| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 1 | Types of corruption are clearly defined in legislation | 1.1 | MOJ | Corruption related crimes penalized in accordance with the provisions of UNCAC and incorporated in the new Penal Code | (15 Dec. 2013) - Corrupt acts are not defined in draft amended Anti- Corruption Law but most of them referred to particular chapters and provisions of the Criminal Law and Anti-Money Laundering Law. | (30 June 2016) - According to MOJ, corrupt acts are defined and criminalized in accordance with UNCAC in the new draft of the Penal Code in a separate chapter. The drafting process of the new Penal Code has been completed and is currently under scrutiny of the MOJ. |
| 2 | UNCAC self-assessments conducted to assess current legal framework against UNCAC requirements | 2.1 | HCGJ &AC | Self-assessment conducted with full participation of the judiciary, SAO, CSO and HOO. | (15 Dec. 2013) - Committee for UNCAC self-assessment was formed, chaired by HOO, consisting of representatives of the Supreme Court, the AGO, SAO and NDS, but CSOs were not part of this committee (individual self-assessment was not conducted). The assessment unrealistically asserts that Afghanistan is in compliance with UNCAC with respect to each and every provision of the Convention that is addressed in the assessment. | (30 June 2016) - HOO's mandate was limited based on resolution No. 3 of the Cabinet dated 23 Oct. 2014 and the High Council of Governance and Justice was upgraded to the High Council of Governance, Justice and Anti-Corruption on 19.03.2016 through PD 168. Therefore, this recommendation was sent to the Policy Coordination Unite of the Presidential Office, which is the Secretariat of the High Council of Governance, Justice and Anti-Corruption. The Policy Coordination Unit responded that the first session of the High Council will be held soon. The Policy Coordination Unite plans to facilitate and coordinate all anti-corruption related activities and develop the National Anti-Corruption Strategy. However, the quality of the first phase of the UNCAC Self Assessment conducted and chaired by HOO was very poor and misrepresented Afghanistan's compliance with UNCAC requirements. In its current form, the UNCAC self-assessment provides little insight into the government of Afghanistan's anti-corruption landscape. For the Second Phase, a capable government body needs to be designated to conduct the self-assessment of Afghanistan and develop an action plan based on the identified gaps. |
| | | 2.2 | HCGJ &AC | UNCAC self-assessment includes a substantive assessment of the implementation of measures meant to respond to specific UNCAC requirements | (15 Dec. 2013) - Although most of the UNCAC requirements are enshrined in the Anti-Corruption Law, there are still deficiencies in Afghanistan's legal framework to be identified and eliminated. | (30 June 2016) - HOO's mandate was limited based on resolution No. 3 of the Cabinet dated 23 Oct. 2014 and the High Council of Governance and Justice was upgraded to the High Council of Governance, Justice and Anti-Corruption on 19.03.2016 through PD 168. Therefore, this recommendation was sent to the Policy Coordination Unite of the Presidential Office, which is the Secretariat of the High Council of Governance, Justice and Anti-Corruption. The Policy Coordination Unit responded that the first session of the High Council will be held soon. The Policy Coordination Unite plans to facilitate and coordinate all anti-corruption related activities and develop the National Anti-Corruption Strategy. However, in its current form, the UNCAC self-assessment provides little insight into the government of Afghanistan's anti-corruption landscape. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| | | 2.3 | HCGJ &AC | The new government reviews the 1st phase of UNCAC self-assessment previously conducted by HOO in order to accurately evaluate gaps and weaknesses. | (12 Nov. 2014) - Afghanistan's UNCAC self-assessment conducted under HOO leadership has many gaps and weaknesses and does not accurately represent the situation of corruption in Afghanistan. | (30 June 2016) - HOO's mandate was limited based on resolution No. 3 of the Cabinet dated 23 Oct. 2014 and the High Council of Governance and Justice was upgraded to the High Council of Governance, Justice and Anti-Corruption on 19.03.2016 through PD 168. Therefore, this recommendation was sent to the Policy Coordination Unite of the Presidential Office, which is the Secretariat of the High Council of Governance, Justice and Anti-Corruption. The Policy Coordination Unite responded that the first session of the High Council will be held soon. The Policy Coordination Unit plans to facilitate and coordinate all anti-corruption related activities and develop the National Anti-Corruption Strategy. However, in its current form, the UNCAC self-assessment provides little insight into the government of Afghanistan's anti-corruption landscape. |
| | | 2.4 | HCGJ &AC | The new government designates a more competent body to oversee and chair the 2nd UNCAC self-assessment review phase | (12 Nov. 2014) - Afghanistan's UNCAC self-assessment conducted under HOO leadership has many gaps and weaknesses and does not accurately represent the situation of corruption in Afghanistan. | (30 June 2016) - HOO's mandate was limited based on resolution No. 3 of the Cabinet dated 23 Oct. 2014 and the High Council of Governance and Justice was upgraded to the High Council of Governance, Justice and Anti-Corruption on 19.03.2016 through PD 168. Therefore, this recommendation was sent to the Policy Coordination Unit of the Presidential Office, which is the Secretariat of the High Council of Governance, Justice and Anti-Corruption. The Policy Coordination Unit responded that the first session of the High Council will be held soon. The Policy Coordination Unite plans to facilitate and coordinate all anti-corruption related activities and develop the National Anti-Corruption Strategy. Nevertheless, the new government has not yet designated a competent body to oversee and chair the 2nd UNCAC self-assessment review phase. |
| 3 | Development and implementation of an action plan to address deficiencies | 3.1 | HCGJ &AC | Action plan provides concrete steps for addressing deficiencies identified in the self-assessment and peer reviews, as well as milestones for their implementation. | (15 Dec. 2013) - Deficiencies have not been identified or corrected. | (30 June 2016) - The second phase of the UNCAC self-assessment has not started yet. Therefore, an action plan which would address the deficiencies is not yet drafted. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 4 | Enactment of stand-alone legislation for the usurpation of land | 4.1 | ARAZI/MOJ | The Ministry of Justice, in close cooperation with key stakeholders including Arazi, Kabul Municipality, the Supreme Court, the AGO and the MOI, should review the draft Law on Usurpation of Public and Private Land to further enrich and propose a comprehensive law for approval. | (15 Dec. 2014) - The Law was drafted by the Lower House but rejected by the Upper House. The MOJ believes that the enactment of stand-alone legislation for the usurpation of land would duplicate already existing laws. The MOJ has criminalized land usurpation under Article 12 of Annex 4 of the Penal Code which has four clauses. Annex 4 of the Penal Code has been pending in the Parliament for more than 3 years now. | (30 June 2016) - The draft amendment of the Law of Land Affairs covers Identifying Land Usurpers and Punishment of Land Usurpers in two chapters. The draft Law has been submitted to the MoJ on 27 April 2015 for processing. According to ARAZI, the president instructed the legislative committee of MOJ to review the Draft Law on Land Affairs along with three other related laws (Law on Acquisition of Private Property, Municipality Law and Urban Development Law) and identify any duplications. The MOJ has scrutinized the 4 laws and sent them to the High Council of Land and Water for their technical review. The High Council of Land and Water plans to review the 4 laws soon. |
| | | 4.2 | ARAZI/MOJ | The new law on Usurpation of Governmental and Non-Governmental Properties enacted and enforced effectively. | (15 Dec. 2013) - The Law on Illegal Usurpation of Governmental and Non-Governmental Properties was approved by the Lower House but rejected by the Upper House. | (30 June 2016) - According to ARAZI, the president instructed the legislative committee of MOJ to review the Draft Law on Land Affairs along with three other related laws (Law on Acquisition of Private Property, Municipality Law and Urban Development Law) and identify any duplications. The MOJ has scrutinized the 4 laws and sent them to the High Council of Land and Water for their technical review. The High Council of Land and Water plans to review the 4 laws soon. |
| 5 | Criminalization of land usurpation | 5.1 | ARAZI/MOJ | The act of land usurpation clearly defined in the Penal Code with strong punishment | (15 Dec. 2013) - Land usurpation criminalized in the new law; but unclear whether enacted. | (30 June 2016) - Land usurpation has been criminalized under Article 12 of Annex 4 of the Penal Code, which has four clauses. Annex 4 of the Penal Code has been pending in the Parliament for more then 3 years now. Additionally, the draft amendment of the Law of Land Affairs which is currently under review of the High Council of Land and Water covers Identification of Land Usurpers and Punishment of Land Usurpers in two chapters. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 6 | Effective detection, investigation, and prosecution of land usurpation | 6.1 | ARAZI/MOI | Arazi and MOI refer all cases of land usurpation to the AGO | | (30 June 2016) - ARAZI has sent the list of 15,831 land usurpers to the Presidential Office and the National Assembly. The list contains names of people who allegedly grabbed 1.3 Million Jerib of land in 34 provinces and built i.a. 355 illegal residential towns. According to ARAZI's statements during their press conference, most of the land usurpers are high ranking officials and powerful people. Additionally, ARAZI has prepared two proposals and submitted it to the 4th session of High Council of Land and Water, which are applicable after the enactment of the Law of Land Affairs. The two proposals are: The 5-year Strategic Plan for Prevention of Land Usurpation (1394 - 1398) and Proposal for Addressing and Confiscating Usurped Land. The mentioned drafts have been shared with MEC. |
