police reform have varied widely among donors, and efforts to consolidate and integrate these approaches have been slow to emerge. In 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. The Board includes representatives from the MoI, CSTC-A, EUPOL, EC, EU and the US; several other donor countries are expected to join in early 2009.

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 ANP six regions: Kabul Province, North, East, South, West and Central.

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 or 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. Beginning in October 2008, the Focused Border Development programme is aimed at training ABP units working along the eastern and southeastern border.

Afghan National Security Forces (ANSF)

The Afghan National Security Forces (ANSF) consist of the Afghan National Army (ANA, p. 4) and the Afghan National Police (ANP, p. 6).

Afghan NGO Coordination Bureau (ANCB)

www.ancb.org

The Afghan NGO 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. 22). 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, led by a new chairman as of 2008, is elected for a period of one year by the General Assembly. ANCB’s headquarters are located in Kabul; the bureau has satellite offices in Jalalabad and Peshawar.

In 2004-05, ANCB was involved in drafting NGO legislation and the NGO Code of Conduct (p. 52). It also carried out civic education campaigns in advance of the Constitutional Loya Jirga and the presidential and parliamentary elections. In 2008, ANCB provided 13 workshops to member organisations on topics including civic education, women’s rights and human rights.

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; in these activities, it attempts to maintain a gender balance among participants. ANCB provides internet facilities for its members in the ANCB office and produces a weekly newsletter. ANCB also publishes 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 (ACSF, 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. 32) in June 2002. It was preceded by the Afghan Interim Authority (AIA) – a temporary governing body created at the Bonn Conference (p. 25). 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. 29) 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 democratically 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 64 member NGOs and more than 3,000 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, the 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 (ANDS, p. 14) process. Since that time, AWN has conducted awareness campaigns for the reduction of gender-based violence in eight provinces and provided legal counsel for victims of such violence. AWN continues to publish the youth magazine *Ertiqa* and, in 2009, plans to release a report on child abuse in Afghanistan covering the period 2006-08. It maintains a library and internet cafe for use by women's NGOs.

In 2008, together with its implementing partners, AWN conducted leadership and management workshops, vocational and legal trainings, and civic education courses for Afghan NGOs. To

enhance networking among members, AWN's revamped website now allows member organisations to submit activity reports, and access training and other resources online. In advocacy activities, member representatives offered guidance related to the Convention on the Elimination of All Forms of Discrimination Against Women. AWN also submitted to the Afghan Parliament a proposal for a law prohibiting violence against women.

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 receives project-specific funding from a variety of sources, including UNIFEM, DFID, Oxfam-Novib and the Heinrich Böll Foundation.

Afghanistan Centre at Kabul University (ACKU)

www.ackuaf.org

The Afghanistan Centre at Kabul University (ACKU) is a non-profit organisation collecting and making available resources to facilitate research that addresses Afghanistan's nation-building challenges. With more than 17,000 catalogued items, it provides the most comprehensive collection of materials related to Afghanistan in the region. Formerly the ACBAR Resource and Information Centre (ARIC; see Agency Coordinating Body for Afghan Relief, p.22), ACKU was established independently 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. These contain practical works on health and agricultural best 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.

The ACKU reading room provides students, faculty and policy-makers 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 planned for completion in mid-2009. Funded by the Afghan government, it will be located on the Kabul University campus.

ACKU's overriding purpose is to provide access to knowledge that contributes to an understanding of the social, economic, political and cultural dynamics of the Afghan society in the past, present and future. Its specific objectives are to:

- operate as an information depository to facilitate research in Afghanistan and abroad;
- function as a well-equipped, professional resource and research centre on Afghan affairs, with complementary services such as collections management, reader services, IT and outreach

programmes, seminars, exhibitions, publications and media outlets;

- ensure that all documents of research significance relating to Afghanistan and its people are collected, preserved and made accessible to academics, students, the aid community, civil society organisations and the general public;
- provide maximum access to documents using updated information technology, including a database, a website, PDFs and CD-ROMs; and
- forge links with provincial public and university libraries throughout Afghanistan, as well as academic institutions abroad.

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. ACKU also operates the ACKU Box Library Extension (ABLE), designed to provide libraries for communities and high schools in the provinces. 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. ABLE, which supplies libraries in 33 provinces, also publishes its own easy-to-read books for new literates on subjects such as mother-child care, animal welfare and Islam. To date, ABLE has published more than 150 titles and provided more than 100,000 books to approximately 200 schools and community libraries.

Afghanistan Country Stability Picture (ACSP)

The Afghanistan Country Stability Picture (ACSP) is a tool designed to provide country-wide information on reconstruction and development projects, particularly multi-donor and multi-agency activities. An initiative of the International Security Assistance Force (ISAF, p. 38), the ACSP is based on an extensive database and can be graphically depicted in such formats as maps, graphs and tables. The database contains information on more than 87,000 projects from 140 sources, including the Afghan government, donors, Provincial Reconstruction Teams (PRT, p. 56) and international organisations.

The ACSP is released on DVD periodically, with the most recent version, Edition 15, available as of November 2008. Edition 6 (March 2007) marked the first version that ISAF released to the NGO community. Recognised NGOs may apply for access to this material.

Afghanistan Compact

For the full text of the Compact, see p. 114.

The Afghanistan Compact was launched together with the Interim Afghanistan National Development Strategy (I-ANDS, p. 38) at the January 2006 London Conference (p. 44). 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. 25), 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 (MDG, p. 45) 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, which remains a formidable threat to the people and state of Afghanistan.

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. 40) to oversee and provide regular public reports on the execution of the Compact and the ANDS.

In May 2007, the JCMB released the first annual report on the implementation of the Afghanistan Compact in accordance with the I-ANDS. Consolidating the work of Consultative Groups (CG, p. 28), Technical Working Groups, and quarterly JCMB meetings, the report assessed the progress made on Compact benchmarks and the challenges ahead. It stated that:

...marked progress has been achieved towards the implementation of the Compact benchmarks. Steady gains in education, health, and rural development have been made towards the Economic and Social Development Pillar benchmarks. In the Security Pillar, reforms have been achieved in the Ministry of Interior, although much work remains. Counter-narcotics and the disbandment of illegal armed groups also face significant challenges, with counter-terrorism efforts capturing a disproportionate share of resources relative to comprehensive security sector reform. Progress towards curbing corruption, instituting a new legal order, and promoting reconciliation and political outreach in the Governance, Rule of Law, and Human Rights Pillar underscores the importance of maintaining momentum among both national and international partners.

The report presented several recommendations intended to enable the Compact to meet the expectations of the Afghan people and produce measurable gains in communities across the country.

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 fourth 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. 14).

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; it became a permanent national institution under the 2004 Constitution (p. 84). 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. 28) process, and provided input and recommendations on human rights issues for inclusion in the Afghanistan National Development Strategy (ANDS, p. 14). Representatives on the AIHRC board serve five-year terms and are nominated by the President of Afghanistan. In 2006, AIHRC launched a three-year strategic plan that includes: working with traditional dispute-resolution mechanisms to embrace human rights priorities; providing extensive teacher training in human rights education; assisting in the process of justice sector reform (JSR, p. 41); and developing an action plan on transitional justice initiatives. Based on this plan, AIHRC, together with UNHCR, began in 2008 a child rights monitoring program focusing on deportees and returnees.

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 host 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.

Since it became operational in June 2002, AIHRC has expanded to include 627 staff in 13 offices – the head office in Kabul; regional offices in Balkh, Bamiyan, Herat, Kabul, Nangarhar, Kunduz, Kandahar, Ghor and Paktia; and provincial offices in Badakhshan, Daikundi and Faryab. To provide the most comprehensive monitoring of the human rights situation in Afghanistan, AIHRC has created the following units within each office: monitoring and investigation, children's rights, women's rights, human rights education, transitional justice, human rights field monitoring, and people with disabilities. There is also a national-level Media and Publications Unit and a Research and Policy Unit based in Kabul.

The AIHRC currently works closely with the Ministries of Labour and Rural Rehabilitation and Development, and receives funding from a number of donors, including UNICEF.

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. 55) 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. 13). The final ANDS was approved by President Hamid Karzai on 21 April 2008 and subsequently presented at the Paris Conference in June (p. 54) 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. 11), the full ANDS is meant to provide a path to achieving Afghanistan's Millennium Development Goals (MDGs, p. 45) 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 (p. 11) at the

January 2006 London Conference (p. 44). In 2006, the Government and its international partners began 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. 40), the high-level governing body overseeing the implementation of the Afghanistan Compact also provided guidance for preparation of the ANDS.

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: http://www.and.s.gov.af/ands/ands_docs/index.asp. For the structure of the ANDS, see below.

The ANDS 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 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, these were then vetted and strengthened, and their strategic priorities and funding allocations were aligned, by means of extensive consultation. Through Consultative Groups (CG, p. 28), donor dialogue meetings, and poverty analysis based on National Risk and Vulnerability Assessments (NRVA, p. 50), these ministry and agency strategies were reviewed and improved before being merged into draft sector strategies. A subnational consultation process organised in all 34 provinces, which resulted in Provincial Development Plans (PDP, p. 56), was aimed at ensuring the final ANDS would reflect a broad consensus on development priorities within Afghan society.

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). A few sector strategies were integrated into the SY1387 (2008-09) National Budget; it is intended that most will be integrated into the SY1388 (2009-10) Budget.

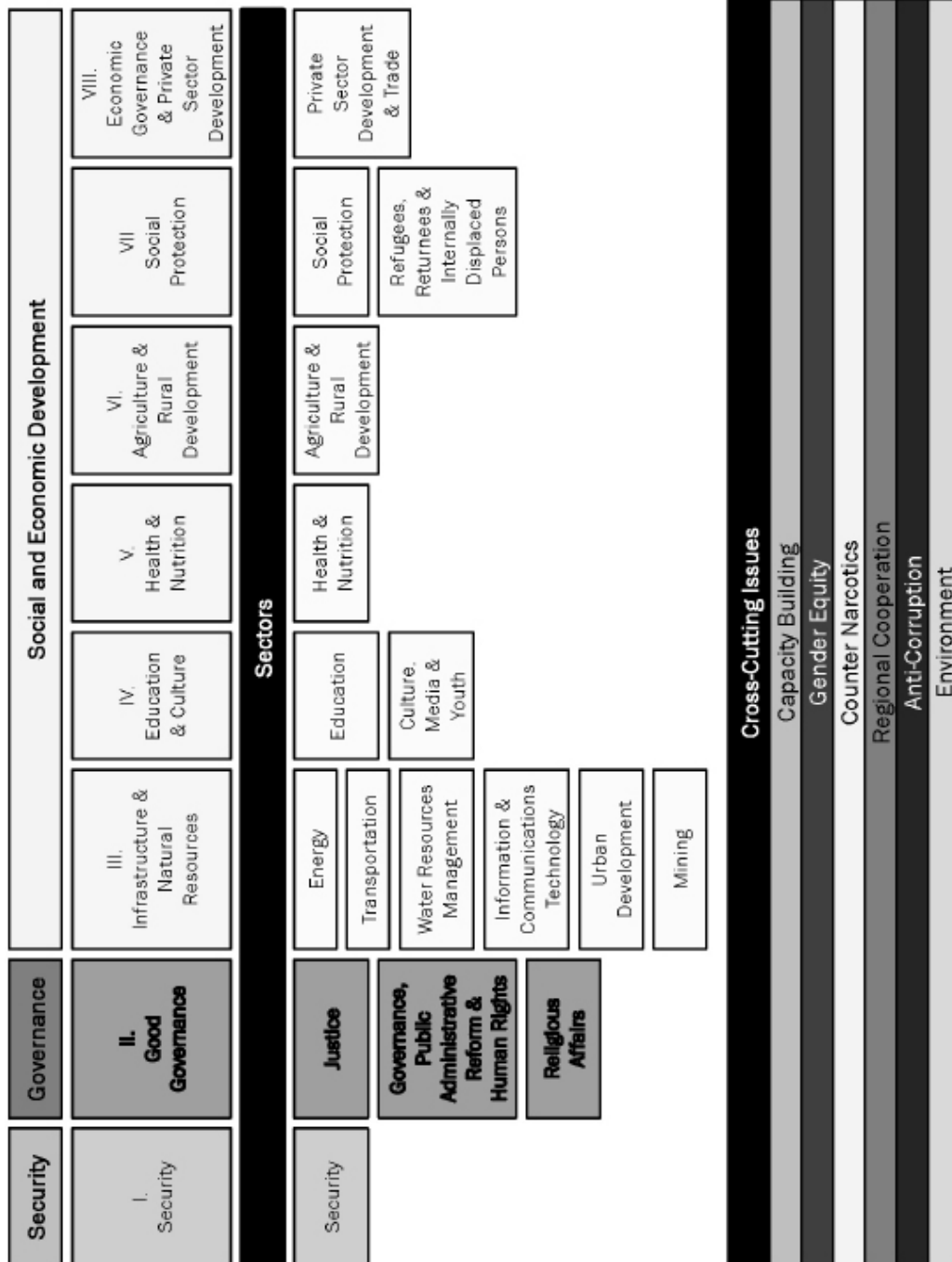
The ANDS Secretariat, in cooperation with the line ministries, combined the sector strategies into the draft ANDS. The final ANDS was reviewed by the CGs and sent for approval to the ANDS Oversight Committee, ensuring that the strategy as a whole is in line with government priorities and the Afghanistan 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 the 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 will take on the lead role in managing and monitoring this process. Inter-ministerial committees may play a greater role. The structure of the JCMB has also been changed to better address the challenges of implementation (see p. 40).

Key dates in the ANDS process

2005		Benchmarks for the Afghanistan Compact are drafted
2006	Jan.	Afghanistan Compact and the I-ANDS are 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 are completed
	June	ANDS consultation process is launched
	Aug.	Work on developing sector strategies begins
	Oct.	Sector strategies are sent to donors for comments
	Dec.	Sector strategies are completed
2008	Mar.	Donors are invited to comment on final draft of ANDS
	Apr.	President approves final ANDS
	June	ANDS launched at the Paris Conference

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



Afghanistan New Beginnings Programme (ANBP)

www.undpanbp.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. The government first announced its intention to pursue a national voluntary DDR process at the Tokyo Meeting (p. 62) in February 2003, as part of its Security Sector Reform (SSR, p. 58) 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 percent of the former combatants chose to join the Afghan National Army (ANA, p. 4).

With the completion of DDR, ANBP shifted its focus to support the government's Disbandment of Illegal Armed Groups (DIAG) initiative, 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), which is chaired by Second Vice President Karim Khalili. 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 Ministries of Defense and of Interior Affairs, UNAMA (p. 62) and the International Security Assistance Force (ISAF, p. 38). ANBP directly provides personnel, policy, technical and logistic support in the implementation of DIAG, including support to the Joint Secretariat.

Since the programme began, more than 42,000 weapons have been handed over to DIAG weapon collection teams. The programme is due to end in March 2009; in light of the current security situation, however, it is expected that DIAG will be extended beyond this timeline.

Afghanistan NGO Safety Office (ANSO)

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 German AgroAction (Deutsche Welthungerhilfe); it was previously under the auspices of the International Rescue Committee.