| | | 6.2 | AGO/ARAZI | The AGO investigates the cases in a timely manner as required by the law and provides regular updates to detection agencies on the progress of their investigation. | (15 Dec. 2013) - Main land usurpers are still enjoying impunity and are not prosecuted due to the lack of law enforcement. | (30 June 2016) - According to the official response of AGO, the Attorney General has investigated some cases of land usurpation and unplanned apartments in different parts of Kabul city and referred their cases to the courts after completion. Currently, 6 cases of land usurpation are under investigation of the Criminal Investigation Department of AGO. According to the AGO, the detection agencies are officially informed about the progress in the prosecution process. Nevertheless, main land usurpers have never been prosecuted due to culture of impunity. |
| | | 6.3 | AGO | AGO refers all cases to the courts for prosecution; cases dropped by the AGO are documented and reported to the detection agencies. | (15 Dec. 2013) - The AGO has not investigated the cases in a timely manner and has not provided reports to detection agencies. | (30 June 2016) - According to the AGO, the Attorney General has referred all cases to the courts after completion of the investigation process. Also, the detection agencies are officially informed about the progress in the prosecution process. Nevertheless, main land usurpers have never been prosecuted due to culture of impunity. |
| | | 6.4 | Supreme Court | Courts hear and decide all cases in a timely manner as required by the law. | (15 Dec. 2013) - Main land usurpers are still enjoying impunity and are not prosecuted due to the lack of law enforcement. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. According to the Research and Study Department, the mentioned department has started working on this and also demanded the necessary information from the provinces. Since the process is time consuming, MEC Secretariat has not received the required information yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| | | 6.5 | ARAZI | MOU signed between the Supreme Court, ARAZI, the MOJ and the MOI to ensure better cooperation, coordination and collaboration on management of land usurpation cases, including detection, investigation, prosecution and land dispute resolution. | (15 Dec. 2014) - ARAZI is currently working on an MOU with the relevant stakeholders, but no MOU has been signed yet. | (30 June 2016) - According to ARAZI, MOUs will be signed with all institutions involved in the land and property affairs. So far, MOUs have been signed with MOEW and MOUD and similar MOUs will be signed with Municipalities, IDLG MOPW and other related institutions. Practical implementation of the MOUs is subject to the approval of the Law on Land Affairs. |
| | | 6.6 | ARAZI/MOJ | Interference of MOI and AGO in regard to civil land disputes stopped and such cases referred to the MOJ Legal Department. | (15 Dec. 2014) - The interference of MOI and AGO in civil land disputes is on-going. | (30 June 2016) - The draft Law on Obtaining Rights is under process of MoJ. According to the provisions of this Law, only courts and Rights Directorate (Hoqooq) has the right to deal with civil disputes. However, according to the informal information received from MOJ and MOI, the interference in the civil disputes are still ongoing. |
| | | 6.7 | ARAZI/MOI | MOI regularly reports on their measures to the government to protect government land, assist in investigations, ensure that defendants appear in court, and enforce orders regardless of the identity of the parties to the disputes. | (15 Dec. 2014) - MOI's performance in this regard has been very poor so far. | (30 June 2016) - According to MOI there is a reporting mechanism in place. MoI has shared a summary of the usurpation report with MEC which includes the usurped government land until 1393, the total number of usurped land and the number of the usurpers in 30 provinces. The Usurpation Unit of the Economic Crime's Department of MOI is currently working on the 1394 usurpation report which has not been completed yet. |
| 7 | A procedure developed to deal with land usurpation cases with no documents or records | 7.1 | Supreme Court | The new procedure developed and enacted by the Supreme Court | (15 Dec. 2014) - There is no procedure in place. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| 8 | ARAZI proposes amendments to the law in order to transfer the responsibility of land transfer and registration from the courts to ARAZI and submits them to the MOJ for further processing. | 8.1 | ARAZI | The responsibility of land transfer and registration given to ARAZI | (15 Dec. 2014) - ARAZI has submitted a proposal in this regard to the MOJ at the end of 1391. | (30 June 2016) - According to ARAZI, the draft amendment of the Law on Land Affairs covers this issue. Additionally, a MOU between ARAZI and the Supreme Court on transferring the authority of registration and transfer of land to ARAZI has been prepared and will be signed after the enactment of the Law on Land Affairs. The initial work of the first phase of the registration and transfer of land has started in Herat province and ARAZI is currently hiring 150 new staff for the process. The newly registered land will be codified and entered in the database. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 9 | New technology introduced and put to use | 9.1 | ARAZI | New technology used by the courts, ARAZI and municipalities to identify and detect fake land ownership documents | (15 Dec. 2014) - ARAZI has developed a 5-year Strategy which has been submitted to the President's Office for approval. This recommendation is covered by ARAZI's 5-years Strategy. | (30 June 2016) - ARAZI's 5-year strategic plan stipulates the establishment of Geographic Information System (GIS, ALARMIS) for registration of land. According to ARAZI, the first phase of the introduction of (GIS, ALARMIS) has already started with the support of Turkey. A technical team of 12 staff will be sent to Turkey for receiving 3-weeks training sessions on the application of GIS, ALARMIS. The second phase of GIS, ALARMIS will be the establishment and application of the systems. However, the technological equipment for identifying fake ownership documents do not exist in Afghanistan yet. |
| 10 | Capacity of relevant officials of the MOI, MOJ and courts enhanced | 10.1 | MOI/MOJ/SC | Officials of the police and courts receive special trainings on land related procedures and legislations | | (30 June 2016) - The draft amendment of the Law on Land Affairs is currently under the review of MoJ and is not approved yet. Therefore, the training on land legislation and procedure will be conducted when the Law is enacted. |
| 11 | The process of land survey and land registration started and completed | 11.1 | ARAZI | The survey and registration of land all over Afghanistan started and completed in five years by ARAZI | (15 Dec. 2014) - According to ARAZI's 5-year Strategy, the survey will be started in 1394 in Bamyan province and will be expanded to other provinces accordingly. | (30 June 2016) - According to ARAZI, the survey and registration process was replaced with the registration and transfer process. A MOU between ARAZI and the Supreme Court on transferring the authority of registration and transfer of land to ARAZI has been prepared and will be signed after the enactment of the Law on Land Affairs. The initial work of the first phase of the registration and transfer of land has started in Herat province and ARAZI is currently hiring 150 new staff for the process. The newly registered land will be codified and entered in the database. |
| | | 11.2 | ARAZI | Private and government land is identified as a result of a country-wide survey and registration | | (30 June 2016) - The initial work of the first phase of the registration and transfer of land has started in Herat province and ARAZI is currently hiring 150 new staff for the process. The newly registered land will be codified and entered in the database. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 12 | Waqfi land (allocated land for public interest) surveyed and registered all over Afghanistan | 12.1 | MOHRA | The process of survey and registration of Waqfi land started and completed by MOHRA in close cooperation with other government stakeholders within one year | (15 Dec. 2014) Based on Resolution #3 of the Council of Ministers dated 01.08.1393 and MEC's recommendations, MOHRA sent official letters to 34 provinces to identify and register Waqfi land in close cooperation with the provincial Directorates of MOHRA, Cadaster, and municipalities, among others. | (30 June 2016) - MOHRA has instructed its provincial directorates to identify and register Waqfi Land with the support of the directorates of MAIL, Cadaster, NDS, ARAZI, HOO, AGO and representatives of each province. The circular sent by MOHRA to its directorates in 34 provinces along with the registration form, has been shared with MEC. Joint committees have been established in all provinces with the participation of the above mentioned institutions. Committees in 20 provinces have already identified and registered the Waqfi land and properties and sent their reports to MOHRA. Some of these reports have been exemplarily shared with MEC. |