ANSO is headquartered in Kabul and has regional offices in Kabul, Mazar-i-Sharif, Herat, Jalalabad and Kandahar. NGOs registered with ANSO have access to regularly scheduled services, which include:

- daily threat warnings and security alerts, weekly incident listings, as well as biweekly and quarterly reports analysing and projecting security trends;
- weekly regional security meetings;
- monthly orientations for staff of NGOs; and
- representation of NGOs in relations with national and international security agencies.

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;
- providing security-related statistical data and analysis;
- crisis response services; and
- coordination of safety and security training.

All of ANSO's national and international staff are experienced in safety and security matters.

Afghanistan Parliamentary Assistance Project (APAP)

<http://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 public outreach capacity; and
- 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 international organisations, 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 for an Effective Afghan Legislature (SEAL, p. 60) 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 one of the most important delivery mechanisms for channelling aid into the Afghan government's Core Budget (see p. 25) – not only for salaries and operating costs but also for priority programmes aimed at achieving the country's national development targets.

As of November 2008, more than US\$3 billion has been pledged to the ARTF by 30 international donors. The ARTF is managed by the Management Committee consisting of: the World Bank (the administrator), the Islamic Development Bank (IDB), the Asian Development Bank (ADB), UNAMA and UNDP. During SY1386 (2007-08), the ARTF handled \$634 million in donor contributions. For SY1387 (2008-09), pledges have reached \$687 million.

The priority use of ARTF funds is for the Government's Core Budget and secondarily for investment projects. Since the ARTF's inception (until October 2008), more than \$1.5 billion has been disbursed to the Government to finance recurrent costs, and \$720 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 percent of an agency's annual contribution.

ARTF has financed several core national development programmes, including the National Solidarity Programme (NSP, p. 50), the National Emergency Employment Programme (NEEP), the Educational Quality Improvement Project (EQUIP), the Emergency Telecommunications Project, the Microfinance Investment Support Facility in Afghanistan (MISFA, p. 44), 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 (see JSR, p. 41) 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. A second external evaluation, completed in August 2008, set out a medium-term agenda to transform the ARTF into a programmatic, sector-oriented funding mechanism to drive the implementation of Afghanistan National Development Strategy (ANDS, p. 14) priorities. The evaluation has also led donors and the Government to consider how ARTF could reduce support to the Government's operating budget over time and work towards a more policy-oriented, fiscally sustainable framework.

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

Afghanistan Research and Evaluation Unit (AREU)

www.areu.org.af

See p. ii of this guide.

Afghanistan Rural Enterprise Development Program (AREDP)

<http://www.mrrd.gov.af/AREDP>

An initiative of the Ministry of Rural Rehabilitation and Development, the Afghanistan Rural Enterprise Development Program (AREDP) is a proposed five-year project, scheduled to begin in 2009. The estimated US\$30-40 million, World Bank-supported programme is aimed at jump-starting private sector growth in rural Afghanistan.

Aimed at enhancing rural livelihoods, the 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- and regional-level business development centres; developing private-public partnerships; and offering financial services and links to microfinance institutions and commercial banks to access credit.

As of December 2008, the final details of AREDP's design and scope have yet to be determined. Current plans call for the programme to begin in a limited number of provinces with eventual scale-up to national coverage in all 34 provinces of Afghanistan.

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 acts as a conduit for information among the UN, NGOs, donors and the Afghan government. ACBAR was established in 1988 by NGOs working with Afghan refugees in Pakistan. 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 100 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. 52) launched in May 2005. The General Assembly of the ACBAR membership meets twice a year, and the 12-member steering committee meets 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 holds monthly NGO coordination meetings that are occasionally open to the general public; other monthly meetings are organised around particular themes. ACBAR regularly conducts workshops on the NGO Law and Code of Conduct in Kabul, Mazar-i-Sharif, Herat 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. ACBAR represented the NGO community at the Afghanistan Development Forum (ADF, p. 13) in 2004, 2005 and 2007. ACBAR has hosted a secretariat to represent Afghan civil society in the Afghanistan National Development Strategy (ANDS, p. 14) process. In addition, ACBAR has played

a coordination role between civil society and military actors.

In 2007, ACBAR launched the Afghanistan Pilot Participatory Poverty Assessment (APPPA), in cooperation with civil society and the Asian Development Bank (ADB). Carried out in Badakhshan, Nangarhar, Uruzgan and Herat provinces, the APPPA aimed to collect, document, disseminate and advocate the perspectives of the poor on poverty; its results were intended to feed into the ANDS. The conclusion of the APPPA in April 2008 was marked by a number of activities bringing attention to the issue of aid effectiveness. Several advocacy papers assessing the results of APPPA were being drafted in late 2008 on topics such as aid effectiveness, agriculture and social protection.

In 2008, ACBAR completed its run of informative radio dramas combating negative perceptions of NGOs in Afghanistan. These were part of a media campaign launched the previous year, which included a booklet raising awareness about the different types of NGOs in Afghanistan. ACBAR collaborates with the Afghanistan Information Management Service (AIMS) to produce a database of NGO activity throughout Afghanistan called “Who is Doing What Where.”

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. Other terminology in use also describes these kinds of activities; for example, USAID refers to “Alternative Development,” 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 Hamid 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. These include 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 EC and the UK 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 towards areas where cultivation is concentrated, particularly in the South. 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 (UNODC) in the last two years.

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 (p. 48). 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 starting in early 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 that forms the core of service delivery in all primary health care 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. 45), the BPHS aims to provide health services to all Afghans, especially those who are poor and live in remote and rural areas.

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 most provinces and its own Provincial Health Offices in a limited number of 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 four levels of facility: 1) Health Posts, 2) Basic Health Centres, 3) Comprehensive Health Centres, and 4) District Hospitals. The BPHS also provides standards for staffing and infrastructure reconstruction and rehabilitation for these facilities.

BPHS has provided primary health care to more than 80 percent of Afghans living in rural Afghanistan, according to an MoPH statement made in December 2008.

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 are approximately US\$27.4 billion over the following seven years – substantially more than the \$15 billion over ten years requested at the January 2002 Tokyo Ministerial Meeting (p. 62). At the Berlin meeting, donors pledged \$8.2 billion for the following three years and met the government's immediate need of \$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. 32); 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

<http://www.mfa.gov.af/Documents/ImportantDoc/The%20Bonn%20Agreement.pdf>

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. The Bonn Agreement 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. 32) and the Constitutional Loya Jirga (CLJ, p. 29), 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 an Interim Authority (AIA), then in a 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. 11).

Budget

See National Budget, p. 47

Central Statistics Office (CSO)

www.cso.gov.af

The Central Statistics Office (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, population and demographics — to be used for monitoring economic, financial and structural policies as well as other activities.

The CSO produces the *Afghanistan Statistical Yearbook*, the *Consumer Price Index Yearbook*, the *Afghanistan Trade Statistical Yearbook* and the *Estimated Population of Afghanistan* (with data on gender and rural-urban residence). The CSO also publishes a quarterly volume on foreign trade statistics, the monthly Consumer Price Index (CPI) and daily CPIs for 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, *AfghanInfo*, an annually updated database of all CSO socioeconomic and demographic data.

The work of the CSO is grouped into nine major departments: economic statistics; demographic and social statistics; national accounts; operations; publication and dissemination; strategic planning and donor relations; administration; internal evaluation and audit; and a secretariat. Plans are also underway to develop departments of agricultural statistics and information technology. In mid-2005, the CSO partnered with the National Surveillance System (NSS, p. 52) to open a unit within the CSO responsible for data collection for the NSS National Risk and Vulnerability Assessment (NRVA, p. 50).

Established in 1973, the CSO was declared an independent body by presidential decree in March 2006. Its 800 staff are divided among CSO headquarters in Kabul and suboffices 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 the private sector.

In 2004, the CSO created a Statistical Master Plan (SMP) with the assistance of the World Bank, the Asian Development Bank, the IMF and the UK's 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 2006, a new statistics law was enacted to clarify the official functions of the CSO, to increase its flexibility and to ensure accountability and transparency.

The CSO conducted a 2007 survey of facilities for disabled individuals in Kabul. As of December 2008, the CSO was collecting data on business enterprises as well as on women's involvement in decision-making. Projects proposed for 2009 include surveys on Afghanistan's labour force and on household income and expenditure, as well as a preliminary census of Kabul.

The CSO plans to carry out in late 2010 the national population census mandated by the Bonn Agreement (p. 25); the specific timing of this census will be determined in 2009. 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. The census proper will take approximately 21 days, cost an estimated US\$62 million 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 to take place two to three months before the full census is conducted.

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. 35.

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 seek out Taliban and al-Qaeda members in Afghanistan and to reshape the posture of the Afghan defence forces that will ultimately provide long-term stability in Afghanistan. CF are a key partner in implementing the Afghan government's Security Sector Reform (SSR, p. 58).

Coalition Forces, most recently reorganised in October 2008 as US Forces Afghanistan (USFOR-A, p. 64), are distinct from the UN Security Council-mandated International Security Assistance Force (ISAF, p. 38) 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.

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 both ISAF and US-led efforts by aligning and streamlining command and control of all US forces serving in Afghanistan. As of November 2008, approximately 15,000 troops were assigned to USFOR-A.

USFOR-A has two primary subordinate commands:

- Combined Joint Task Force 101, based at Bagram Air Field, is responsible for counter-terrorism and reconstruction operations; and
- 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 security forces.

Though non-ISAF US troops in Afghanistan continue to be called Coalition Forces outside of the military, they had been reorganised in February 2004 and renamed Combined Forces Command–Afghanistan (CFC-A). In 2004-05, CFC-A first transferred regional command to ISAF, beginning with the West and North; in July 2006, command of the southern provinces was transferred. Command of the final quarter of the country, the East, was handed over in October 2006, leaving ISAF in charge of maintaining security in all of Afghanistan. (Starting in October 2008, however, USFOR-A has since assumed OEF responsibility, in coordination with ISAF, for the eastern regional command.) After the 2006 handover to ISAF, CFC-A as a coalition headquarters was inactivated; the remaining non-ISAF US troops (then falling under Combined Joint Task Force 76 and CSTC-A commands) were ultimately overseen by CENTCOM.

Combined Security Transition Command–Afghanistan (CSTC-A)

See Coalition Forces, p. 27.

Community Development Council (CDC)

See National Solidarity Programme, p. 50.

Consultative Group (CG)

The Consultative Groups (CGs) were sector-specific, government-led entities that brought together government, donors and civil society to monitor the progress toward the Afghanistan Compact benchmarks and to review the Afghanistan National Development Strategy (ANDS, p. 14). 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. 40) and its Standing Committees, when concerning policy discussions; and the Inter-Ministerial Committees (still under development) 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. 48). In 2006, the CG mechanism was restructured to align with the Afghanistan Compact (p. 11) and the ANDS (p. 14). There were eight CGs, corresponding to the eight sectors of the ANDS: 1) Security, 2) Governance, 3) Infrastructure, 4) Education, 5) Health, 6) Agriculture and Rural Development, 7) Social Protection, and 8) Economic Governance and Private Sector Development. Their responsibilities were:

- to coordinate and monitor the implementation of the Compact through the ANDS;
- to contribute to the National Budget formulation process;
- to monitor aid effectiveness within their sector; and

- to report to the ANDS Presidential Oversight Committee (OSC) on progress in achieving the Afghanistan Compact benchmarks.

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. 84 of this guide.

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 persons (IDPs), *kuchis* (nomads), Hindus and Sikhs.

The draft Constitution debated by the CLJ was produced by the Constitutional Drafting Commission 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. 62) estimates that 178,000 people were reached through these consultations, 19 percent 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 (p. 70), a Cabinet of Ministers and a National Assembly (p. 70) 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.

Counter-narcotics (CN)

www.mcn.gov.af

Counter-narcotics (CN) efforts are integral to reconstruction and development initiatives in Afghanistan, as the instability and insecurity related to the opium economy is considered a major obstacle to progress. CN is one of five pillars in the government's Security Sector Reform (SSR,

p. 58) policy and a cross-cutting theme in the Afghanistan Compact and the Afghanistan National Development Strategy (ANDS, p. 14). 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 and coordinates all CN activities, working closely with the Ministry of Interior Affairs, the Ministry of Agriculture, 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), last updated in January 2006. As the strategic framework for the government's CN efforts, the NDCS identifies four key priorities:

- disrupting the drugs trade by targeting traffickers and their backers and eliminating the basis for the trade;
- strengthening and diversifying legal rural livelihoods;
- reducing the demand for illicit drugs and providing treatment for problem drug users; and
- 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.

Much weight has been given to so-called Alternative Livelihood (AL, p. 23) programmes, which aim to provide opium farmers and labourers with alternative crop options, credit mechanisms, business support, market access and labour opportunities.

To date, CN efforts in Afghanistan have not included a significant component of eradication (physical destruction of crops). The eradication that has taken place has been planned by the Central Eradication Planning and Monitoring Cell within the Ministry of Interior and carried out by the Central Poppy Eradication Force with assistance from the international community. Some eradication has also been conducted by Provincial Governors supplemented by the Afghan National Police (ANP, p. 6).

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." The Ministry of Justice, working to develop an effective CN legal framework, created a CN Criminal Justice Task Force in February 2005 to deal with CN cases and train judges, prosecutors and investigators in CN procedures.

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 2,000 officers in the next few years, is the primary

agency responsible for detecting and investigating 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.

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. 31), launched in 2005 and originally intended to conclude at the end of 2008. New funding mechanisms are currently under consideration. A cabinet sub-committee on CN meets twice monthly; it includes relevant ministers, and embassy and donor representatives. There are also several issue-specific NDCS working groups under the auspices of the MCN. CN is also on the agenda of the high-level Policy Action Group (PAG, p. 54); a CN Consultative Group (CG, p. 28) was incorporated into the ANDS process.

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.

Counter Narcotics Trust Fund (CNTF)

The Counter Narcotics Trust Fund (CNTF), established in October 2005, is a multi-donor funding source that contributes to fulfilling the objectives of the National Drug Control Strategy (NDCS). The broad aims of the Fund include: providing greater resources for the 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 is the administrator of the Fund, the Government of Afghanistan retains 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 as well as that of Agriculture, have served as the implementing partners of projects funded by CNTF; they have worked closely with MCN to identify, develop, and implement counter-narcotics-related activities and projects within their mandated areas. While the Fund was originally scheduled to end on 31 December 2008, an extension to conclude existing CNTF-funded projects was under discussion at the time of publication. No second phase of the Fund is planned, but a number of other sources of funding are under consideration as possible successors to the CNTF.

The CNTF established the Good Performance Initiative (GPI) in late 2007 as a new mechanism rewarding development assistance to provinces that stay poppy-free or demonstrate a significant reduction in poppy cultivation.

Nearly US\$100 million has been committed to the CNTF, which has 17 donors (as of December 2008). The CNTF management board includes representatives from the Government, UNAMA (p. 62), the Asian Development Bank, UNDP, EC and the UK, with the World Bank as an observer.

Development Budget

See National Budget, p. 47.

Disarmament, Demobilisation and Reintegration (DDR)

See Afghanistan New Beginnings Programme, p. 18.

Disbandment of Illegal Armed Groups (DIAG)

www.diag.gov.af

See Afghanistan New Beginnings Programme, p. 18.