| | | 12.2 | MOHRA | The relevant Waqfi land documents kept in MOHRA's Archive. | | (30 June 2016) - Since a large number of Waqfi Land was donated in the past decades, they do not have proper documents or the documents were destroyed during the war years. Nonetheless, the existing information and documents on Waqfi Land are archived in Awqaf Directorate of MOHRA which was visited by MEC Secretariat. Additionally, joint committees chaired by the provincial directorates of MOHRA in 20 provinces have already identified and registered the Waqfi land and properties and sent their reports to MOHRA. Some of these reports have been exemplarily shared with MEC. |
| 13 | The process of land distribution, land registration and land transfer computerized | 13.1 | ARAZI | Land-related processes in relevant institutions including ARAZI, MORR, MOHRA, Kabul Municipality and Makhzan computerized | (15 Dec. 2014) - According to the 5-year Strategy, ARAZI will digitize its documents. | (30 June 2016) - ARAZI's 5-year strategic plan stipulates the establishment of Geographic Information System (GIS, ALARMIS) for registration of land. According to ARAZI, the first phase of the introduction of (GIS, ALARMIS) has already started with the support of Turkey. A technical team of 12 staff will be sent to Turkey for receiving 3-weeks training sessions on the application of GIS, ALARMIS. The second phase of GIS, ALARMIS will be the establishment and application of the systems. |
| 14 | Existing land/property ownership documents reviewed | 14.1 | ARAZI/SC | A committee chaired by the Supreme Court consisting of relevant government stakeholders, including ARAZI, established to review the existing land /property ownership documents. | (15 Dec. 2014) - ARAZI's 5-year Strategy covers this issue. | (30 June 2016) - A Memorandum of Understanding is planned to be signed between ARAZI and Supreme Court to review the ownership documents of Land. |
| | | 14.2 | ARAZI/SC | A comprehensive land/property ownership document developed and used for this purpose | (15 Dec. 2014) - ARAZI's 5-year Strategy covers this issue. | (30 June 2016) - According to ARAZI, work on two types of legal ownership documents (Land and Property) is currently ongoing in cooperation with the supreme Court and other related institutions which will be finalized after the enactment of the Law on the Land Affairs. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 15 | A needs assessment conducted | 15.1 | ARAZI | Sufficient financial support and human resources allocated to ARAZI | (15 Dec. 2014) - ARAZI does not have sufficient financial or human resources. For the fiscal year 1394 ARAZI plans to submit specific proposals to the Budget Committee of the MOF in this regard. | (30 June 2016) - A proposal regarding the financial and human resources of ARAZI had previously been sent to the Presidential Office. According to ARAZI, the Afghan Government and the International Community positively responded to this proposal and declared their support. The required support will be provided in the future based on the needs. |
| 16 | A comprehensive and long term strategy developed | 16.1 | MUDA | A long term strategy to address the issue of settlements in Afghanistan developed by the Ministry of Urban Development Affairs | | (30 June 2016) - Based on the Assessment of Afghan Cities conducted in 2015, MUDA has developed a 5-year strategy. Solving the housing needs in Afghanistan is a major part of this strategy. Report of the Assessment of Afghan Cities has been shared with MEC and the 5-year strategy will be shared after completion and the approval of the Minister. |
| | | 16.2 | MUDA | Short term actions including building houses taken by the Ministry of Urban Development Affairs to address the immediate needs of homeless people | | (30 June 2016) - According to MUDA, actions has been taken to address the housing needs of the people. These actions include building residential apartments in: 4th and 5th Makrorayan, Qasaba, Khoshhal Khan Mena, the Emirates Project in Qasaba area for disabled and martyrs, Sanaye Township, Lala Township, Bagrami Township, Rahman Mena Township. Additionally, the plans for building 10000 residential apartments with the support of the People Republic of China, the plan for re-operationalizing the Construction Tasadi with the Support of Russia and building 500 residential apartments for disabled and martyrs with the support of Qatar are part of these actions. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|-----|-----------|-----|-------|----------------|----------|--------|
| 17 | Legislated system for the reporting of illegal activities and corruption | 17.1 | PACC/MOJ | Whistle-blower Protection Law enacted | (15 Dec. 2013) - MEC is drafting a Whistle-blower Protection Law. | (30 June 2016) - MEC had initiated drafting the Whistle-blower Protection Law. The draft law had been completed and sent to the Parliament's Anti-Corruption Caucus (PACC) through an official letter dated 01. Nov. 2015 for the legislative process. PACC has finalized the draft Whistleblowers Protection Law in both Dari and Pashto languages. The draft law will be presented as a members' bill to the National Assembly soon. |
| 18 | Government anti-corruption strategy and policies developed with broad consultation in consideration of the existing Anti-Corruption Strategy | 18.1 | HCGJ &AC | Development of the strategy in consultation with the MOI, MOJ, AGO, Supreme Court, NDS, and CSOs | (15 Dec. 2013) - Working on developing a government-wide anti-corruption strategy has not started yet. | (30 June 2016) - HOO's mandate was limited based on Resolution No. 3 of the Cabinet dated 23 Oct. 2014 and the High Council of Governance and Justice was upgraded to the High Council of Governance, Justice and Anti-Corruption on 19.03.2016 through PD 168. Therefore, this recommendation was sent to the Policy Coordination Unit of the Presidential Office, which is the Secretariat of the High Council of Governance, Justice and Anti-Corruption. The Policy Coordination Unite responded that the first session of the High Council will be held soon. The Policy Coordination Unite plans to facilitate and coordinate all anti-corruption related activities and develop the National Anti-Corruption Strategy. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 19 | VCAs conducted for important government services | 19.1 | HOO | HOO in consultation with the IARCSC prioritizes government services for VCAs | (15 Dec. 2013) - Previously, the HOO has conducted a number of VCAs within the Traffic Department and as a result simplified the process of Jawaz e Sair. MEC has also conducted five different VCAs within the IARCSC, MOHE, MORR, and MOLSAMD. | (30 June 2016) - Based on Resolution No. 3 of the Cabinet dated 23 Oct. 2014, HOO's mandate is limited i.a. to the simplification of procedures of providing public services. MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. According to the 1394 annual report of HOO which is published on its homepage the simplification of three procedure in MOUD, MOHE and AISA have been completed. Five 5 procedures in MOF, MOHE, Directorate of Nomads (Kochis) and Makrorayan Maintenance Directorate are under review. Further, 4 Procedures related to MOHE and AISA are currently under pilot implementation. |
| | | 19.2 | HOO | VCAs conducted by HOO on the basis of priorities identified. | | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. According to the 1394 annual report of HOO which is published on its homepage the simplification of three procedure in MOUD, MOHE and AISA have been completed. Five 5 procedures in MOF, MOHE, Directorate of Nomads (Kochis) and Makrorayan Maintenance Directorate are under review. Further, 4 Procedures related to MOHE and AISA are currently under pilot implementation. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 20 | Strengthened capacity of the High Office of Oversight Asset Registration and Declaration Department | 20.1 | HOO | HOO expands the organizational structure of the Asset Registration and Declaration Department to ensure sufficient resources to meet their legal obligations. | (15 Dec. 2013) - No progress in this regard | (30 June 2016) - Based on Resolution No. 3 of the Cabinet dated 23 Oct. 2014, HOO's mandate is limited to registration of government official's assets and simplification of procedures. Therefore, the structure of HOO has been reduced and the number of employees has been decreased from 500 to 300 staff. According to the Plan Department of HOO, the Asset Registration and Declaration Department has not been affected by the layoffs. |
| | | 20.2 | HOO | Trainings provided to enhance the capacity of the current and future staff of the Asset Registration and Declaration department | (15 Dec. 2013) - No progress in this regard | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. |
| 21 | Cooperation amongst agencies necessary for the verification of assets | 21.1 | HOO | HOO signs MOUs with relevant government institutions including the AGO, Makhzan (Supreme Court), FINTRACA (DAD), Major Crime Task Force (MOI), Anti-Corruption Unit (MOI), Interpol Afghanistan (MOI), NDS, Registration Department of Properties (municipalities), Department of Properties (MAIL), MOFA, Department of Government Cases (MOJ), AISA, Department of Taxes (MOF), Department of Salaries (MOF), Department of Public Procurement (MOF) and Department of Contracts (MOF). | (15 Dec. 2013) - HOO identified 14 institutions/organizations as important stakeholders in asset registration and verification but has not signed MOUs with them. A new MOU on asset registration and verification has been drafted by HOO involving the HOO, Supreme Court, MOI, NDS, and AGO, but has not been signed yet. | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. However, according to the Plan Department of HOO, the High Office of Oversight has signed a MOU with FINTRACA. |
| | | 21.2 | HOO | HOO establishes and implements a mechanism for regular coordination meetings amongst agencies relevant to asset registration, verification and declaration. | (15 Dec. 2013) - The mechanism has not been established yet. | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 22 | Registration, publication and verification of assets required by the Constitution and laws of Afghanistan | 22.1 | HOO | HOO registers and publishes the assets of the President, Vice-Presidents, ministers, members of the Supreme Court as well as the Attorney General within one month of their appointment and verifies the assets within three months of their appointments. | (15 Dec. 2013) - About 7,000 officials' assets registered but the publication of the assets based on constitutional requirement has been symbolic. | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. Nonetheless, HOO has registered and published assets of 35 high ranking officials including, the president, the CEO, president's special representative for reform and good governance, the chief justice, ministers and general directors. |
| | | 22.2 | HOO | HOO registers and widely publishes (in electronic and print media) the assets of the members of the National Assembly, members of provincial and district councils, deputy ministers, heads of independent commissions and directorates, ambassadors, governors, judges, officers of the Afghan National Army and Police, District Administrators, Prosecutors, officials working in second and higher grades and officials working in finance, accounting and procurement sections within one month of their appointments and verifies the assets within three months of their appointments as well as annually thereafter. | (15 Dec. 2013) - About 7,000 officials' asset registered but the publication of the assets based on constitutional requirement has been symbolic | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. Nonetheless, HOO has registered and published assets of 35 high ranking officials including, the president, the CEO, president's special representative for reform and good governance, the chief justice, ministers and general directors. However, the verification of assets is still a big challenge which has never been done properly and is quite symbolic. |
| | | 22.3 | HOO | HOO verifies the assets of registered officials within one month after their terms of office end | (15 Dec. 2013) - No progress in this regard | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. Nonetheless, HOO has registered and published assets of 35 high ranking officials including, the president, the CEO, president's special representative for reform and good governance, the chief justice, ministers and general directors. However, the verification of assets is still a big challenge which has never been done properly is quite symbolic. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 23 | Prosecution of individuals who fail to register assets, who make false declarations, or who have been found to have obtained assets illegally | 23.1 | HOO | HOO identifies all individuals who fail to register assets, make false declarations or are found to have obtained illegal assets and refers the cases to the AGO for prosecution | (15 Dec. 2013) - Legal provisions in regard to verification of the assets of government officials have not been enforced and the illicit enrichment cases are not referred to the AGO. | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. Nonetheless, HOO has registered and published assets of 35 high ranking officials including, the president, the CEO, president's special representative for reform and good governance, the chief justice, ministers and general directors. However, the verification of assets is still a big challenge which has never been done properly is quite symbolic. |
| | | 23.2 | HOO | AGO investigates the cases in a timely manner as required by the law and provides regular updates to the HOO on the progress of their investigation | | (30 June 2016) - According to AGO, the Attorney General has never received any cases of false declaration or illicit enrichment from the HOO. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. |
| 24 | Prosecution of and/or disciplinary measures against HOO staff members who knowingly aid individuals in avoiding registering assets and making false declarations | 24.1 | HOO | Administrative sanctions (official warnings, fines, demotion, and dismissal) set for staff members who help individuals avoid the registration of their assets in any way | | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. |
| | | 24.2 | HOO | Cases of HOO staff members aiding and abetting individuals in avoiding the registration of their assets reported to the AGO for further investigation and prosecution depending on the severity of the case | | (30 June 2016) - MEC Secretariat shared once again its recommendations with HOO through an official letter on May 1st 2016. Subsequently, the Secretariat visited the HOO and asked for the implementation status. According to the Plan Department of HOO, the High Office of Oversight has no reporting responsibility to MEC, based on PD 61. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 25 | Donor funded programs and projects clearly tied to government priorities | 25.1 | International Community | Donors (USAID, DFID, JAICA,, EU, WB and ADB) reporting on their alignment with NPPs clearly set out the link between their funding and NPP activities | | (30 June 2016) - MEC Secretariat has shared the International Community recommendations with six major donors (USAID, DFID, JAICA,, EU, WB and ADB) but only USAID and DFID have responded. In early 2015, the Afghan Government asked USAID and other donors in Afghanistan to conduct a "Portfolio Review" of their current and planned aid programs. One purpose of the Portfolio Review was to identify the degree of alignment between donor programs and Afghan government development priorities. According to USAID, the review has been conducted and based on the results of this review, USAID's current programs are aligned closely with the GoA's development priorities. According to DFID, most of its aid programs are also aligned with government priorities, but no more details have been provided. |
| 26 | Coordination with relevant government agencies in the design and implementation of projects and programs | 26.1 | International Community | Donors (USAID, DFID, JAICA,, EU, WB and ADB) consult with line ministries and provincial authorities in program and project identification, design, and implementation | | (30 June 2016) - According to the Aid Management Directorate of MOF it is common practice to consult with line ministries and provincial authorities by setting priorities. There is strategic level communication with line ministries and partners in designing and implementing the programs, according to USAID and DFID. Moreover, MoUs are often signed with the ministries. |
| 27 | Procurement practices of international stakeholders in Afghanistan are consistent with Afghan Procurement Law restrictions on sub-contracting | 27.1 | International Community | Donors (USAID, DFID, JAICA,, EU, WB and ADB) restrict sub-contracting to no more than 20 percent of the value of the main contract | (15 Dec. 2013) - There is no initiative from Shafafiyat to align their procurement practices with the Afghan procurement law. | (30 June 2016) - Major donors are legally bound by their own procurement standards. DFID e.g. stated that it is legally bound to apply UK & EU procurement laws. According to the Aid Management Directorate of MOF, since most of the projects are off-budget, the Ministry has no control over them. |
| 28 | Comparative assessment of the effectiveness of on- and off-budget funded projects conducted and lessons learned applied to future funding | 28.1 | International Community | Donors effectively implement best practices and lessons learned from MEC's assessment of donor implemented aid projects | | (30 June 2016) - MEC released a report on Nov 8, 2015 called "A Review of Selected Foreign-Assistance Programs Implemented in Afghanistan" included recommendations on aid effectiveness. MEC's Secretariat shared the above-mentioned report and recommendations through official letter # 2725 dated 23/8/1394 with MoF. In addition, the recommendations have been shared with the international community through email. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 29 | Appropriate monitoring and evaluation mechanisms developed and implemented for all funds, including security sector spending | 29.1 | International Community | RESOLUTE SUPPORT MISSION develops and implements an appropriate strategy for monitoring security sector funding committed to at the Chicago Conference that includes identification, investigation and prosecution of misappropriation | | (30 June 2016) - ISAF has been replaced by the Resolute Support Mission.<br>Oversight and prosecution of major corruption is contained in the new mission's Essential Functions (EFs). EF 2 is dedicated to Transparency Oversight and Accountability (TOA) and EF 3 is dedicated to Rule of Law, which includes investigation and prosecution of corruption cases. No discernible plan exists to conduct an in-depth assessment of oversight capacity in the MOI or MOD. Capacity building training being conducted for OIGs. |
| 30 | Cases of misappropriated funds investigated and reported to the proper authorities | 30.1 | International Community | Donors (USAID, DFID, JAICA,, EU, WB and ADB) regularly review the programs and projects they fund and report illegal activities to the relevant Afghan authorities | | (30 June 2016) - According to USAID, the Office of Inspector General of USAID works with Afghan and US authorities to prosecute cases of fraud and misappropriation. USAID provided an example of a fraud case prosecuted in the US but no one prosecuted in Afghanistan.<br>DFID also claims it has a zero tolerance approach towards any misappropriation of funds. |