Donor Assistance Database (DAD)

<http://dad.synisys.com/dadafghanistan/>

With the support of UNDP, the Afghan government established the Donor Assistance Database (DAD) in June 2002. The DAD aims to provide up-to-date information on all projects that fall within the national Development Budget (see National Budget, p. 47) as well as some extra-budgetary projects. The database stores detailed information about the location of projects, who is financing them and which organisations are involved in their implementation. Via the DAD website, project managers can submit documents and other information, which are then made available in both 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 is now largely based on the DAD. This is likely to change in coming years, however, as the Development Budget begins to incorporate priorities identified in the Afghanistan National Development Strategy (ANDS, p. 14).

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 (former 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. 29), 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)

http://www.undp.org.af/WhoWeAre/UNDPinAfghanistan/Projects/dcse/prj_elect.htm

The UNDP’s Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) project was established in 2006 based on recommendations from an evaluation of the 2004 and 2005 elections. ELECT is intended to build the capacity of the Independent Electoral Commission (IEC, p. 37), which had just been established at the time ELECT was launched. A key part of ELECT is an inter-organisational agreement to coordinate activities under which designated organisations take over specific activities supporting the IEC to avoid duplication of work.

In 2007, ELECT achieved its other original main aim: completion of a Civil and Voter registry pilot project that combined nationwide voter registration with a national civil registration programme conducted in Kabul, Bamiyan and Nangarhar.

ELECT is currently the practical expression of implementing 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. 62) and the Special Representative of the UN Secretary-General. The Resolution:

- specifies, at the request of Afghan authorities, support for the electoral process (particularly through the IEC) by providing technical assistance; coordinating efforts of international donors, agencies and organisations; and channeling funds earmarked to support the process; and,
- notes the leading role that Afghan institutions will play in the organisation of the next elections; 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. 11).

While UNAMA has an overarching oversight role, ELECT is the implementation arm of the UN’s coordination mandate and deals with project and programme design and management, mobilisation of donor funding, activity coordination, channelling of funds for electoral support, and reporting.

The project was expanded in August 2008 to support the processes for the upcoming electoral cycle. With Presidential and Provincial Council Elections scheduled for 2009 and Parliamentary and District Council Elections scheduled for 2010, the ELECT project has been providing technical assistance and support to the IEC in conducting voter registration, which started in October 2008. In addition to assistance currently focused on IEC headquarters, ELECT plans to expand its activities to IEC provincial offices throughout the country to build technical capacity in implementing elections over the next two years.

In December 2008, an extension of the project activities was approved. The new scope of work will support the 2009 electoral processes (including the Electoral Complaints Commission) as well as a broader range of activities with a wider group of electoral stakeholders, including civil society, media, domestic election observers and security actors.

ELECT, the mandate of which ends in October 2010, receives funding from multiple donors, and is managed by UNDP within a collaborative coordination and management structure.

Human Rights Research and Advocacy Consortium (HRRAC)

www.afghanadvocacy.org.af

The Human Rights Research and Advocacy Consortium (HRRAC) is a research-based advocacy organisation that aims to provide a voice for the Afghan population in human rights debates. It was established in early 2003 as a way of bringing together Afghan and international organisations promoting the development and implementation of government policies and community practices to uphold international human rights standards in Afghanistan.

HRRAC's work focuses on the rights of all Afghans to peace and physical security, to participate politically, and to share in economic resources and development. Recent HRRAC research projects have concentrated in particular on security, women's issues, education, and election participation. Advocacy and outreach based on the findings of HRRAC research include reports to government and community leaders, radio programmes, films and theatre performances.

HRRAC comprises five Afghan and six international organisations, and has two advisory members. Representatives from the 14 member organisations make up the Board of Directors, which meets every month to set and monitor HRRAC's strategic direction. The Board of Directors advises the Secretariat, which comprises two to three permanent HRRAC staff. The Secretariat was previously housed at the Cooperation for Peace and Unity, but during 2007 HRRAC established its own offices and administration. HRRAC's core funding comes from Oxfam Novib and annual membership fees.

Independent Administrative Reform and Civil Service Commission (IARCSC)

<http://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. 57). 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; and
- 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 Service Directorate, a Secretariat, an Independent Appointments Board and an Independent Appeals Board. The Civil Service Directorate is responsible for: drafting and overseeing the implementation of policies related to human resources, civil service employees, training, appointments and retirement; and launching training in human resource capacity-building. The Secretariat provides executive, financial and administrative assistance to the Commission and is responsible for coordinating implementation of programmes, projects and civil service reform.

The Appointments Board is responsible for appointing senior-level civil service officials and supervising the appointment of junior-level officials. The Appeals Board 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.

IARCSC recently launched six-month training courses in management, information technology and English language and have sent civil service officials to other countries on leadership and fellowship programmes for capacity-building. The Commission has 7 regional offices.

Recent financial and technical support to the IARCSC and its initiatives have come from UNDP, the Asian Development Bank, the World Bank, the EU, USAID, the UK, Korea, Australia, Norway, Switzerland, Germany and the Afghanistan Reconstruction Trust Fund (ARTF, p. 20).

Independent Directorate of Local Governance (IDLG)

The Independent Directorate for Local Governance (IDLG) was established by presidential decree on 30 August 2007, with a mandate to improve governance and achieve stability at the subnational level. The IDLG is responsible for supervising provincial and district governors, provincial councils (p. 72), and municipalities (except Kabul). After a second decree in May 2008, IDLG was tasked with leading the process of creating a subnational governance policy for Afghanistan that 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." Its priorities, strategy and functions are outlined in: its Strategic Framework, its Five Year Strategic Work-plan (covering 2008-2013) and the draft Sub-National Governance Policy (completed in late 2008), which is to be implemented during the period 2010-13.

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 subnational level;
2. to establish and strengthen government institutions at subnational 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 subnational level;
4. to ensure that subnational 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.

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 subnational governance.

According to its Annual Report (September 2008), IDLG's achievements in its first year include the following.

- Governance: convened senior-level working group meetings (examined the roles and

responsibilities of provinces, districts, villages; municipalities; women, youth, civil society; and subnational finance and planning); completed the draft Sub-National Governance Policy; developed frameworks for village, district, municipal and provincial finance

- Public Administration Reform (PAR, p. 57): launched operating manuals in ten districts; developed the Governors' Performance-Based Operational Fund; initiated budget reform programme in subnational administrations
- Capacity-building: launched a capacity-building strategy for IDLG's central offices and subnational structures; piloted the Good Governance for Local Development (GOFORGOLD) tool to monitor and report on performance in subnational governance
- Subnational infrastructure: construction of 15 district complexes, with another 18 in progress; commissioned an audit of the Afghanistan Stabilisation Programme, one of the Government's National Priority Programmes (see National Development Framework, p. 48) intended to strengthen subnational-level governance by rebuilding essential infrastructure and development capacity for local civil administration
- Supporting municipalities: for a number of municipalities, improved organisational designs, created plans to improve revenue generation and for solid waste management, and designed a five-year, US\$100 million programme to rehabilitate municipal roads
- Development governance: promotion of Provincial Development Plans (PDPs, p. 56), including assisting with creation of presidential decree to incorporate 1,581 PDP projects into budgets of ministries, and launched Local Economic Development Programme
- Provincial counter-narcotics: launched IDLG strategy for provincial counter-narcotics implementation;
- Engaging representative bodies: in Wardak province, established operations for Afghanistan Social Outreach Programme (ASOP), which is aimed at strengthening traditional leadership systems and groups; launched induction and capacity-building programmes for provincial councillors
- Facilitating national programmes: designed disaster management response system for provision of relief supplies

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 (p. 84) and the Electoral Law. 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 is also to certify and announce election results and facilitate 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 of the Islamic Republic of Afghanistan. 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.

A presidential and provincial council election is scheduled for the fall of 2009, and parliamentary and district council elections are planned for the summer of 2010. Specific dates were not yet determined at the time of publication. The IEC is currently working to improve its functioning and build its capacity in preparation for Afghanistan's next cycle of elections. The Commission is currently updating the voters' registry, aiming to register Afghans who: will reach voting age (18 years old) by September 2009; have not registered before; have moved to another province or returned to Afghanistan; or have lost or damaged their previous registration card. The IEC is also establishing a verification mechanism using biometric technology (fingerprint and facial recognition) to identify and remove multiple registrations from the database of voters.

The IEC has begun to establish commissions for electoral complaints and for the media. These two commissions will consist of Afghan commissioners and internationals working in a technical advisory capacity.

The IEC operates a resource centre and a data centre, and is planning to build a media centre. It receives support from the UNDP ELECT (p. 33) project.

Interim Afghanistan National Development Strategy (I-ANDS)

See Afghanistan National Development Strategy, p. 14.

International Security Assistance Force (ISAF)

<http://www.nato.int/isaf/index.html>

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 (ANSF, p. 8).

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 Administration (AIA, p. 4). 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 UK, 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. As of December 2008, US General David D. McKiernan was the commander of ISAF.

ISAF and its operations are distinct from the US-led Coalition Forces (CF, p. 27), which overthrew the Taliban and continues to pursue remnants of the Taliban and al-Qaeda as part of its 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. 56) 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 25 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. 4). In August 2008, ISAF transferred lead security responsibility for Kabul to the Afghanistan National Security Forces.

As of December 2008, 41 countries (26 of which are NATO members) were contributing a total of approximately 51,350 troops to ISAF: Albania, Australia, Austria, Azerbaijan, Belgium, 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, United Arab Emirates, the UK and the USA. The philosophies, caveats and instructions of troop-contributing nations place restrictions on how ISAF troops can be used.

ISAF consists of: Kabul-based headquarters; 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. Operational-level management of ISAF is provided by Allied Joint Force Command Headquarters Brunssum, which falls under NATO's main Supreme Headquarters Allied Powers in Europe (SHAPE). NATO has a Senior Civilian Representative's Office in Kabul, which includes political and military advisors and facilitates NATO's and ISAF's political and diplomatic relations with the Afghan government and the international community in Afghanistan.

Joint Coordination and Monitoring Board (JCMB)

<http://www.and.s.gov.af/ands/jcmb/site/index.asp?page=home>

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. 11). 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 (I-ANDS, p. 38) at the January 2006 London Conference. 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 resulting from the Paris Conference (p. 54) 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; and
- to report on the implementation of the Compact to the President, the National Assembly, the UN Secretary-General, the donors, and the public.

The JCMB is co-chaired by the UN Secretary-General's Special Representative for Afghanistan (see UNAMA, p. 62) and the Chair of the Afghan government's cabinet-level Coordinating Committee, which is responsible for JCMB oversight and the implementation of the ANDS (p. 14). 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. 38), the Combined Security Transition Command-Afghanistan (CSTC-A, p. 28), 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. In 2008, the JCMB adopted a new format aimed at streamlining decision-making and enhancing coordination.

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. Several other coordination mechanisms – such as the Policy Action Group (PAG, p. 54) – report occasionally to the JCMB as the central coordination body on security, reconstruction and development. The JCMB produces an annual report and additional reports available to the public.

In line with the Afghanistan Compact, the JCMB is constituted for a period of five years, from April 2006 to March 2011 (SY1385-89). Since its inception, the JCMB has provided guidance for the development of the Afghanistan National Development Strategy (ANDS, p. 14).

Joint Electoral Management Body (JEMB)

See Independent Election Commission, p. 37.

Justice Sector Reform (JSR)

Justice Sector Reform (JSR), one of the five pillars of the Afghan government's Security Sector Reform (SSR, p. 58) 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 US, Canada, Norway, Germany and the UK. A number of UN agencies also contribute to JSR, including UNAMA (p. 62), 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 courses at some universities;
- drafting of legislation;
- expansion of the provision of legal aid and public legal awareness campaigns;
- improvement of 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; and
- coordination with other government priorities, such as counter-narcotics (CN, p. 29), 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 subnational 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. 40).

As part of the Afghanistan National Development Strategy (ANDS, p. 14) 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. These will see the establishment of a Project Oversight Committee (POC) – composed of the high-level Afghan government officials and advised by an international Board of Directors – and a Program Support Unit (PSU); these are intended to replace the functions of the Consultative Group (CG, see p. 28) that dealt with the justice sector and ceased to exist after the completion of the ANDS process.

The Afghanistan Justice Sector Reform Project (AJSRP) is currently being developed under the guidance of the World Bank and financed by the Afghanistan Reconstruction Trust Fund (ARTF, p. 20); it will be 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 2008 include:

- the establishment of the Provincial Justice Coordination Mechanism, which stems directly from the Rome Conference; the initiative, which began in July, is run jointly by UNDP and

UNAMA along with main justice sector counterparts and is designed to assist the Afghan Government to systematically expand rule of law beyond Kabul and improve the delivery of justice assistance in the provinces;

- the formal inauguration of the Afghan Bar Association in July; and
- the launch of the Legal Aid Board in December after legal aid regulations were officially passed in July; with external support, implementation of government-administered system of legal aid is likely to begin in 2009.

Law and Order Trust Fund for Afghanistan (LOTFA)

The Law and Order Trust Fund for Afghanistan (LOTFA) is a funding mechanism used by international donors to channel their contributions to the reform of the security sector in Afghanistan, particularly the Afghan National Police (ANP, p. 6). Established in 2002, LOTFA is implemented by the Ministry of Interior Affairs, which is responsible for the implementation of the project, and a Project Management Unit, established to support the Ministry in the implementation of project activities. The project is led by a Steering Committee comprised of donors, including representatives from the Ministry of Finance, UNAMA (p. 62) and UNDP. LOTFA's expenditures are prioritised as follows:

1. Payment of the police force remuneration;
2. Institutional development;
3. Procurement, maintenance and operations of non-lethal police equipment and supplies;
4. Rehabilitation, maintenance and operations of police facilities;
5. Gender Orientation (selection, recruitment and training of police); and
6. Payment of remuneration of uniformed personnel employed by the Central Prisons Department through specially earmarked contributions.

Between 2002 and 2008, approximately US\$553 million was contributed to LOTFA, most of which was used for police salaries and allowances. The largest overall donor since the Fund's inception has been the European Commission; at present, the US and European Commission are the largest donors.

LOTFA Phase IV (1 April 2006-31 March 2008) focused on implementing programmes to bring about increased transparency and accountability in the above priority areas. Around the country, police personnel bank accounts for more than 33,000 individuals were set up, with the goal of sending funds solely by electronic transfer by March 2009. Twenty-eight provinces have also successfully begun submitting monthly reports electronically. In keeping with its Gender Orientation priority, LOTFA advocated successfully for a Ministry of Interior Affairs gender unit and implemented gender awareness capacity-building training.

After the conclusion of Phase IV, the terms of the next phase were negotiated during an interim extension period. Phase V began on 1 September 2008, with a total budget of \$454 million, and

is scheduled to conclude on 31 August 2010. This phase will focus extensively on institutional development of the Ministry of Interior Affairs in addition to payment of police salaries. Moreover, continued efforts will be made to increase transparency and accountability in the payment of police salaries.

London Conference

On 31 January–1 February 2006, the government of the United Kingdom hosted the London Conference on Afghanistan, a major international summit co-chaired by the UN and the government of Afghanistan. Attended by over 200 delegates from 70 countries and international organisations, the Conference served as a forum to discuss the next phase of Afghanistan's development. It had three aims: to formally launch the Afghanistan Compact (p. 11), to allow the Afghan government to present the Interim Afghanistan National Development Strategy (I-ANDS, p. 38) to the international community, and to ensure that the Government of Afghanistan has adequate resources to meet its domestic ambitions and international commitments.