| | | 30.2 | International Community | UNHCR forensic audit completed and identified criminal conduct referred to responsible authorities | (15 Dec. 2013) - The forensic audit was completed by the UN's inspector General's Office but the report has not been published in its website so far. | (30 June 2016) - According to the audit team of UNHCR, The forensic audit was completed by the UN's inspector General's Office but the report has not been published, due to the confidentiality of the information. UNHCR has not shared any report with MEC's Secretariat in this regard. |
| | | 30.3 | International Community | Conclusion of internal LOTFA integrity audit and referral of criminal conduct to responsible authorities | (15 Dec. 2013) - The internal investigations have not yet concluded | (30 June 2016) - Investigation completed but report has not been shared with MEC. According to the UNDP Country Director some cases has been referred for criminal prosecution abroad. However, the results of these investigations are unknown. No further details have been shared with MEC. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 31 | Enhanced capacity of civil society and media | 31.1 | International Community | Donors (USAID, DFID, JAICA,, EU, WB and ADB) expand financial and technical support for civil society and media organizations at the local level | (15 Dec. 2013) - There are several programs being funded by a variety of donors. These include strengthening CSOs to implement an anti-corruption public information campaign; strengthening CSOs to advocate for good governance and anti-corruption; the creation of organizations that provide support to civil society to participate in anti-corruption efforts; and funding to increase the participation of CSOs in advancing the rule of law and access to justice. But the reality is that the amount of donor funding being spent on anti-corruption efforts is small relative to the amount of overall aid being provided to Afghanistan and the scope of the corruption problem and its effect on all aspects of life in Afghanistan. | (30 June 2016) - DFID supports a number of Civil Society Organizations such as Harakat, IWA and also some media programs through different aid projects such as TAWANMANDI. According to USAID/Afghanistan plan for transition 2015-2018, USAID continues to support civil society organizations and media. Afghan Civic Engagement Program (ACEP) funded by USAID is a program which aims at: helping Civil Society Organizations (CSO) engaged with government, increasing CSO and media expertise in democracy and governance, expanding civic engagement as well as improving public access to independent news and public affairs information. |
| 32 | Strengthened community monitoring of projects and programs | 32.1 | International Community | Donors' (USAID, DFID, JAICA,, EU, WB and ADB) monitoring and evaluation plans and practices incorporate the engagement of local CSOs and community groups for the monitoring of their projects and programs | | (30 June 2016) - DFID is among the donors supporting the National Solidarity Program (NSP) from its inception which engages local CSOs such as community development councils. Volunteer community groups, community focus groups etc. throughout the cycle of programs are included in the Monitoring & Evaluation. USAID's new Monitoring & Support Project is based on a multi-tiered monitoring approach that works with local CSOs and community groups. However, according to the OIG's Semiannual Report to the Congress (October 2015 - March 2016), USAID/Afghanistan was unable to fully implement this multitier monitoring system which limits its ability to provide effective oversight. |
| 33 | Clear case management procedures developed and implemented | 33.1 | AGO | The Case Management Steering Committee develops procedures for the registration of cases by all detection agencies, departments of the AGO, and the courts. | (15 Dec. 2013) - No procedure has been developed for registration of cases in any of the justice agencies | (30 June 2016) - According AGO, the Case Management Steering Committee has developed a procedure for the Case Management System which is applicable. Also a MOU has been signed with the related institutions. MEC Secretariat has not received a copy of the procedure and the MOU. |
| 34 | Comprehensive case management database accessible by relevant justice sector agencies implemented | 34.1 | AGO | Expansion of access to the AGO case management system to all law detection agencies, departments of the AGO and the courts. | (15 Dec. 2013) - Only the representatives of the eight justice institutions have received access to the CMS, not all departments of detection and investigation agencies. | (30 June 2016) - According to AGO, all provinces including prisons are covered by CMS and cases are entered in the system on a daily basis. However, using the CMS actively and efficiently is subject to different challenges (e.g. lack of electricity, Internet access and trained staff). |
| | | 34.2 | AGO | Database incorporates all criminal investigations, charges, and outcomes with unique identifiers for corruption and land usurpation cases developed | (15 Dec. 2013) - All criminal investigations, charges, and outcomes have not been incorporated into the database, and also, there is no database for land usurpation cases so far. | (30 June 2016) - According to the official report of AGO, 255287 cases have been entered in the CMS as of June 5th 2016 which also include corruption and land usurpation cases, but those cases are not separated from others |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|-----|-----------|-----|-------|----------------|----------|--------|
| 35 | Case management governance structures established and operational to enhance cooperation amongst law enforcement agencies | 35.1 | AGO | Steering Committee comprised of the AGO, courts, MOI, AIBA, MOD, HOO, NDS, and MOJ established with clear terms of reference for identifying case backlogs, the reasons for delays and solutions to those problems. | | (30 June 2016) - According to AGO, the Steering Committee includes all relevant institutions which signed a MOU that includes the duties of all members. A copy of the MOU has not been shared with MEC yet. |
| 36 | Status, causes for delay, and reasons for dropping cases of corruption and land usurpation referred to the AGO assessed | 36.1 | AGO | Steering Committee compiles statistics of cases referred to the AGO, cases resolved by the AGO, and cases prosecuted in the courts with details related to zones, type of offense, length of time for proceedings, and final outcome. | (15 Dec. 2013) - The cases sent by justice institutions to the AGO are entered in the CMS with all details and outcomes. However, there have been a large number of cases referred from the SAO, HOO and MOI to the AGO for investigation that have not been registered. | (30 June 2016) - A summarised report of all cases entered from the beginning till 4 April 2015 was shared with MEC which includes 133923 cases from 34 provinces. Cases are classified by the entering institutions e.g. MOI, AGO, Courts, NDS, HOO, MOJ, MOD, Counter Narcotics including the time line of all cases. According to new report of AGO, 255287 cases have been entered in the CMS as of June 5th 2016. |
| 37 | Effective investigation of cases referred to the AGO | 37.1 | AGO | AGO investigates the cases in a timely manner and provides regular updates to detection agencies on the progress of their investigations. | (15 Dec. 2013) - Cases have not been investigated in the given time, and the detection agencies have been updated on the progress of investigations very rarely. | (30 June 2016) - According to the AGO, the Attorney General has referred all cases to the courts after completion of the investigation process. Also, the detection agencies are officially informed about the progress in the prosecution process. However, some detecting agencies are not updated by AGO on the progress of the referred cases. For instance, SAO referred 8 cases in 1392 and 10 cases in 1393 to AGO and received update only on one case. |
| 38 | Effective prosecution of cases referred from the AGO to the courts | 38.1 | Supreme Court | Courts hear and decide all cases in a timely manner. | (15 Dec. 2013) - Cases are not being heard in the given time, and the relevant agencies are updated on the progress of cases very rarely. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. According to the Research and Study Department, the mentioned department has started working on this and also demanded the necessary information from the provinces. Since the process is time consuming, MEC Secretariat has not received the required information yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 39 | Comprehensive judicial capacity building programs introduced | 39.1 | Supreme Court | Capacity of current judicial staff systematically assessed to indentify training needs | (15 Dec. 2013) - Court drafted a plan which identifies the training needs for prosecutors. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. According to the Research and Study Department, the mentioned department has started working on this and also demanded the necessary information from the provinces. Since the process is time consuming, MEC Secretariat has not received the required information yet. |
| | | 39.2 | Supreme Court | Capacity training developed and implemented with the support of donors based on the assessed need | (15 Dec. 2013) - A lot of training programs have been provided by donors without taking into consideration Supreme Court assessments or needs but some officials seemed to be happy with the programs. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. According to the Research and Study Department, the mentioned department has started working on this and also demanded the necessary information from the provinces. Since the process is time consuming, MEC Secretariat has not received the required information yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 40 | Enforcement of all judicial decisions and orders | 40.1 | Supreme Court | Develop and implement clear procedures for referring and tracking judgments and orders | (15 Dec. 2013) - No clear reporting mechanism exists on enforcement of decisions and orders; only the ICPC identified the process of enforcement through the AGO by the MOI. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| | | 40.2 | Supreme Court | Develop and implement clear procedures for the referral of delinquent orders to the courts for further proceedings | (15 Dec. 2013) - No clear reporting mechanism exists on enforcement of decisions and orders; only the ICPC identified the process of enforcement through the AGO by the MOI. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| | | 40.3 | Supreme Court | Effective recovery of Kabul Bank assets, including more effective mutual legal assistance measures | (15 Dec. 2013) - Assets and loans have not been recovered completely, and no legal mutual assistance measures have been seen so far. | (30 June 2016) - Of the $988 million embezzled money in the Kabul Bank Case, approximately $254 million has been recovered so far, $98 million of interest was waved by a Presidential Order of the former President, $14 million was discounted by the Incentive Procedure of the current Government. Furthermore, installment agreement have been signed with 36 debtors about $ 33 million, based on the Incentive Procedure. Additionally, assets worth approx. $ 47 million, which were frozen in Dubai, were de-frozen due to the decision of the Court of Cassation against Kabulbank Receivership. |
| 41 | Standards and procedures for transferring criminal cases from one province to another clarified and enhanced | 41.1 | Supreme Court | The Supreme Court develops criteria and transparent procedures to apply to the transfer of cases | (15 Dec. 2013) - The Law on the Structure and Authority of the Courts has yet to be reformed, despite a recommendation issued through MEC; impunity remains rampant. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 42 | Court and administrative tribunal proceedings conducted publicly | 42.1 | Supreme Court | Courts publish hearing schedules in advance to notify the public of upcoming hearings | (15 Dec. 2013) - Most of the proceedings are conducted publicly in courts. Some information is published in Mizan Magazine. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| | | 42.2 | Supreme Court | Public access granted in all hearings in accordance with the law | (15 Dec. 2013) - Most of the proceedings and orders are conducted publicly. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| 43 | All judgments of court and administrative tribunals published | 43.1 | Supreme Court | All court judgments easily accessible online and available to the public in hard copy | (15 Dec. 2013) - Some judgments are published in Qaza Magazine, but it is difficult to obtain hard copies. | (30 June 2016) - MEC Secritariat has delineated the Supreme Court related recommendations and sent them to the Supreme Court specifying the required information on each recommendation. The Chief Justice has assigned the "Research and Study Department" to provide the required information on the implementation status of MEC's recommendations. However, MEC Secretariat has not received the required information yet. |
| 44 | Methods for verifying customs data by cross referencing data from bordering countries | 44.1 | MOF/ACD | Afghanistan pursues agreements and systems for the sharing of electronic customs information with neighbouring countries | (15 Dec. 2013) - Data is currently not being shared. | (30 June 2016) - Offices are established in Kabul and Nangrahar with the support of UNODC, in order to share information on drug trafficking. Such offices will also be established in Hairatan and Sher-Khan Bandar. GoIRA has signed an bilateral agreement with Pakistan (APTA) and a trilateral agreement with Tajikistan and Pakistan (APTTICA) in the past. Also, an agreement on custom data sharing has been signed with Tajikistan. Additionally, MOF has signed a MOU with Iran which has been approved by the Council of Ministers. Additionally, in this regard draft MOUs between Afghanistan and UAE and Afghanistan and Uzbekistan as well as Afghanistan and Turkmenistan has been prepared and sent to these countries. |
| | | 44.2 | MOF/ACD | Afghanistan pursues gaining access to customs information from neighbouring countries through informal means | | (30 June 2016) - According to its 5-year strategic plan, which was shared with MEC, the ACD plans to sign MOUs with the neighbouring countries for the purpose of information sharing. Considerable progress has been made in this regard. According to ACD, Afghanistan and Pakistan also exchange customs data informally on ad hoc basis. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 45 | Appropriate technology introduced at borders and checkpoints for inspections | 45.1 | MOF/ACD | All major checkpoints and borders, particularly those in Torkham (Nangarhar), Hairatan (Balkh), Sherkhan Bandar (Kunduz), Aqina (Jozjan), Torghondi (Herat), Islam Qala (Herat), Abu Nasar Farahi (Farah), and Spinboldak (Kandahar), equipped with technology (scanners, barcode, x-ray, etc.) to ensure accuracy of data entered | (15 Dec. 2013) - The ACD has installed the ASYCUDA automated system at 11 customs facilities. MEC has observed that the system is not being properly used where it has been implemented. | (30 June 2016) - The former version of the ACYCUDA++ has been replaced with the new ASYCUDA-WORLD which is being used at most customs locations in the country. According to ACD, currently, ASYCUDA-WORLD is being used in most Afghan customs including Kabul, Nangrahar, Herat, Kandhar, Balkh,  Aqina borders and recently, Nimroz and Khost provinces and Kabul Airport. X-ray scanners exist in all customs but the procurement of barcode systems is planed by the WB through Customs Facilitation and Modernization Project. |
| 46 | Mobile Task Forces set up to check quantities and qualities of goods | 46.1 | MOF/ACD | Border areas and urban centres identified that would benefit from the deployment of mobile task forces | (15 Dec. 2013) - NDS working group requested the President to establish MTFs, but the request was reportedly not accepted by the Office of the President. | (30 June 2016) - According to the Mobile Oversight Department of ACD, considering the security situation, Mobile Oversight Units are established in all high ways and Cities' Access Points including Kabul, Herat, Nangrahar, Kandhar, Khost, Badakhshan, Balkh, Jozjan (Aqina), Kunduz, Nimrooz and Farah. The Mobile Oversight Units are composed of ACD employees only. According to the report of the Mobile Oversight Department, as a result of the identified custom violations, 120 Million Afs has been deposited into government account in fiscal year 1394. Also, a considerable quantity of goods have been confiscated or auctioned. In fiscal year 1395, 77 Million Afs as a result of customs violation have been deposited into the government account so far. |
|  |  | 46.2 | MOF/ACD | Mobile task forces established with appropriate human and financial resources to ensure effective performance | (15 Dec. 2013) - NDS working group requested the President to establish MTFs, but the request was reportedly not accepted by the Office of the President. | (30 June 2016) - The Mobile Oversight Department in Kabul has 25 employees including the director and two managers. The general managers of the Mobile Unites in the provinces have between 2 and 13 employees. These employees remuneration has included the salary, overtime compensation and per diem until 1393. For 1394, they are only receiving salary and overtime compensation. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 47 | Only customs officers granted access to facilities and allowed to take part in the customs proceedings | 47.1 | MOF/ACD | MOF develops a mechanism to conduct surveys and spot-checks to identify unauthorized access to facilities and proceedings and refers illegal activity to the AGO | (15 Dec. 2013) - The ACD signed an MOU with the Afghan Border Police that limits their interference and distributed a letter to all customs departments prohibiting the interference of third parties, but there is still interference being observed from senior figures including governors, security commanders and other influential people. | (30 June 2016) - Although a MOU has been signed between the ACD, MOI and Directorate 82 of NDS but according to ACD, undue interference of the National Police, Powerful People, Governors and Provincial Chief of Police are still a challenge. Two measures that were effective in preventing undue interference in customs affairs are: The development of a Mechanism Module by the customs department which covers all 12 steps of the process of goods importation/exportation and the prevention of the interference of HOO, AGO and NDS in customs affairs. This decision is based on the Resolution No. 3 of the Council of Ministers dated 23.10.2014. The undue interference has decreased due to the above mentioned measures but has not disappeared. A copy of the Mechanism Module and the Resolution No. 3. were shred with MEC. Additionally, ACD has a Section of Prevention of Delinquency. The mentioned section has a 3-year strategic plan (1394 - 1396) and a work procedure; the strategic plan has been shared with MEC. The section assesses the cases though, but has not shared any information on whether any cases has been referred to AGO. |