The London Conference marked the completion of the Bonn process (p. 25) and the end of the first stage of Afghanistan's post-Taliban development, which saw the re-establishment 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.

Microfinance Investment Support Facility for Afghanistan (MISFA)

www.misfa.org.af

The Microfinance Investment Support Facility in 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, which would not otherwise have access to credit facilities and economic opportunities.

MISFA was registered as an independent non-distributive company 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 lending facility of its kind in Afghanistan, pooling diverse donor funding mechanisms into streamlined, flexible support to microfinance institutions (MFIs). It operates with support from the Afghan Ministry of Finance, the World Bank, the Consultative Group to Assist the Poor (CGAP), the Canadian International Development Agency (CIDA), the United Kingdom's Department for International Development (DFID), the United States Agency for International Development (USAID), Oxfam Novib, and the embassies of Finland, The Netherlands and Denmark.

As of September 2008, MISFA had provided more than US\$518 million in loans to its 15 partner MFIs. These implementing partners use a range of microfinance methods – individual and group lending, village banking and credit unions – and have more than 447,000 clients in 24 provinces, 63 percent of whom are women. The average loan size among MISFA’s partners is \$311 and the loan repayment rate is at 95 percent. The sector employs nearly 5,000 Afghans, 40 percent of whom are women.

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. 14) and the Afghanistan Compact (p. 11). 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; and
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)

The Mine Action Programme for Afghanistan (MAPA), the world’s largest mine action programme, was established in 1989 under the direction of the United Nations Office for the Coordination of Humanitarian and Economic Assistance to Afghanistan (UNOCA, p. 64) to make Afghanistan safe from the threat of mines and unexploded ordnance (UXO).

Oversight and coordination of MAPA is currently in transition. While previously the responsibility of the UN-supported Mine Action Centre for Afghanistan (MACA), control of the programme is

gradually shifting to national ownership. Both MACA and the newly formed Department of Mine Clearance (DMC) work under the direction of the Mine Action Working Group of the Afghanistan National Development Strategy process (ANDS, p. 14) to develop strategy and implement and monitor MAPA activities and targets.

The DMC, with continuing support from MACA, coordinates 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 has 24 implementing partners, 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.

Around 697 km² of land are contaminated with anti-personnel or anti-tank mines and other explosive remnants of war (ERW); 75 percent of this is located in only 12 of Afghanistan's 34 provinces. From January to September 2008, nearly 69,000 anti-personnel mines, over 700 anti-tank mines, and over two million ERW were destroyed. Led by the Ministry of Education, mine risk education programmes, continue around the country; between January and September 2008, this initiative provided information to more than one million people.

MAPA works to meet mine action benchmarks set by the Ottawa Treaty banning landmines and the Afghanistan Compact, which call for a 70 percent reduction in contaminated land area by March 2011 and a 100 percent clearance of anti-personnel mines by 2013.

National Area-Based Development Programme (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. 48).

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. The current phase focuses 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 Programme has five main components:

1. Community Empowerment: establishing participatory and consultative mechanisms at district and provincial level to result in an integrated rural development planning process
2. Economic Regeneration: enhancing capacity of the Government in formulating and updating

of comprehensive regional economic regeneration policies and strategies; identifying viable interventions for economic investment, poverty reduction and livelihood improvement

3. Institutional Development: strengthening institutional capacity and technical capabilities of MRRD and strategic partners to fulfill mandate of promoting rural regeneration and improved livelihoods
4. Implementation Support: strengthening MRRD's implementation capacity, mobilising private and public resources, and coordinating implementation arrangements among partners and stakeholders to deliver rural infrastructure projects
5. Rural Energy: initiation of the Energy for Rural Development Afghanistan (ERDA) component with specific objectives of government and community capacity development, policy review, and piloting of demonstration projects concerning rural and renewable energy (e.g. microhydro projects and rural electrification)

To date, NABDP has supported the establishment of more than 300 District Development Assemblies, covering approximately 75 percent of the country. Each Assembly has formulated a District Development Plan, which is taken into account in planning rural infrastructure projects. Under Phase II, nearly 500 of these projects have been completed and more than 325 are ongoing. NABDP also supports the growth of small and medium enterprises in ten provinces through business plan support and grants. Planning is underway for a five-year NABDP Phase III, which is expected to begin in mid-2009.

National Budget

www.budgetmof.gov.af

Afghanistan's National Budget comprises the Core Budget and the External Budget. The External Budget refers to funds that are reported to but not controlled by the government – funds distributed directly by donors to their contracting partners. The Core Budget includes all funds over which the government has control; these funds are channelled through the Treasury. At the start of the SY1387 fiscal year (April 2008-March 2009), the External Budget was approximately US\$4.8 billion and the Core Budget was \$2.6 billion (this latter figure, however, has become \$3.73 billion over the course of the year due to unspent SY1386 funds carried forward and the mid-year review of the National Budget).

The Afghan government encourages donors to channel funding through the Core Budget to increase Afghan ownership over the reconstruction process. The Afghanistan Reconstruction Trust Fund (ARTF, p. 20) was created for this purpose; it provides donors a support mechanism that meets international fiduciary standards. On paper, the bulk of assistance is spent through the Core Budget, but this may be misleading due to incomplete spending of the Core Budget and incomplete or untimely donor reporting of “off-budget” plans to the External Budget.

The Core Budget has two lines of expenditure, the Development Budget and the Operating Budget:

1. The Development Budget funds capital and other investment. In SY1387, this accounts for approximately \$2.25 billion.
2. The Operating Budget primarily funds salaries, administrative operations and maintenance. In SY1387, this accounts for approximately \$1.47 billion.

The process of budget implementation is still an evolving one; for SY1386 (2007-08) only 54 percent of the Development Budget was spent. Poor spending can be attributed to the difficulties of implementing projects in an unstable environment, overly ambitious targets and varying spending abilities of ministries.

The formulation, execution and reporting of the National Budget is coordinated by the Budget Department of the Ministry of Finance, supported by the UNDP-funded Making Budgets and Aid Work programme. The National Budget is to be harmonised with national programmes defined by the Afghanistan Compact and the Afghanistan National Development Strategy (ANDS, p. 14), and the Budget Department is thus structured along the ANDS sectors. The Department's goal is to develop a comprehensive, policy-based and sustainable budget that can also be used as a tool for improved coordination, alignment and effectiveness of international development aid.

National Development Framework (NDF)

The National Development Framework (NDF) was drawn up by the Afghan Interim Authority (AIA, p. 4) in early 2002 as a road map 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 six National Priority Programmes (NPPs) that were to take precedence over other activities. Six additional NPPs, meant to be major policy priorities for the government, were added in 2004.

The 16 NDPs were overseen by corresponding Consultative Groups (CGs, p. 28). Theoretically, these 16 CGs operated as a forum within which the details of reconstruction and development projects in each sector were designed and discussed, although the effectiveness of the individual CGs varied. Each CG then implemented its sector's plans by proposing a Public Investment Programme (PIP) for the national Development Budget (see National Budget, p. 47). 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 (I-ANDS, p. 38).

National Development Programmes (NDP)

See National Development Framework, p. 38.

National Human Development Report (NHDR)

<http://hdr.undp.org/en/reports/nationalreports/asiathepacific/afghanistan/name,3408,en.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, and 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, was produced by the UNDP-sponsored Centre for Policy and Human Development (CPHD) at Kabul University. It focused on the linkages between the 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 Report provides:

- a review of progress toward Afghanistan's Millennium Development Goals (MDGs, p. 45).
- an assessment of major threats to the rule of law, such as personal insecurity, past human rights violations, injustice toward women and children, the narcotics trade, corruption and land disputes.
- an analysis of why the judiciary, police and legislature have failed to meet the needs of Afghan citizens.
- a transitional "hybrid model of Afghan justice" that combines new, old and Islamic systems for the promotion of the rule of law and human development.

The 2007 NHDR argues that engaging traditional rule of law institutions must become an integral component of the Afghanistan National Development Strategy (ANDS, p. 14) and related efforts to move towards an effective, modern system of justice. It concludes that "only when Afghans secure their rights and uphold their responsibilities will justice prevail and the country and surrounding region build the foundations for a durable peace."

The third NHDR is being prepared by the CPHD and Kabul University, planned for release in November 2009. The report's theme, water, was selected after a consultative process involving civil society, Parliament, academics and other experts. As of November 2008, the project was in its design phase, with preliminary work underway. Several aspects of water are being considered

for assessment in the report: health, agricultural, environmental, and water-sharing within Afghanistan and across its borders.

National Risk and Vulnerability Assessment (NRVA)

www.mrrd.gov.af/nss-vau

www.cso-af.net

The National Risk and Vulnerability Assessment (NRVA) is the primary instrument through which the National Surveillance System (NSS, p. 52) unit of the Central Statistics Office (CSO, p. 26) gathers information about poverty, food security and vulnerability of the Afghan population. The first two NRVAs were carried out in 2003 and 2005. Fieldwork for the NRVA 2007-08 was conducted over 12 months, ending in August 2008. The release of the data is expected in December 2008. A request form is available from the CSO for those requiring access to the data.

The NRVA surveys serve 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). NRVA 2007-08 collected information on: education and health; housing and household facilities; water and sanitation; agriculture practices and livestock; migration, remittances and social networks; household income sources, expenditures, assets and credit access; household consumption; the activities of women; and risk, shocks and coping strategies.

With its large sample size – more than 31,000 households in 2005 and 21,000 households in 2007-08 – the NRVA is able to provide statistics for all 34 provinces, eleven provincial centres identified as urban and “*kuchi*” (nomads). NRVA data may be used to indicate changes taking place at the provincial level. Data results and reports from all NRVA activities will become available on the website of the Central Statistics Office (see link to website above).

National Solidarity Programme (NSP)

www.nspafghanistan.org

The National Solidarity Programme (NSP) was defined in the National Development Framework (NDF, p. 48) and is one of the still-functioning, original National Priority Programmes (NPP). The NSP is intended to alleviate rural poverty 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; and
- promoting local-level reconstruction, development and capacity-building, which will lead to a decrease in poverty levels.

The NSP seeks to attain these objectives through four core programme 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 with the help of NSP Facilitating Partners – UN Habitat and 28 international and local NGOs (as of November 2008). One aspect of NSP activities is human capital development, involving administrative training for CDC members as well as literacy and livelihoods training focused on female community members.

As of October 2008, NSP had facilitated the election of more than 21,600 CDCs and guided the preparation of nearly 21,400 CDPs in 351 districts and provincial centres. Since the Programme's inception, more than US\$535 million in grants have been disbursed to rural communities, more than 25,100 projects have been completed and another 19,000 have been approved. The majority of these projects have been undertaken in the areas of water supply and sanitation, transport, irrigation, power supply, and education. 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; a management support consultant assists the NSP programme office in this work. In addition, a World Bank task team has a supervisory function; a donor working group regularly liaises with NSP management; and an NSP Steering Committee and Inter-Ministerial Task Force act in an advisory capacity on programme policy, implementation and coordination.

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 has a three-year mandate. It is structured on the first NSP, but provides two rather than three years of facilitation and has conferred more of the management responsibility to the NSP programme office. In late 2008, the Afghan Government and NSP donors were discussing a possible third phase of the programme. This could address remaining funding needs for a national roll-out of NSP; involve consolidating CDCs to ensure their sustainability; and further tackle reconstruction needs in rural communities. As of November 2008, the NSP had planned to pilot a programme in three provinces that would provide funding to clusters of CDCs.

Funding for the NSP comes from the World Bank, the Afghanistan Reconstruction Trust Fund (ARTF, p. 20), and from the governments of the UK, Japan, Denmark, Sweden Switzerland, the Netherlands, New Zealand, the Czech Republic, Canada and the US.

National Surveillance System (NSS)

<http://www.mrrd.gov.af/nss-vau/>

www.cso-af.net

The National Poverty, Vulnerability and Food Security Surveillance System, or simply the National Surveillance System (NSS), was designed to bring data collection on food security, poverty and vulnerability under one umbrella. Activities began in September 2003. The objectives of the NSS 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 NSS has four major components:

1. baseline monitoring through the biannual National Risk and Vulnerability Assessment survey (NRVA, p. 50);
2. emergency needs assessments;
3. an early warning and information system; and
4. research and specific studies.

The project was led by the Ministry of Rural Rehabilitation and Development (MRRD), in close collaboration with the World Food Programme (WFP), the Ministry of Public Health, UNICEF and the Ministry of Agriculture, Irrigation and Livestock. The Vulnerability Analysis Unit (VAU) within MRRD was established to implement NSS initiatives. In 2005, NSS partnered with the Central Statistics Office (CSO, p. 26), and an NSS unit was created within CSO to take over NRVA data collection. 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

Since 2002 there have been two major initiatives to clarify what is, and what is not, a not-for-profit nongovernmental organisation (NGO), and to strengthen the accountability and transparency of NGO activities in Afghanistan. The first initiative was legislation to determine what is an NGO 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 Forums (ADF, p. 13) in both April 2004 and April 2005, and the NGO legislation was

eventually passed in June 2005. This legislation provides a means by which genuine 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. 22), Afghan NGO Coordinating Bureau (ANCB, p. 8), Southern and Western Afghanistan and Balochistan Association for Coordination (SWABAC, p. 60) and Afghan Women’s Network (AWN, p. 9). 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.

For the full text of the NGO Code of Conduct, see p. 130 of this guide.

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

The Office of Administrative Affairs and Council of Ministers Secretariat (OAA/CMS) are an executive-level coordinating and advising body that “supports the President of the Islamic Republic of Afghanistan in his role as Head of Government and Chairman of the Council of Ministers.” Originally set up in the 1950s under King Zahir Shah, the OAA was re-established in 2002; the Secretariat of the Council of Ministers was established as a Directorate in 2003. The OAA’s main functions are to provide administrative, logistical and financial support to the offices of the President, Vice Presidents and advisors to the President. The OAA also ensures policy coordination and monitoring of the implementation of the Presidential decrees and the decisions of the Council of Ministers. Among the functions of the Secretariat to the Council of Ministers are preparing agendas and minutes of Cabinet meetings and facilitating the Council with required tasks.

Although executive bodies, the OAA/CMS were designed to be impartial. They do not create policy, but rather coordinate policy development. The Office and Secretariat review policies drafted by ministries and Cabinet, ensuring that these comply with the Afghanistan National Development Strategy (ANDS, p. 14), address cross-cutting initiatives and contain a clear, accurate budget. Once the OAA/CMS approve 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/CMS monitor and evaluate its implementation.

The office convenes regular, weekly meetings of the Cabinet as well as Cabinet economic, social, and cultural committees. In 2008, assisted by other government agencies, the OAA/CMS 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.

Paris Conference

http://www.diplomatie.gouv.fr/en/country-files_156/afghanistan_498/international-conference-in-support-of-afghanistan-paris-12th-june-2008_6366/index.html

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. 14), which is aimed at laying out the strategic priorities and mechanisms for achieving the Afghan government's overall development vision and serves as the country's Poverty Reduction Strategy Paper (PRSP, p. 55). 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.

The declaration from the conference reaffirmed that the Afghanistan Compact (p. 11) would remain the basis for the development of Afghanistan; 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 more consistent, coordinated way while the Afghan government promised to step up economic and political reform. At the conference, approximately \$20 billion was pledged to finance the implementation of the ANDS, including support for the preparation of elections in 2009 and 2010.

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. 38) General David Richards to address the growing threat of insurgency in Afghanistan's southern provinces.

The PAG is aimed at improving Afghanistan's high-level capacity to manage crises; 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 Defense, Interior Affairs, Rural Rehabilitation and Development, Communications and Information Technology, Counter Narcotics and Education; the Director General of the Independent Directorate for Local Governance (IDLG, p. 36); top representatives

from the UN Assistance Mission in Afghanistan (UNAMA, p. 62), the International Security Assistance Force (ISAF, p. 38) and CSTC-A (see Coalition Forces, p. 27); and the ambassadors of the UK, the US, Australia, Canada, Denmark and the Netherlands in addition to the EU Special Representative.

After the Joint Coordination and Monitoring Board (JCMB, p. 40), 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. The PAG is currently reviewing how to strengthen relations with its six pillar working groups: Security, Reconstruction, Strategic Communications, Intelligence Fusion, Governance and Counter-narcotics).

Key achievements of the PAG have included: the increased delivery of reconstruction assistance to the South; development of a joint security plan for voter registration between Afghanistan National Security Forces (ANSF, p. 8) 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 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); and
- 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. 24) 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. 13), it was decided that the development of the Afghanistan National Development Strategy (ANDS, p. 14) would meet the benchmarks of a PRSP process. The Interim ANDS (I-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. If it is approved, the World Bank will develop a Country Assistance Strategy for Afghanistan. This would most likely detail planned work over a certain period and contain information about procedures for loans, monitoring and analysis, and technical assistance.

Provincial Development Plan (PDP)

Aimed at ensuring broad consensus on development priorities in Afghanistan, the process of creating a Provincial Development Plan for each of the country's 34 provinces was initiated by the Afghanistan National Development Strategy (ANDS, p. 14). The plans are the result of subnational 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 the 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. 36), the PDP process is among the efforts to have provincial planning and budgeting done by the provinces rather than for the provinces (by central ministries in Kabul).

Provincial Reconstruction Team (PRT)

http://www.nato.int/isaf/topics/recon_dev/prts.html

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 aid efforts at the provincial level. The concept was first proposed by the Coalition Forces (CF, p. 27) and the US 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 Hamid Karzai in November 2002.

PRTs were originally established by Coalition Forces. The International Security Assistance Force (ISAF, p. 38), 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 25 PRTs then in Afghanistan. In November 2008, there were 26 PRTs operating in the country.

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 broadly stated 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 nations. As a result, confusion over priorities, strained resources and lack of coordination often plague PRT efforts.

Some of the specific tasks of the PRT are to: improve the security environment for the people of Afghanistan through dialogue with regional leaders and mitigating likely areas of conflict; assist the Afghan government in disseminating its decisions and policies to regional leaders; establish a presence as well as monitor and assess military, political and civilian situations in assigned areas of operations; assist the international community with reform of civil administration; facilitate information sharing between the government and civil agencies; and direct assistance to civilian elements of the PRT (e.g. transport support, engineering).

Each PRT comprises an average of 100-200 staff depending on location. 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 Affairs and co-chaired by ISAF and CF commanders. The Committee includes representatives from the Ministry of Finance, the Ministry of Rural Rehabilitation and Development, CF, ISAF, UNAMA (p. 62) and troop-contributing nations. A PRT working group supports the work of the Steering Committee.

Many NGOs are concerned that PRT involvement in humanitarian assistance blurs the distinction between the military and aid sectors. Proponents counter that PRTs, because they are armed and uniformed, may enable reconstruction projects to be carried out in high-risk areas generally inaccessible to aid agencies.

Public Administration Reform (PAR)

The 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. 35), PAR is one of the priorities laid out in the Afghanistan Compact (p. 11) and the Afghanistan National Development Strategy (ANDS, p. 14).

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 that 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 give 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 agencies); it is also intended to move the reforms from the centre to provinces and districts. This new version of the PAR programme has been 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. Progress on PAR since 2002 has included: 1) the establishment of the IARCSC and the operationalisation of its departments; 2) the approval of a new Civil Service Law in 2005; 3) some progress in functional audits leading to proposals for new structures of key ministries and agencies at the central level through the PRR programme; 4) initial policy work on a new pay and grade structure; 5) progress on the development of a new methodology and framework for reform and restructuring; and, 6) progress in merit-based recruitment for both senior- and junior-level civil servants.

The PAR initiative, and the PRR project in particular, has been considered a success by some, while others complain that reform has been largely “cosmetic” and overly focused on pay scales to the detriment of more fundamental change, including the consistent application of merit-based recruitment.

For more information on Afghanistan’s public sector, see p. 67.

Rome Conference on Justice and Rule of Law

See Justice Sector Reform, p. 41.

Securing Afghanistan’s Future (SAF)

See Berlin Meeting and Declarations, p. 24.

Security Sector Reform (SSR)

Poor security remains 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. 62), SSR has five pillars:

1. The establishment of the Afghan National Army (ANA, p. 4);
2. The establishment of the Afghan National Police (ANP, p. 6);
3. Justice Sector Reform (JSR, p. 41);
4. Disarmament, Demobilisation and Reintegration (DDR, p. 32); and
5. Counter Narcotics (CN, p. 29).

Upon completion of the DDR process in June 2005, the Disbandment of Illegal Armed Groups (DIAG, p. 32) commenced. DIAG is designed to disarm and disband illegal armed groups operating outside central government control. (For more information on each of the pillars, see their specific entries in this guide.)

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 Affairs, the Ministry of Justice and the Ministry of Counter Narcotics. At the Bonn (p. 25) and Tokyo (p. 62) meetings, five donor countries agreed to each take the lead on a specific SSR pillar: the US on the ANA, Germany on the ANP (a role later taken over by the European Union Police Mission in Afghanistan), Italy on JSR, Japan on DDR, and the UK 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 US is involved to some extent in all of them.

The wide range of actors involved in the security sector, the limited reach of the central government around the country, resistance to reform, and disagreement among stakeholders on some key policy approaches have posed obstacles to progress in SSR. Management of the numerous SSR activities has also been a challenge. 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. Coordination among Coalition Forces (CF, p. 27), the International Security Assistance Force (ISAF, p. 38) and Afghan security forces is sometimes difficult. The presence of private security companies further contributes to the complexity of security issues in Afghanistan; legislation has been drafted to determine their scope and to register and license their operation, but this has also been a point of considerable friction among stakeholders.

A new security sector strategy was included in the final Afghanistan National Development Strategy (ANDS, p. 14), which was approved by President Hamid Karzai in April 2008.

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

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; it plans to open a sub-office in Kabul in the near future.

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 2008, SWABAC had 40 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. 52) in cooperation with the Agency Coordinating Body for Afghan Relief (ACBAR, p. 22), the Afghan NGO Coordination Bureau (ANCB, p. 8) and the Afghan Women's Network (AWN, p. 9). 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. 14) process.

SWABAC is also a member of the Afghan Civil Society Forum (ACSF, p. 3) and has been named the lead agency for the Local Cooperation and Coordination Sector of Kandahar's Provincial Development Committee.

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. The association's funding sources include membership fees; its monitoring and evaluation projects are funded by the UN.

Support for an Effective Afghan Legislature (SEAL)

www.undp.org.af/WhoWeAre/UNDPinAfghanistan/Projects/dcse/prj_seal.htm

The original Support for the Establishment of the Afghan Legislature (SEAL) project was launched by the UNDP and the Afghan government in February 2005. The objective of SEAL was to: "contribute to the establishment of a fully operational and efficient parliament recognised by all the people of Afghanistan as their representative institution, accountable and transparent, and that will be the interface between citizens and the government."

SEAL played a central role in establishing the Afghan National Assembly (also often referred to as Parliament, see p. 70) in December 2005. During its first two years, SEAL assisted in setting up the minimum requirements of human resources, equipment, institutional arrangements – including the necessary parliamentary legislative environment and administrative support – needed for the initial functioning of the National Assembly. After the inauguration of Parliament, SEAL expanded its activities to focus more on capacity-building of National Assembly members and staff and to include additional training, equipment and office procurements. Among its goals, SEAL also aimed to establish effective coordination of support activities to the National Assembly and ensure that the set-up and initial basic running costs of the National Assembly are met.

With a four-year mandate, SEAL II – modifying its name to “Support for an Effective Afghan Legislature” – began in March 2008 after the term of the original SEAL ended in February 2008. SEAL II seeks to:

- enhance the capacity of the elected Members/Senators to exercise their legislative responsibilities;
- support Members/Senators of National Assembly in overseeing the activities of the Executive;
- strengthen dialogue between the National Assembly and citizens;
- improve capacity for effective decision- and policy-making by the elected members/Senators (e.g. budget process, national development including poverty reduction, security and international relations); and
- help put in place effective administrative structures and processes.

SEAL's priorities are increasingly focused on developing the professional capacities of Members of Parliament including increasing exposure to norms of parliamentary culture and practice (which includes partnerships with other parliaments), supporting legislation- and policy-making work of commissions, strengthening oversight of government, targeted support to women parliamentarians and assistance for citizen engagement such as public hearings and constituency visits (representation and accountability for elected Members).

UNDP is responsible for the implementation of SEAL, with overall guidance from the SEAL/UNDP Project Board which includes members of the National Assembly and ex officio participation of donors. SEAL Management Team, which is responsible for the managerial and administrative aspects of SEAL's implementation. With figures similar to SEAL I, the second version of the four-year project has a total estimated budget of US\$15.3 million, with contributions from UNDP, Denmark, Sweden and other donors expected in 2009 and 2010.

In addition to SEAL, efforts to assist the Afghan National Assembly include: the Afghanistan Parliamentary Assistance Project (APAP, p. 19) as well as initiatives by UNIFEM, the National Democratic Institute and the International Republican Institute.

Tokyo Meetings

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 \$27.4 billion in the Securing Afghanistan's Future report that resulted from the Berlin Meeting (p. 24) 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. 58) strategy.

United Nations Assistance Mission in Afghanistan (UNAMA)

www.unama-afg.org

The United Nations Assistance Mission in Afghanistan (UNAMA) was established by UN Security Council Resolution 1401 on 28 March 2002. UNAMA is responsible for fulfilling the UN's obligations in Afghanistan as originally outlined by the Bonn Agreement (p. 25) 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 (UNSMA), 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 below illustrates the evolution of UN coordination in Afghanistan.

UNAMA's mandate has been extended five times by the UN Security Council by: Resolution 1471 (March 2003), Resolution 1536 (March 2004), Resolution 1589 (March 2005), Resolution 1662 (March 2006) and Resolution 1806 (March 2008). Resolution 1806 extended UNAMA's mandate until March 2009 and 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.

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 March 2008, Kai Eide was appointed to this 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. 27) and the International Security Assistance Force (ISAF, p. 38). The SRSG has Special Advisers in human rights, gender, drugs, rule of law, police, military, demobilisation and legal issues, as well as a spokesperson that runs the Office of Communication and Public Information.

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 17 field offices in Kabul, Balkh, Kunduz, Ghor, Herat, Nangarhar, Bamiyan, Paktia, Khost, Nimroz, Badghis, Herat, Faryab, Badakhshan, Daikundi, Kandahar and Zabul.

From 2007 and in 2008, UNAMA's activities focused on: improving donor and government coordination through the Joint Coordination and Monitoring Board (JCMB, p. 40), the Policy Action Group (PAG, p. 54) 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; and advocating for reform of the Ministry of Interior Affairs.

In 2008, UNAMA acted at the national and provincial levels to promote the implementation of the Afghan National Development Strategy (ANDS, p. 14). For the second year in a row, UNAMA took part in the International Day of Peace truce as well as the National Youth Day. The agency will continue to provide assistance to Afghanistan's elections process by working closely with the Independent Electoral Commission (IEC, p. 37), offering advisors and training to officials as it did during the 2004-05 elections to the Joint Electoral Management Body (JEMB, p. 41).

The activities of all 20 UN agencies in Afghanistan are guided by the UN Development Assistance Framework (UNDAF) for Afghanistan, an operational framework based on a 2004 UN Common Country Assessment. The UNDAF, originally intended for 2006-08, has been extended into 2009. It identifies four critical areas of support and cooperation for this period: 1) Governance, Rule of Law and Human Rights; 2) Sustainable Livelihoods; 3) Health and Education; and 4) Environment and Natural Resources. A new UNDAF currently being formulated will be based on the completed Afghanistan National Development Strategy (ANDS, p. 14).

UN Coordination in Afghanistan, 1988–2009



United States Forces Afghanistan (USFOR-A)

See Coalition Forces, p. 27.

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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. 25) was signed. The Agreement appointed the Afghanistan Interim Administration (AIA, p. 4) 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. 32) 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 included in the Documents section of this guide) was debated and endorsed by a Constitutional Loya Jirga (CLJ, p. 29), 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 subnational 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 percent 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. President Karzai chaired the interim Cabinet, which effectively acted as Afghanistan’s legislative body until the National Assembly was elected and convened.

Legislative, provincial and district 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. As of December 2008, the first-ever elections for District Councils were planned for 2010, alongside *Wolesi Jirga* elections.

Although the September 2005 elections officially ended Afghanistan’s transitional phase, the country’s government is still very much in transition. Some of the institutions discussed in this section are only officially in place, and many reforms will take a significant length of time to filter through the system or to reach provinces and districts. A variety of wide-ranging administrative reforms of government departments are in process through the Public Administrative Reform (PAR, p. 57). The establishment of new government agencies and merging of ministries is also ongoing, and government institutions are likely to continue to evolve over the next several years.

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 subnational administration, they are not intended to be autonomous in their policy decisions. Given the political and military strength of some regional power-holders, however, the practical reality is that certain provinces have considerable decision-making authority.

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, who is appointed by the President. The provinces are not distinct political entities in any legal sense 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. 53) and with oversight by the head of the Independent Administrative Reform and Civil Service Commission (IARCSC, p. 35). Beginning in SY1386 (2007–08), certain key posts also require ratification by the Independent Appointments Board of the IARCSC. A government body for subnational administration, the Independent Directorate for Local Governance (IDLG, p. 36), was created in August 2007. IDLG has a mandate to improve governance and achieve stability on the subnational level, and is responsible for supervising provincial and district Governors, Provincial Councils, and municipalities (except Kabul Municipality).

Provinces (wolyat) are divided into districts (woliswali) and municipalities (sharwali). 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 (qaryahas), 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 (hawza) in Afghanistan, primarily for military purposes. These hawza have no legal standing as administrative units and, unlike provinces, districts and municipalities, are not mentioned in the 1964 Constitution or the new 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. 4), and the government does not recognise any other military or paramilitary units. The ANA serves under the Ministry of Defense while the Afghan National Police (ANP, p. 6) operates under the authority of the Ministry of Interior Affairs.