| | | 47.2 | MOF/ACD | MOF includes the number of the MOEC anti-corruption hotline on customs forms so that illegal interference can be reported | | (30 June 2016) - According to the ACD, since some of the customs forms are printed by the Print House of Securities (مطبعة صکوک) they will include the anti-corruption hotline of MOEC in fiscal year 1395 in these forms. For the time being, ACD will send the hotline number in a separate form to all customs departments and other involved entities of the customs affairs, so the number is available for all customers. Also, the hotline No. of HOO has been submitted to all customs departments and there is a complaints box in all government entities. Additionally, ACD has printed the anti-corruption hotline number of HOO on brochures and banners and put it in front of ACD. The Department of Projects and Customs Development has asked the Revenue Directorate and the Print House of Securities (مطبعة صکوک) to implement this recommendation. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 48 | Measures taken to estimate accurately revenue lost due to custom tax exemptions | 48.1 | MOF/ACD | Capacity of Exemption Unit database enhanced | (10 Feb. 2015) -The database for the Exemption Unit has been created for a probationary period but lacks sufficient capacity. | (30 June 2016) - The Customs Directorate with the support of UNCTAD has launched the new "Exemption Automation System" which is currently in a probationary use. MEC Secretariat has practically observed the new system and obtained two copies of exemption forms. Besides, the Exemption Section has completely established the "Exemption Automation System" in its scope of authority and all received exemption forms are registered in the system. |
| 49 | Mining policies developed and implemented to operationalize Minerals Law, including anti-corruption provisions | 49.1 | MOMP | Bidding procedures outlined in detail | (15 Dec. 2013) - Draft law allows for combined license bidding, but contains no details of the bidding procedures. | (30 June 2016) - The new leadership of MOMP is currently amending the latest version of the Minerals Law, (published in the official Gazette No. 1143, dated 25.05.1393) for further enrichment. Two chapters of the Mining Regulation is devoted to biding. According to the Legal Directorate of MOMP, the Biding Regulating itself has also been drafted and the ministry is currently working to finalize it. |
| | | 49.2 | MOMP | The method for setting royalties and the basis on which they are to be calculated clearly described | (15 Dec. 2013) - Draft law does not mention how and on what basis the royalties will be calculated. | (30 June 2016) - MOMP is currently working on the draft mining financial regulation in accordance with Article 116 of the Mining Law. This regulation will cover royalties, minimum percentage of royalties, timeline for paying the royalty, etc. Additionally, the setting method of royalty is in accordance with international best practice and country needs. For example, the international max. royalty for copper is 12 % and the Ainak Copper royalty was determined 19.5%, according to MOMP. The completion of the mining financial regulation depends on the enactment of the amended Minerals Law. Additionally, according to the MOMP, the ministry has drafted the Mining Financial Policy and submitted it to the Cabinet for approval. A copy of the mentioned policy has been shared with MEC. |
| | | 49.3 | MOMP | Communities are given a role in monitoring mining activities | (15 Dec. 2013) - Communities only consulted after licenses have been issued and are not involved in monitoring activities. | (30 June 2016) - According to MOMP, there are no provisions of local community monitoring role in the relevant legislations. However, the "Mining and Petroleum Resources Management Advisory Council" is established with the participation of representatives from Provincial Councils, CSOs, University lecturers and economic experts. The Council has held its first session and shared the minutes of the session with MEC. Additionally, a "Community Development Agreement" has been drafted to ensure people's participation in mining activities. The completion of this agreement is depending on the amendment of the "Social Policy of the Mining Affairs", which is currently under review. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 50 | Internal capacity development strategy developed and implemented | 50.1 | MOMP | Strategy includes both short and long term capacity building components | (15 Dec. 2013) - Unclear whether concise capacity development strategy exists, but both short and long term capacity building components exist. | (30 June 2016) - A needs assessment has been conducted, based on which a capacity building strategy has been developed. The strategy encompasses mid-term management training programs and long-term scholarship programs to Japan and Australia. Additionally, 64 employees have been enrolled in private universities and on-the-job trainings provided all over the country. Further 24 employees were introduced to the Dunia University's "Graduate Management Training" and 20 female employees have been introduced to Mashal University's Bachelor Program with the support of GIZ in 1394. The participants list was shared with MEC's Secretariat. Additionally, in 1395 MOMP sent 6 employees to India and introduced 10 further employees to Japan to obtain their Master Degrees. Five female employees have been enrolled into Zaawol University in Kabul to obtain their Bachelor Degree. 10 employees will enjoy a short-term Capacity Building in "Oil, Water and Gas Flow Measurement and Control Techniques" and 5 employees in "Data Communication and IP Technologies" from August 1st - September 23ed in India. The related documents have been shared with MEC. |
| | | 50.2 | MOMP | Strategy includes mechanisms for attracting and retaining qualified staff and conforms with the Civil Servants Law. | (15 Dec. 2013) - Attracting and retaining qualified staff is problematic. Unclear whether concise capacity development strategy exists or to what extent it conforms with the Civil Servants Law. | (30 June 2016) - Employees returned after completing their scholarship programs are attracted and reintegrated through the CBRF-Program with the support of the IARCSC. MOMP is planing to extend the expiration date of the CBR-Program from 2017 to 2019. For example, the Director of the Fuel and Gas Survey of North Afghanistan and the mining director of Helmand Province have been hired and 7 key positions have been announced through CBR. |
| 51 | Highly qualified external lawyers used until such time that internal capacity is developed | 51.1 | MOMP | MOMP identifies required specialists and secures their services for as long as necessary | (15 Dec. 2013) - Capacity expanded through external lawyers (paid for in part by the World Bank), but gaps remain. | (30 June 2016) - According to the official response of the MOMP, attracting and retaining qualified staff is a priority of the Ministry. For example some law experts have been hired in the legal affairs department of MOMP with the financial support of USAID. Additionally, Mining Contract Management trainings have been conducted by Adam Smith International's international experts as part of the Extractive Sector Support Program. Qualified trainees are identified and chosen as inspectors for the provincial directorates of the ministry. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 52 | Higher levels of mining revenue reporting to capture a majority of mining revenue and mining companies in Afghanistan | 52.1 | MOMP | Reporting threshold captures majority of mining companies | (15 Dec. 2013) - Threshold yet to be lowered. | (30 June 2016) - According to the 1390 report of AEITI the threshold for reporting purposes is 2.5 million Afs in which the revenue of 16 companies was published. According to the 4th AEITI report of 1391-1392, which has been published on February 4th 2016, the revenue of 11 companies are published, which makes up around 97% of the total mining revenue. |
| 53 | IT systems utilized to sufficiently monitor financial transactions | 53.1 | DAB | FINTRACA acquires and implements with the support of the international community electronic systems that allow for the automatic and instantaneous reporting of suspicious transactions and large cash transfers when initiated by a commercial bank | (15 Dec. 2013) - An international donor has promised to support FINTRACA in acquiring the necessary banking software, but the assistance has not been provided yet. | (30 June 2016) - FINTRACA has raised the issue of using IT systems at the Asia Pacific Group annual meeting and requested international support in this regard. As FINTRACA did not receive the required support, its IT specialists designed a new database, which is currently being used. Large and suspicious cash transactions of commercial banks are registered and a report of the transactions is submitted electronically to FINTRACA. The established system solved the problems to some extent but does not meet all international requirements. For instance large cash transactions of the banks cannot be tracked on a real time bases. |
| 54 | Enhanced cooperation between FINTRACA and other government agencies | 54.1 | DAB | Regular coordination and information sharing meetings held to effectively detect and investigate financial crimes | (15 Dec. 2013) - MOU prepared but waiting to be signed. | (30 June 2016) - FINTRACA recognizes the need for regular coordination meetings, which is also required by Article 33 of the AML Law. However there are no regular coordination meetings, the 11 relevant institutions meet on an ad hoc basis. According to FINTRACA, coordination meetings will be held on a regular basis from now on. |