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 2); however, higher-skilled agir employees can advance to the top of the scale (“over” grade); and
- 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 (SY1349) Law on the “Status and Condition of Government Employees,” and amended by the 1977 (SY1356) 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 percent of the monthly pay. Since 2004, the Independent Administrative Reform and Civil Service Commission (IARCSC, p. 35) 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 (SY1384), 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. 57) framework, which seeks to restructure the civil service and institute merit-based, non-partisan recruitment. Practical reforms took place in several government departments and agencies in 2006-07 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 higher salaries through “top ups.”

Afghanistan's Democratic System

The Executive

The executive branch of Afghanistan's central government is comprised of the Office of the President, two Vice Presidents, the Attorney General, 26 ministers, as well as several independent bodies and other central government agencies. Thirty ministries existed under the Afghan Transitional Authority (ATA, p. 9), but in 2004 and again in early 2006 the functions of several ministries were merged, creating a more streamlined cabinet.

The President is directly elected by secret ballot 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 (usually approximately six months before the election is to be held). The President is elected by absolute majority; if no candidate receives over 50 percent of the votes, a run-off election is held between the top two candidates. The next presidential election is due to be held in fall of 2009; at the time of publication, the specific date had not been set.

The President is the Head of State, the Chair of the Cabinet and the Commander-in-Chief of the armed forces. With the approval of the National Assembly, the President appoints the ministers, the Attorney General, the Governor of Da Afghanistan Bank (the central bank), the members of the Supreme Court and various other posts.

For a list of ministers and other government officials, see p. 79.

The Legislature

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 elected directly for five years by free and secret ballot in 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. 73). At present, 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 *Meshrano Jirga* has 102 members, selected by a mixture of presidential appointments and indirect elections following popular elections for the *Wolesi Jirga* and Provincial and District Councils. Two-thirds of the members are indirectly elected and one-third are appointed. 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 from among experts and experienced persons — including two representatives of the disabled and two representatives of nomads — appoints the remaining one-third of the members for a period of five years. Of these presidential appointees, 50 percent are to be women.

While the Constitution has provisions for District Council elections, these have not been held to date (see p. 72). A temporary solution has been devised for the interim: 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 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 a 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 ten 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; and
- 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*.

In March 2007, Afghanistan's National Assembly passed a controversial bill offering general amnesty from prosecution to all former combatants who agree to abide by the Constitution and laws of Afghanistan. The bill allows for the prosecution of National Assembly members already under investigation when the bill became law.

Provincial Councils

The 34 Provincial Councils have between nine 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 when District Councils have been elected and formed). The next Provincial Council elections are scheduled for 2009, to coincide with the presidential elections.

The 2007 Provincial Council Law is vague on the Councils' responsibilities, and significant confusion remains about their exact role. To date, the role of the Provincial Councils has been to: elect, from among its own elected members, provincial representatives to the *Meshrano Jirga*; participate in the development of the provinces and the improvement of administrative affairs; and advise and cooperate with the provincial administrations on a variety of issues, including development planning.

District Councils

According to the Constitution, District Councils will have between five and 15 members depending on the size of the district's population. Candidates must reside in the district in which they stand for election. When formed, District Councils will elect one-third of the members of the *Meshrano Jirga*. The Constitution prescribes that District Council elections be held every three years. To date, however, elections for District Councils have not yet been held. As of December 2008, the first elections for District Councils were planned for 2010, alongside *Wolesi Jirga* elections.

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 Vil-

lage 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.

As mentioned above, the mandates and roles of Provincial, District and Village Councils are yet to be completely defined. There is a need for coordination between these new councils and existing bodies such as those of the public administration, informal *shuras* and the Community Development Councils (CDCs) set up by the National Solidarity Programme (NSP, see p. 50).

Electoral system

In Afghanistan, suffrage is universal for male and female citizens 18 years of age and older.

Afghanistan's first post-war election law was signed by then-interim President Karzai in May 2004. A revised version of the 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 electoral system chosen for this election 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 (see below).

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.

According to the Constitution, the electoral law cannot be changed within a year of the election in which it would be implemented. In 2008, the SNTV electoral system was debated in the *Wolesi Jirga*, and other options (such as a parallel party list and SNTV system) were put forward as alternatives. It was decided, however, that SNTV would be used again in the 2009 presidential election. One minor change likely to be confirmed is that party members will be allowed to identify their party affiliation on the ballot paper, which was not officially permitted in 2004 and 2005.

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. A new national census is planned for 2010 (see CSO, p. 26). In preparation for the new census, 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.

Province	Population	<i>Wolesi Jirga</i> 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

Province	Population	Wolesi Jirga seats		Provincial Council seats	
		Total	Women	Total	Women
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

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
Mayors	unspecified

Given the low capacity and scarce resources of the Independent Election Commission (IEC, p. 37), the high cost and difficulty of holding elections in Afghanistan, the lack of security in some areas, and the unclear mandates of some elected bodies, it is likely the electoral calendar will continue to be revised. As of December 2008, the presidential and Provincial Council elections are scheduled for fall 2009, and the parliamentary elections for summer 2010.

Political parties

It is widely recognised 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 Party 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 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 clearly prohibits political parties from having military wings, and a political party registration department has been established by the Ministry of Justice to approve those parties that meet the criteria set out in the Constitution. As of June 2007, 84 parties had been approved and registered by the Ministry of Justice (this list is available at: <http://www.moj.gov.af/?lang=en&p=e16>). This list is currently under revision and has not yet been published by the Ministry. According to various party leaders and agencies working with parties, the estimated number of parties range from approximately 95 to as many as 120.

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 voted. In the upcoming 2009 elections, it is likely to be confirmed that candidates may have the option to declare party affiliation on the ballot paper.

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 long heavily factionalised, with strained relationships among justice institutions. In 2008, however, Justice Sector Reform (JSR, p. 41) advanced significantly, with coordinated and integrated approaches adopted and implemented by the 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 (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 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 so far drafted more than 100 laws, many of which have replaced old legislation. A large body of often contradictory legislation enacted by various former regimes remains, however, and harmonisation efforts are likely to take several years.

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. Traditional justice mechanisms – *shuras* and *jirgas* – often settle civil and sometimes criminal disputes using *sharia* (Islamic) and customary/tribal laws of that area. The justice system is therefore composed of both formal and informal mechanisms that include civil law, *sharia* and customary/tribal law. There are common elements among these systems with respect to issues such as land and property, but they diverge quite dramatically on criminal matters and the role and nature of punishment. The Constitution allows for judges to be trained in either civil or Islamic law. Sitting judges are not allowed to hold political party membership.

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. 14) process, national-level coordination of justice sector initiatives came under the responsibility of the Justice Sector Consultative Group (p. 28). With the finalisation of the ANDS in 2008, the National Justice Programme's Project Oversight Committee and Program Support Unit (see Justice Sector Reform, p. 41) are intended to take over these coordinating functions.

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, but 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 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 to 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 Appeals. In many subsequent appeals of cases reaching the Supreme Court, judges often send the case back to the Primary Court for a new hearing.

Ministries and Ministers of the Afghan Government, December 2008

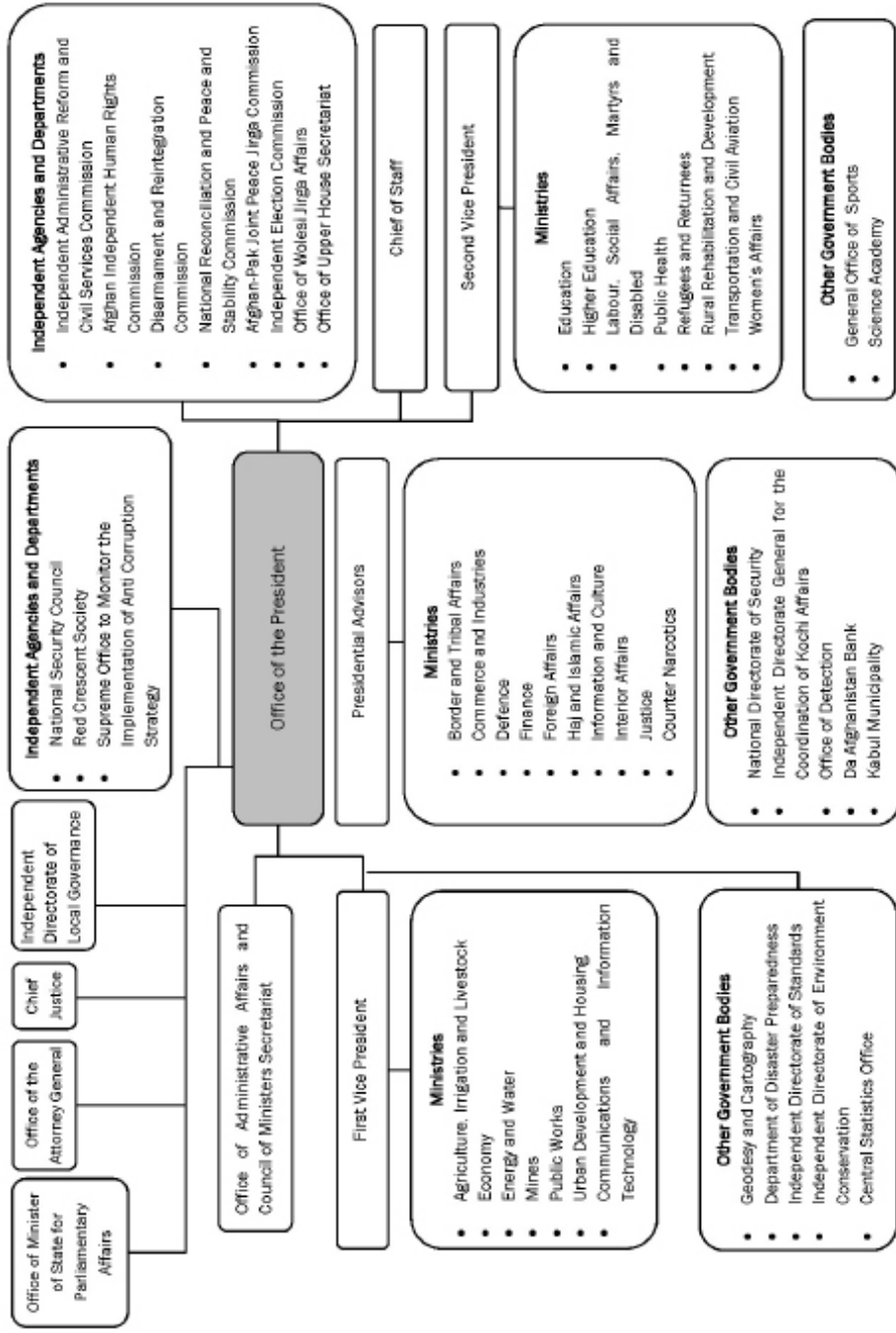
Ministry	Minister	Official website
Agriculture, Irrigation and Livestock	Mohammad Asif Rahimi	www.agriculture.gov.af
Borders and Tribal Affairs	Assadullah Khalid	
Commerce and Industry	Wahidullah Shahrani (acting)	www.commerce.gov.af
Communications and Information Technology	Amir Zai Sangin	www.mcit.gov.af
Counter Narcotics	General Khodaidad	www.mcn.gov.af
Culture and Youth Affairs	Abdul Karim Khorram	www.culturalprofiles.net/Afghanistan/Units/1.html
Defense	Abdul Rahim Wardak	
Economy	Mohammad Jalil Shams	
Education	Ghulam Farooq Wardak	www.moe.gov.af
Energy and Water	Mohammad Ismail Khan	
Finance	Anwar-ul Haq Ahadi	www.mof.gov.af
Foreign Affairs	Rangin Dadfar Spanta	www.mfa.gov.af
Haj and Religious Affairs	Niamatullah Shahrani	
Higher Education	Dr. Azam Dadfar	www.mohe.gov.af
Interior Affairs	Mohammad Hanif Atmar	
Justice	Sarwar Danish	www.moj.gov.af
Labour, Social Affairs, Martyrs and Disabled	Noor Mohammad Qarqeen	
Mines	Ibrahim Adel	
Public Health	Mohammad Amin Fatimie	www.moph.gov.af
Public Works	Sohrab Ali Saffary	
Refugees and Repatriation	Abdul Karim Barahawi	
Rural Rehabilitation and Development	Mohammad Ehsan Zia	www.mrrd.gov.af
Transport and Civil Aviation	Mohammad Omar Zakhilwal (acting)	www.motca.gov.af
Urban Development and Housing	Yusuf Pashtun	
Women's Affairs	Husn Bano Ghazanfar	www.mowa.gov.af
Office of Minister of State for Parliamentary Affairs	Anwar Jagdalak	

Other Government Offices and Officials, December 2008

Office	Elected or appointed official	Official website
President	Hamid Karzai	www.president.gov.af
First Vice President	Ahmad Zia Masood	
Second Vice President	Mohammad Karim Khalili	
Senior Minister in the Cabinet	Hedayat Amin Arsala	
National Security Advisor	Zalmai Rasool	
Attorney General	Mohammad Ishaq Alako	www.ago.gov.af
Chief Justice of the Supreme Court	Abdul Salaam Azimi	www.supremecourt.gov.af
President of the <i>Wolesi Jirga</i>	Mohammad Yunus Qanooni	www.nationalassembly.af
President of the <i>Meshrano Jirga</i>	Hazrat Sebghatullah Mujaddidi	www.nationalassembly.af
Da Afghanistan Bank	Abdul Qadeer Fitrat	www.centralbank.gov.af
Afghanistan Independent Human Rights Commission	Sima Samar	www.aihrc.org.af
Disarmament and Reintegration Commission	Mohammad Karim Khalili	www.diag.gov.af
Independent Administrative Reform and Civil Service Commission	Ahmad Mushahed	
Independent Election Commission	Azizullah Lodin	www.iec.org.af
National Reconciliation and Peace and Stability Commission	Hazrat Sebghatullah Mujaddidi	
Office of Administrative Affairs	Dr. Sadeq Modaber	
Afghan-Pak Joint Peace Jirga Commission	Dr. Abdullah Abdullah	
Afghan Red Crescent Society	Fatima Gailani	
Supreme Office to Monitor the Implementation of Anti Corruption Strategy	Mohammad Yasin Osmani	
Independent Directorate of Local Governance	Jelani Popal	
Geodesy and Cartography	Abdul Rauf Yari	
Department of Disaster Preparedness	Abdul Matin Edrak	

Independent Directorate of Standards	Mr. Popalzai	
Independent Directorate of Environment Conservation	Mustafa Zaher	
Central Statistics Office	Mr. Ghafoori	www.cso.gov.af
National Directorate of Security	Amrullah Saleh	
Independent Directorate of Kuchis	Mahmud Khan Solaiman khel	
Office of Audit and Control	Mohammad Sharif Sharifi	
Kabul Municipality	Abdul Ahad Sahibzada	
General Office of Sports		
Science Academy	Mr. Rashed	
Chief of Staff of the Office of the President	Mohammad Umer Daudzai	

Central Government of Afghanistan December 2008



Source: OMA

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The Constitution of Afghanistan

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)

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. Realizing 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 deserving 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 the 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 defense 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, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country.
- Article 7 •
 - The state shall observe the Charter of the United Nations, international treaties, international conventions that Afghanistan is a part 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 neighborliness, 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 utilization 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 the 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 support to 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 Pashtu, Dari, Uzbeki, Turkmani, Baluchi, Pashai, Nuristani, Pamiri and other languages spoken in the country, Pashtu 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 recognized as third official language in addition to Pashtu 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 organizing and improving the conditions of mosques, madrasas and religious centers.
- 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 colors juxtaposed from left to right perpendicularly.

- The width of every colored piece is equal to half of its length. The national insignia is located in the center of the flag. The national insignia of the state of Afghanistan is composed of Mehrab and pulpit in white color. 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 Pashtu 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 are 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 authorized 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 offense 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 authorized court and in conformity with the law adopted before the date of the offense.
- 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 would 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, are invalid.
- Confession to a crime is a voluntary admission before an authorized 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 house, radio, television, press, and other mass media, shall be regulated by law.

- Article 35 • The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of law.
- The citizens of Afghanistan have the right to form political parties in accordance with the provisions of law, provided that:
 1. The program and charter of the party are not contrary to the principles of sacred religion of Islam, and the provisions and values of this Constitution.
 2. The organizational structure, and financial sources of the party are made public.
 3. The party does not have military or paramilitary aims and structures.
 4. Should have no affiliation to a foreign political party or sources.
 - Formation and functioning of a party based on ethnicity, language, religious sect and region is not permissible.
 - A party set up in accordance with provisions of the law shall not be dissolved without lawful reasons and the decision of an authorized court.
- Article 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 authorized 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 authorized 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 develops the curriculum of religious

subjects on the basis of the Islamic sects existing in Afghanistan.

- Article 46 • Establishing and operating of higher, general and vocational education are the 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 publicizes the effective use of their results in accordance with the law.
- Article 48 • Work is the right of every Afghan.
- Working hours, paid holidays, right of employment 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 labor 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 labor.
- Article 50 • The state is obliged to adopt necessary measures for creation of a strong and sound administration and realization of reforms in the administration system of the country.
- Government offices are bound to carry their work with full neutrality and compliance with the provisions of law.
 - The citizens of Afghanistan have the right of access to the information from the government offices in accordance with the provisions of law. This right has no limits, unless violation of the rights of the others.
 - The citizens of Afghanistan are employed for state services on the basis of qualification without any kind of discrimination and in accordance with the law.
- Article 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 situation stated in the law, the state cannot claim its right without the order of an authorized 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 centers 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 the disabled and handicapped individuals and their active participation in the society in accordance with the law.
- The state guarantees the rights of pensioners and renders necessary assistance to needy elders, women without caretakers, disabled and handicapped individuals and needy orphans in accordance with the law.
- Article 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 defense of the country is the responsibility of all citizens of Afghanistan.
- The conditions for military services are regulated by law.
- Article 56 • Observing the provisions of the Constitution, obeying the laws, 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 the 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.
- Everyone in case of violation of his/her rights can report complaint 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.

- 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 his authorities in executive, legislative, and judiciary 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, and 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 within 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 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 age should not be less than forty years.
 3. Should not have been convicted of crimes against humanity, criminal act, or deprivation of the civil rights by a court.
 - No one can be elected as president for more than two terms.

- The provision of this article is applies to the Vice Presidents as well.

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 Allah, the Merciful, the Compassionate; In the name God Almighty, in the presence of you representatives of the nation of Afghanistan, I swear to obey and safeguard the provisions of the sacred religion of Islam, to observe the Constitution and other laws of Afghanistan and supervise their implementation; to safeguard the independence, national sovereignty, and the territorial integrity of Afghanistan and the fundamental rights and interests of the people of Afghanistan, and with the assistance of God and the support of the nation, to make great and sincere efforts for the happiness and progress of the people of Afghanistan.

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 Command-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 Loya Jirga except in the situation stated in Article Sixty-eight 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 organizations
15. Accepting the credentials of diplomatic missions in Afghanistan
16. Signing laws and legislative decrees
17. Issuing credential letter for the conclusion of bi-lateral 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 provision 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.
- Call for 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 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.
 - The serious illness shall be proved by an authorized medical committee appointed by the Supreme Court.
 - In this case, election for the new President shall be held within the period of three months in accordance with the 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 and or death of one of the Vice Presidents, another person shall replace him by the proposal of the President and approval of the Wolesi Jirga.

- In case of simultaneously 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 the article 67 of this Constitution.

Article 69 • The President is responsible to the nation and the Wolesi Jirga according to this Article.

- Accusations of crime against humanity, national treason or crime can be leveled 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 approve 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 his term, the President is entitled to financial benefits of the presidency for the rest of his 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.

- Number of the Ministers and their duties shall be regulated by law.

Article 72 • The person who is appointed as the Minister, should have the following qualifications:

4. Must have only the citizenship of Afghanistan. Should a nominee for a ministerial post hold also 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, criminal act, or deprivation 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 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 provision 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 recognized 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 criminal act of a crime, the case shall be referred to a special court in accordance with the 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, religion 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 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 within 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 for 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 his membership in the respective council, and another person replaces him 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 the citizen of Afghanistan, or has obtained the citizenship of the state of Afghanistan at least ten years before becoming candidate or being appointed.
 2. Should not have been convicted by a court for committing a crime against humanity, a crime, or sentenced of 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 interpellation of each of the 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 interpellate each of the Ministers.
- If the responses given are not satisfactory, Wolesi Jirga shall consider the issue of 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 the 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 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 an 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 reasons 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 loan for more than 15 days.
 - If during this period Wolesi Jirga does not take any decision with regards to taking or giving 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 in the next session of the Wolesi Jirga by the two third 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 prosecuted due to expressing his views while performing his 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, which the accused is a member of.
 - 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 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 their 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 decision on the 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, and 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 as 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, 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 last paragraph of the 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 the members for the 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 citizen of Afghanistan
 3. Should have higher education in law or in Islamic jurisprudence, and should have 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, and sentenced of deprivation of his 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 accord with the provisions of the sacred religion of Islam and the provisions of this Constitution and other laws of Afghanistan, and to execute the duty of being a judge with utmost honesty, righteousness and nonpartisanship.

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

- Article 121• The Supreme Court on the request of the Government or the Courts shall review the 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 and 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 performances 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 and 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 his 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 decision 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 the 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 Shia school of law in cases dealing with personal matters involving the followers of Shia Sect in accordance with the provisions of law.
- In other cases if no clarification by this constitution and other laws exist, courts will resolve the matter according to laws of this Sect.
- Article 132 • Judges are appointed with the recommendation of the Supreme Court and approval of the President.
- The appointment, transfer, promotion, punishment, and proposals 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 the 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 his defense, when the Supreme Court regards the accusation to be valid, it shall present a proposal about the judge's dismissal to the President.
 - After the Presidential approval, the accused judge is 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 Attorney's Office in accordance with the provisions of the law.
- The Attorney's Office is part the Executive branch, and is independent in its performances.
 - The structure, authority, and activities of the Attorney's Office 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 ballot, and general elections by the residents of the province for a period of four years in accordance with the law.
 - The provincial council elects one of its members as Chairman.
- 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 organize activities involving people and provide them with the opportunity to actively participate in the local administration, councils are set up in districts and villages in accordance with the provisions of the law.
- Members of these councils are elected by the local people through, free, general, secret and direct elections for a period of three years.
 - The participation of nomads in these councils is regulated by law.
- 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 independence or nation's survival becomes impossible by following the provision of this Constitution, the President in confirmation of 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 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. Paragraph two of Article 27
 2. Article 36
 3. Paragraph two of Article 37
 4. Paragraph 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, election would 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 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 Article 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, 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 the 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 would 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 organization 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 Islamic Transitional State of Afghanistan would carry out the following tasks:
 1. Issue the 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 Electoral 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 after the first session of the Wolesi Jirga is taken place.
- The President of the Transitional Islamic State of Afghanistan shall continue his duties until the elected President has taken the office.
- The executive, and judicial organs of the state in accordance with provisions of paragraph 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

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 in the 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

For more information on the NGO Code of Conduct, see page 52.

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 Organizations 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.

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

9 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.

10 Neutrality:

We do not promote partisan national or international political agendas. We do not choose sides between parties to a conflict.

11 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

12 The Code Observance Committee

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

13 Composition of the Committee

13.1 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.

13.2 The term of office of members of the Committee shall be one year.

13.3 A member can only serve for three consecutive terms.

13.4 The Committee shall select a Chair and a Secretary from among its members.

14 Functions of the Committee

14.1 The Committee shall act as guardian of the Code of Conduct.

14.2 The Committee shall ensure understanding, trust and co-operation between the Public, the Government, the donors, the NGO sector itself and community partners.

14.3 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.

14.4 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.

14.5 The Committee shall be engaged in awareness raising about the Code of Conduct enshrined herein involving Signatories.

15 Becoming a Signatory to the Code of Conduct

15.1 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 stationary 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.

16 Complaints

16.1 Any one person or group of persons may file a complaint or petition (supported by evidence) with the Secretary of the Committee.

16.2 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.

16.3 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.

17 Jurisdiction of the Committee

17.1 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.

17.2 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.

17.3 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.
- Shall request any signatory and/or Official to provide evidence on the case under consideration;

17.4 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.

18 The Unseating of a Committee Member

18.1 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.

19 Scope of Application

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

19.2 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.

20 Compliance to the Code

20.1 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.

20.2 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.

21 Revision of Code

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

21.2 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 organizations, 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 recognized 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 organizations.

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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 include private companies. An electronic version of this directory is available at www.areu.org.af.

The information in this directory was updated between August and December 2008. Addresses, phone numbers and email contacts constantly change as organisations relocate or expand. The accuracy of this list relies on the voluntary contributions of organisations listed, which are encouraged to send any additions or changes to areu@areu.org.af.

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.

Kabul Province

A Little Help (ALH)

St. 2

Qalai Fatullah, Kabul

Phone: 0799 455 411

Email: rosemary@stasek.com

Web: alittlehelp.org

Director: Ms Rosemary Stasek

Abdul Haq Foundation (AHF)

Charahi Torabaz Khan (corner of Flower Street,
3rd floor)

Shahr-i-Naw, Kabul

Phone: 0700 202 170

0799 301 408

0700 602 182

Email: abdulhaqfoundation@hotmail.com

Web: www.abdulhaq.org

Executive Director: Mr Nasrullah Baryalai Arsalaie

Academy for Educational Development (AED)

Hs. 466, St. 13

Wazir Akbar Khan, Kabul

Phone: 0088 163 143 2863

Email: lisakaypiper@yahoo.com

Country Director: Ms Lisa Piper

Academy of Sciences of Afghanistan (ASA)

Charahi Sherpoor

Shahr-i-Naw, Kabul

Phone: 020 210 2921

020 210 2919

020 210 3116

Deputy for Human Science Section

Dr Nasrullah Mangal

ACCESS Health Services Support Project

Hs. 585, Street 3rd, Shar-e-Naw, District 4,
Kabul

Phone: 0799-779448

0799-878691

Email: dbyrd@jhpiego.net

nansari@jhpiego.net

Web: www.jhpiego.org

www.accesstohealth.org

Chief of Party: Denise Byrd

Accessibility Organization for Afghan Disabled (AOAD)

Shapoor Ahmadzai Plaza, Main Kart -i- Naw Rd
(Opp. Ramin Pump Station) 3rd part of Shah
Shaheed

Shah shaeed, Kabul

Phone: 0700 157 317

077 831 5600

Email: zazai.abdulkhaliq@gmail.com

Executive Director: Mr Abdul Khaliq Zazai

Action Contre La Faim (ACF)

Hs. 4 (next to Emergency Hospital)

Charahi Shir Poor, Kabul

Phone: 0700 277 337

0799 338 239

0797 272 766

0799 182 227

Email: hom@af.missions-acf.org

kabul@af.missions-acf.org

Web: www.actioncontrelafaim.org

Head of Mission: Mr Angelomatteo Perrone

ActionAid Afghanistan (ActionAid)

Hs. 132, St. 5 (near Haji Mohammad Dad
Mosque)

Taimani, Kabul

Phone: 0799 043 656

0799 205 324

0799 758 687

0798 253 872

Fax: 0093 20 220 3771

Email: gb@actionaidafg.org

sunbol@actionaidafg.org

Web: www.actionaidafg.org

Country Director: Mr G. B. Adhikari

Adventist Development and Relief Agency (ADRA)

Hs. 11, Lane 2 of Kolola Pushta St., Charahi
Ansari, Shahr-i-Naw, Kabul

Phone: 0700 274 601

0799 328 403
0088 216 5426 0530
Email: m.wagner@adra-af.org
Web: www.adra.org
Country Director: Mr Marcel Wagner

Afghan Amputee Bicyclists for Rehabilitation and Recreation (AABRAR)

St. 3
Taimani Project, Kabul
Phone: 0700 284 986
0700 611 917
0700 273 558
0088 216 5026 5570
Email: aabrar_kabul@yahoo.com.au
aabrar.jalalabad@gamil.com
Web: www.aabrar.org
Executive Director: Dr Abdul Baseer Toryalai

Afghan Center (AC)

Hs. 1441, 3rd St. (behind Soria High School)
Karte Char, Kabul
Phone: 075 200 1799
Email: baidariwal@yhoo.com
afghancenter@cs.com
Web: www.ariseproject.org
Deputy Country Director:
Mr Fazel Muhammad Baidariwal

Afghan Center for Socio- Economic & Opinion Research (ACSOR Survey)

Hs. 112, Lucky Five St, Haji Yaqoob Saqare,
District 10
Sharh-i-Naw, Kabul
Phone: 0799 328 714
0797 540 234
Email: matthew.warshaw@acsor-surveys.com
will.hayes@d3systems.com
Web: www.acsor-surveys.com
Managing Director: Mr Matt Warshaw

Afghan Civil Society Forum (ACSF)

Hs. 48, Shahr-Ara-Watt (Opp. Malalai Maternity Hospital)
Shahr-i-Naw, Kabul

Phone: 075 202 3787
020 220 1061
0700 277 284
0799 337 828
Email: azizrr@acsf.af
info@acsf.af
Web: www.acsf.af
Managing Director: Eng Aziz Rafiee

Afghan Community Development Organization (ACDO)

St. 9 (opp. Gust House of Russian Embassy)
Taimani, Kabul
Phone: 0700 281 991
Email: acdo1232003@yahoo.com
Executive Director: Mr Gul Waiz Kazar

Afghan Connection (AC)

Shahr-i-Naw, Kabul
Phone: 001 635 578 841
007 801 915 899
Email: sarahfane@afghanconnection.org
Web: www.afghanconnection.org
Chairman: Dr Sarah Fane

Afghan Conservation Corps (ACC)

c/o Central Zone Environment Directorate (2 Street after Shora Street, opp. Darul Insha-i-Moaqat)
Karte Sai, Kabul
Phone: 0700 201 126
Email: noorullahm@unops.org
Project Manager: Mr Noorullah Malung

Afghan General Help Coordination Office (AGHCO)

Hs. 21242, St. 33, Charahi Panjsad Family, Part 3
Khair Khana, Kabul
(PO Box 994)
Phone: 0700 224 891
0799 338 316
0700 277 766
0799 330 072
Email: aghco_kbl@yahoo.com

aghco_kbl@hotmail.com

Director: Mr Sayed Fazlullah Wahidi

Afghan Health and Development Services (AHDS)

Hs. 72, Zafar Khan Watt, Chawke Qala-i-Fatullah
Shahr-i-Naw, Kabul
(PO Box 53)

Phone: 0700 284 275
0700 238 374
0700 300 417

Email: fareed@ahds.org
naim@ahds.org

Web: www.ahds.org

Deputy Director: Dr Mohammad Fareed

Afghan Health and Social Assistance Organization (AHSAO)

Hs. 9461, Block 6, District 12, Ahmad Shah
Baba Mina

Karte Mamorin, Kabul

Phone: 0799 320 664
0799 218 880
0700 614 949

Email: ahsaongo@hotmail.com
ahsao@hotmail.com

Deputy Director: Mr Omar Gul

Afghan Institute of Learning (AIL)

Hs. 63, St. 2 (behind Cinema Baharestan, next
to Mir Ahmad Mosque)

Karte Parwan, Kabul

Phone: 0700 284 326
0700 293 579
0799 236 575
0700 167 135

Email: ail_acasst@yahoo.com
ail_kabul@yahoo.com

Web: www.creatinghope.org/aboutail

President Executive Director: Prof Sakena Yacoobi

Afghan Institute of Management, Training and Enhancement of Indigenous Capacities (AIMTEIC)

Hs.704, St. 4, Silo Rd (Opp. of Ariana Kabul

Wedding Hall)

Kot-i-Sangi, Kabul

Phone: 0799 190 015
0700 155 410
077 201 0001

Fax: 075 202 3986

Email: aimteic@yahoo.com
azimq@hotmail.com

Director: Mr Abdul Ghani Asalati

Afghan Institute of Training and Management (AITM)

Opp. former British Embassy, Part 2

Karte Parwan, Kabul

Phone: 020 220 1253
0799 334 370
0700 252 117

Email: aitm786@yahoo.com

Managing Director: Mr Sardar Mohammad
Samoon

Afghan Landmine Survivors' Organization (ALSO)

St.12 (between MTN Antenna & Assadullah
Ghaleb Mosque)

Qala-e-Fataullah, Kabul

Phone: 0799 316 253
0799 353 669

Email: afghan.iso@gmail.com

sulimanaminy@gmail.com

Web: www.afghanlandminesurvivors.org

Program Director: Mr Suliaman Aminy

Afghan Media and Cultural Center (AINA)

St.2, Ministry of Haj Lane, Chahrahi Haji Yakoob
Shahr-i-Naw, Kabul

Phone: 0700 238 955
0799 333 888

Email: info@ainaworld.org

travis@argusphotography.com

Web: www.ainaworld.org

Country Director: Mr Brajesh Verma

Afghan NGOs Coordination Bureau (ANCB)

Hs. 1, St. 3

Qalai Fatullah, Kabul
(PO Box 981)
Phone: 0799 333 621
0700 285 738
0700 224 681
0700 200 266

Email: anCb@anCb.org
anCb_ch@yahoo.com

Web: www.anCb.org
Director: Mr Masood Khalili

Afghan Organization of Human Rights & Environmental Protection (AOHREP)

Behind Sayed Jamaludin school
Karte Char, Kabul

Phone: 0799 234 026
020 250 1229
0799 260 236

Email: aohrep@yahoo.com
admin.aohrep@gmail.com

Director: Mr Abdul Rahman Hotaki

Afghan Relief Committee (ARC)

3rd Floor, Katawaz Building (Opp. Millie Cinema)
Salang Watt, Kabul

Phone: 0700 287 606
Email: arcpsH@psh.paknet.com.pk
Head of Office: Mr Abdulah Qaderdan

Afghan Technical Consultants (ATC)

Hs. 8, Lane 3 in the left, St. 13 (opp.
Turkmanistan Embassy)
Wazir Akbar Khan, Kabul

Phone: 0700 278 261
0700 220 326
020 230 1308

Email: atc@atcafghanistan.org
atc_kabul@yahoo.com

Web: www.atcafghanistan.org
Director: Mr Kefayatullah Eblagh

Afghan Turk Cag Education (ATCE)

9th Floor, Ministry of Communications Building
Cinema Pamir, Kabul

Phone: 0700 285 511

0700 218 255

020 210 0722

Fax: 0093 20 210 0722

Email: atce@turkiye.com

Deputy Director: Mr Feti Karakoc

Afghan Woman and Trade Magazine (AWT)

Kabul

Phone: 0700 275 826

0700 296 014

Director: Ms Mina Sherzoy

Afghan Woman Magazine (AW)

Next to Nazo Ana Hospital
Qalai Fatullah, Kabul

Director: Ms Fatana Gylani

Afghan Women Empowerment & Education Organization (AWEEO)

Opp. Ministry of Higher Education
Karte Char, Kabul

Phone: 077 635 4270

077 313 3989

0799 047 332

Email: aweoo_af_org@yahoo.com
farid_ahmad9@yahoo.com

Director: Mr Ahmad Farid

Afghan Women Services and Education Organization (AWSE)

Behind Block 1, Air port Blocks, Street of First
Department of National Security (next to Malang
Dar Maltoon)

Bibi Mahro, Kabul
(AWSE Post in ACBAR Office)

Phone: 0799 326 132

0799 188 762

Email: awse_g@yahoo.com
awhca_g06@yahoo.com

Executive Director: Ms Gulsoom Satarzai

Afghan Women Welfare Department (AWWD)

Hs. 7056, Panjshir Watt
Khair Khana, Kabul

Phone: 0700 282 494

0777 282 494
075 201 6708
Email: awwd@brain.net.pk
jamilaakberzai@yahoo.com
Executive Director: Ms Jamila Akberzai

Afghan Women's Network (AWN)

St. 9 (next to Homa Hospital)
Taimani Watt, Kabul
Phone: 0700 286 598
0799 689 079
Email: awn.kabul@gmail.com
awn@brain.net.pk
Web: www.afghanwomensnetwork.org
Acting Director: Ms Leeda Yaqoobi

Afghan Women's New Foundation (AWNF)

Apt. 29, Block 20, Macrorayon 4
Macrorayon, Kabul
Phone: 0700 203 161
0700 182 713
Director: Ms Farida Sherzoy

Afghan Women's Educational Center (AWEC)

Hs. 1228 (opp. Ministry of Higher Education)
Karte Char, Kabul
Phone: 0700 263 794
Email: awec@ceretechs.com
awec_kabul@yahoo.com
Web: www.awec.info
Director: Ms Hassina Safi

Afghan Women's Resource Centre (AWRC)

Dainow dibori , St. 3, silo (In front of Ariana
Kabul Hotel) Near Raiyasat Awdat Mahajrin
,Kabul
(PO Box 362)
Phone: 0700 280 179
0799 203 056
075 201 2958
Email: awrc.kabul@ceretechs.com
Awrc.finance@ceretechs.com
Web: www.awrc.org.af
Country Representative: Ms Maryam Rahmani

Afghanaid (Afghanaid)

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(PO Box 6066)
Phone: 0799 310 498
0799 309 373
0088 216 8440 0140
Email: ffstocker@afghanaid.org.uk
sgupta@afghanaid.org.uk
Web: www.afghanaid.org.uk
Managing Director:
Ms Farhana Faruqi-Stocker

Afghanistan Bureau for Reconstruction (ABR)

Hs. 428, St. 8, District 4
Taimani, Kabul
Phone: 0700 291 104
075 201 9642
Email: abr_kabul@hotmail.com
m_ajmal_r@yahoo.com
Regional Director: Eng Ahmad Ibrahim Haidari

Afghanistan Centre at Kabul University (ACKU)

Kabul University Central Library
Jamal Mina, Kabul
(PO Box 335)
Phone: 0700 281 415
075 200 9547
0799 328 883
0799 328 885
Email: aric@brain.net.pk
acku@brain.net.pk
Web: www.afghanresources.org
General Manager: Mr Gulzai

Afghanistan Chamber of Commerce and Industries (ACCI)

Chamane Hozori (next to Kabul Nandary)
, Kabul
(PO Box 233)
Phone: 0799 345 905
0799 810 184
070 6 150 010
075 202 5854
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Acronyms in Afghanistan Assistance

ABP	Afghan Border Police
ACBAR	Agency Coordinating Body for Afghan Relief
ACKU	Afghanistan Centre at Kabul University
ACP	Afghan Customs Police
ACSF	Afghan Civil Society Forum
ACSP	Afghanistan Country Stability Picture
ADB	Asian Development Bank
ADF	Afghanistan Development Forum
AIA	Afghan Interim Administration
AIHRC	Afghanistan Independent Human Rights Commission
AIMS	Afghanistan Information Management Service
AL	Alternative Livelihoods
AMF	Afghan Military Forces
ANA	Afghan National Army
ANAP	Afghan National Auxiliary Police
ANBP	Afghanistan New Beginnings Programme
ANCB	Afghan NGO Coordination Bureau
ANCOP	Afghan National Civil Order Police
ANDS	Afghanistan National Development Strategy
ANP	Afghan National Police
ANSF	Afghan National Security Forces
ANSO	Afghanistan NGO Safety Office
APAP	Afghanistan Parliamentary Assistance Project
APPPA	Afghanistan Pilot Participatory Poverty Assessment
AREDP	Afghanistan Rural Enterprise Development Programme
ARSG	Afghanistan Reconstruction Steering Group
ARIC	ACBAR Resource and Information Centre
ARTF	Afghanistan Reconstruction Trust Fund
ASOP	Afghanistan Social Outreach Programme
ATA	Afghan Transitional Authority
AUP	Afghan Uniformed Police
AWN	Afghan Women's Network
CDC	Community Development Council
CDP	Community Development Plan
CENTCOM	United States Central Command
CF	Coalition Forces
CFC-A	Combined Forces Command–Afghanistan
CG	Consultative Group
CGAP	Consultative Group to Assist the Poor
CID	Criminal Investigation Division (of the Afghan National Police)

CIDA	Canadian International Development Agency
CLJ	Constitutional Loya Jirga
CMS	Council of Ministers Secretariat
CN	Counter-narcotics
CNTF	Counter Narcotics Trust Fund
CNPA	Counter Narcotics Police of Afghanistan
CPHD	Centre for Policy and Human Development
CRC	Constitutional Review Commission
CSO	Central Statistics Office
CSTC-A	Combined Security Transition Command–Afghanistan
CTP	Counter Terrorism Police
D&RC	Disarmament & Reintegration Commission
DAD	Donor Assistance Database
DAI	Development Alternatives, Inc.
DDR	Disarmament, Demobilisation and Reintegration
DED	German Development Service
DFID	Department for International Development (UK)
DIAG	Disbandment of Illegal Armed Groups
DMC	Department of Mine Clearance
EC	European Commission
ECHO	European Commission Humanitarian Aid Office
ELECT	Enhancing Legal and Electoral Capacity for Tomorrow
ELJ	Emergency Loya Jirga
EQUIP	Educational Quality Improvement Project
ERW	explosive remnants of war
EU	European Union
EUPOL	European Union Police Mission in Afghanistan
FDD	Focused District Development
GAA	German AgroAction (Deutsche Welthungerhilfe)
GIAAC	General Independent Administration for Anti-Corruption
GOFORGOLD	Good Governance for Local Development
GPI	Good Performance Initiative
GPPO	German Police Project Office
GTZ	German Technical Cooperation (Deutsche Gesellschaft für Technische Zusammenarbeit)
HRRAC	Human Rights Research and Advocacy Consortium
I-ANDS	Interim Afghanistan National Development Strategy
IARCSC	Independent Administrative Reform and Civil Service Commission
ICNL	International Centre for Not-for-Profit Law
IDB	Islamic Development Bank
IDLG	Independent Directorate for Local Governance
IDPs	internally displaced persons

IEC	Independent Electoral Commission
IFES	International Foundation for Electoral Systems
IMF	International Monetary Fund
IPCS	Initiative to Promote Afghan Civil Society
IPCAG	Inter-Agency Police Coordinated Action Group
IPCB	International Police Coordination Board
I-PRSP	Interim Poverty Reduction Strategy Paper
IRC	International Rescue Committee
ISAF	International Security Assistance Force
JCMB	Joint Coordination and Monitoring Board
JEMB	Joint Electoral Management Body
JSR	Justice Sector Reform
KMTC	Kabul Military Training Centre
KPA	Kabul Police Academy
LOTFA	Law and Order Trust Fund for Afghanistan
MACA	Mine Action Centre for Afghanistan
MAPA	Mine Action Programme for Afghanistan
MCN	Ministry of Counter Narcotics
MDG(s)	Millennium Development Goal(s)
MFIs	microfinance institutions
MISFA	Microfinance Investment Support Facility in Afghanistan
MoI	Ministry of Interior Affairs
MoPH	Ministry of Public Health
MRRD	Ministry of Rural Rehabilitation and Development
NATO	North Atlantic Treaty Organization
NDCS	National Drug Control Strategy
NDF	National Development Framework
NDP	National Development Programme
NDS	National Directorate of Security
NED	National Endowment for Democracy
NEEP	National Emergency Employment Programme
NGO	nongovernmental organisation
NHDR	National Human Development Report
NPP	National Priority Programmes
NRVA	National Risk and Vulnerability Assessment
NSP	National Solidarity Programme
NSS	National Surveillance System
OAA	Office of Administrative Affairs
OEF	Operation Enduring Freedom
PAG	Policy Action Group
PAR	Public Administrative Reform
PDP	Provincial Development Plan

PIP	Public Investment Programme
POC	Project Oversight Committee (Justice Sector Reform)
PRSP	Poverty Reduction Strategy Paper
PRT	Provincial Reconstruction Team
PSU	Program Support Unit (Justice Sector Reform)
SAF	Securing Afghanistan's Future
SDC	Swiss Agency for Development and Cooperation (SDC)
SEAL (I)	Support to the Establishment of the Afghan Legislature
SEAL (II)	Support for an Effective Afghan Legislature
SNTV	Single Non-Transferable Vote
SMSG	Special Representative of the UN Secretary-General
SSR	Security Sector Reform
SUNY-CID	State University of New York – Center for International Development
SWABAC	Southern and Western Afghanistan and Balochistan Association for Coordination
SY	Solar year (see Calendars used in Afghanistan, p. 265)
UK	United Kingdom
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNOCA	United Nations Office for Coordination of Humanitarian and Economic Assistance Programmes
UNOCHA	United Nations Office for Coordination of Humanitarian Assistance
UNODC	United Nations Office on Drugs and Crime
UNSM	United Nations Special Mission to Afghanistan
US	United States
USAID	United States Agency for International Development
USFOR-A	United States Forces Afghanistan
UXO	unexploded ordnance
VAU	Vulnerability Analysis Unit
WFP	World Food Programme

Calendars Used in Afghanistan

Three calendar systems are used in Afghanistan:

- **Hejri 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 2009, the Afghan year begins on 1 Hamal 1388 (=21 March 2009). In *The A to Z Guide*, the solar year is sometimes referred to as SY (e.g. SY1387 spans March 2008 to March 2009; SY1388 spans March 2009 to March 2010).
- **Hejri qamari** (lunar Islamic) calendar, used for religious events and holidays.
- **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 Miladi years (or to Persian dates using Iranian names)

see: www.fourmilab.ch/documents/calendar

www.iranchamber.com/calendar/iranian_calendar_converter.php

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