| 55 | Capacity building programs in fraud detection and suspicious transactions implemented | 55.1 | DAB | International community support a program for the provision of technical assistance and training to FINTRACA, AGO, DAB (FSD), and NDS | (15 Dec. 2013) - Some capacity building programs exist, but not enough to improve detection of fraud and suspicious transactions. | (30 June 2016) - A specified budget for capacity building has been granted to FINTRACA and the Financial Supervision Department (FSD) through Canada and the employees of the two units have received relevant training sessions. Additionally, based on DAB's request, the IMF has provided training to FINTRACA and FSD which was joined by representatives of AGO as well. Furthermore, the embassies of USA and UK in cooperation with the FINTRACA have conducted some seminars on law enforcement which will be continued in the future. Further, a workshop called "Introduction to Standards of Anti-Money Laundering and Combat of Financing Terrorism" has been provided on October 7th 2015 for 250 Money Market Dealers (Sarafan) in Kabul. Also, FINTRACA has recently provided practical trainings to the security companies, custom employees and border police of Herat and Kandhar International Airports. As a result the practical use of the Cash Transfer Form has been launched in these airports. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 56 | AISA's legal status is clarified to ensure transparency and accountability | 56.1 | AISA | Private Investment Law amended to clarify that AISA is exclusively the office of the High Commission on Investment and subject to all laws governing public institutions, particularly with regard to budgeting, reporting, auditing, and hiring procedures | (15 Dec. 2013) - Status remains unclear. | (30 June 2016) - The High Council of Economy has decided on 05.04.2016 to merge AISA with the MOCI and tasked MOCI to prepare an implementation plan for the merger and submit it to the High Council of Economy. However, AISA has not been merged with MOIC in practice yet and continues its work as usual. |
| 57 | The legitimacy of the transfer of responsibility for industrial parks is reviewed | 57.1 | MOCI | MOCI reviews the legitimacy of the transfer of MOCI's responsibility for industrial parks to AISA together with the MOJ and MOF and submits the results to the Council of Ministers | (15 Dec. 2013) - Review yet to be conducted. | (30 June 2016) - The transfer of Industrial Parks to AISA is based on Resolution #1 of the High Commission on Investment dated 03.08.1391 and Resolution #31 of the Council of Ministers dated 08.08.1391. The High Council of Economy has decided on 05.04.2016 to merge AISA with the MOCI and tasked MOCI to prepare an implementation plan for the merger and submit it to the High Commission on Investment. However, AISA has not been merged with MOIC in practice yet and continues its work as usual. |
| 58 | Licenses of active companies are registered with the Central Business Registry and renewed regularly according to legal requirements | 58.1 | MOCI | Licenses of firms reviewed regularly | (15 Dec. 2013) - Review of registered companies yet to be conducted. | (30 June 2016) - The Central Registration Directorate of MOCI has a database of 130,000 licensed companies. According to the MoU signed between MOIC and MOF, an online system will be established which allows the MOCI to verify the tax payment of all companies in real time. This will help in preventing faked and forged tax reports. The mentioned system, which will allow both ministries to generate company statistics, is not active yet. |
| | | 58.2 | MOCI | Licenses of active firms renewed, licenses of inactive firms revoked | | (30 June 2016) - A commission consisting of the representatives of MOCI, MOF, MOJ, MOEc, ACCI and AISA was established on 13th of July 2015, which prepared a proposal regarding companies with outstanding tax liabilities of several years and expired licenses. According to the proposal, companies which have neither paid their tax liabilities nor renewed their licenses between 1381 and 1389, their names should be deleted from the list of licensed companies and their licenses renewed only if they pay their entire tax liabilities. Companies with delay in renewal of license and outstanding liabilities between 1389 and 1392, should pay a fine of 10,000 Afs p.a. and their entire tax liabilities in order to renew their license. Additionally, companies can freeze their license for two years and reactivate it thereafter. The license will be revoked if the company does not reactivate it after two years. This proposal was sent to the Council of Ministers almost a year ago but has not been approved yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 59 | DBI action plan modified to include anti-corruption considerations | 59.1 | MOCI | MOCI reviews DBI action plan to assess whether planned activities result in vulnerabilities to corruption | (15 Dec. 2013) - Draft DBI action plan updated but unclear whether anti-corruption principles were introduced. | (30 June 2016) - The Directorate of Private Sector Support of the MOCI with the assistance of WB hired an advisor to assist in the reform of the DBIs. This reform is covered in the second 100 day plan of MOCI. According to the plan, the DBI indicators of the WB should be reviewed and incorporated into the reform proposal with special consideration of the situation in Afghanistan. Accordingly, a 3-year DBI plan has been developed by the Directorate of Private Sector Support with the support of WB in March 2016. The plan was sent to the Council of Ministers for its approval. As the Council of Minister has shared its comments regarding this plan, the plan was reviewed by MOCI based on these comments and resent to the Council of Ministers but has not been approved yet. A copy of the draft plan has been shared with MEC. |
| | | 59.2 | MOCI | DBI modified and measures developed to maintain friendly business environment without reducing vulnerabilities to corruption | | (30 June 2016) - A 3-year DBI plan has been developed by the Directorate of Private Sector Support with the assistance of WB in March 2016. The plan was sent to the Council of Ministers for its approval. As the Council of Minister has shared its comments regarding this plan, the plan was reviewed by MOCI based on these comments and resent to the Council of Ministers but has not been approved yet. A copy of the draft plan has been shared with MEC. |
| 60 | Blacklist of contractors maintained and shared by key donors and relevant national and international entities | 60.1 | International Community | Key donors (namely USA (USAID), United Kingdom (DIFID), EU, Germany, Japan, India and ISAF) and IFIs (such as the WB, IMF, and other development banks), develop mechanism for listing contractors who have been found to engage in fraudulent or corrupt activity | (15 Dec. 2013) - Contractors have been blacklisted by different entities in the past. | (30 June 2016) - According to USAID, in case their contractors and implementing agencies are involved in fraud or corruption, they will be identified through monitoring and audit and blacklisted. According to DFID, it is legally bound to consider UK and EU laws in this regard. |
| | | 60.2 | International Community | Blacklist updated regularly to ensure accuracy | (15 Dec. 2013) - Unknown whether and how regularly blacklists are updated | (30 June 2016) - According to USAID, in case their contractors and implementing agencies are involved in fraud or corruption, they will be identified through monitoring and audit and blacklisted. According to DFID, it is legally bound to consider UK and EU laws in this regard. MEC Secretariat has visited the websites of key donors and could not find any blacklists. |
| 61 | Blacklist of contractors made publicly available | 61.1 | International Community | Key donors publish blacklists in a prominent spot on their websites | | (30 June 2016) - MEC Secretariat has visited the websites of key donors and could not find any blacklists. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 62 | MoU signed between MoF and international key donors | 62.1 | National Procurement Authority | MoU on blacklisting companies signed among MoF/PPU and international key donors in order to unify and centralize blacklisting system | (10 Feb. 2015) - The Procurement Policy Unit (PPU) within MOF is the only single authority for blacklisting companies, however there are other government and non-government entities that maintain blacklisting databases | (30 June 2016) - According to the Presidential Orders No. 60 and No. 72, the PPU is merged with the General Directorate of National Procurement (NPA) of AOP. According to the General Directorate of National Procurement, the 5-year national procurement strategic-plan includes a MOU with key donors on a unified and central blacklist of companies. According to the General Directorate of Procurement, NPA is generally in favor of a unified and joint black list. However, the studies and initial meetings of NPA with donors indicate that the donor's black lists and the black list of the NPA are all online and publically available but merging these lists is not feasible due to the geographic distention as well as technical and legal obstacles. Also, donors make sure (for there on-budget funded projects) during the procurement process that no bidder is blacklisted by the NPA nor themselves for all projects funded by the donors. MEC Secretariat has visited the NPA's homepage and seen the list of all 58 blacklisted companies. |
| 63 | Entity identified to carry out regular reviews with clear terms of reference | 63.1 | MOEc | MOEC and MOJ develop terms of reference for detailed review of NGOs and social organizations that cross-references their activities with their registered mandate | (15 Dec. 2013) - TORs yet to be developed | (30 June 2016) - According to Article 14.1.2 of the NGO Law, the statute of each NGO should specify their objective and activities. According to MOEc, due to lack of Human Resources at the Ministry, a comparative analysis of the NGOs objectives and activities is currently not possible. However, according to the Directorate of NGOs, each registered NGO is subject to two types of evaluation: 1. Evaluation of the moveable and immovable assets and staff at least once a year 2. Evaluation of the six-months reports which include all ongoing projects. This evaluation determines whether: - The projects are in accordance with the relevant sector and mandate of NGO - The projects are based on the NPPs - The projects are implemented in accordance with the allocated budget. |
| | | 63.2 | MOEc | MOEC and MOJ conduct tendering process to identify appropriate, competent and independent entity to conduct the review | | (30 June 2016) - The Analysis and M&E department is responsible for collecting and analyzing the reports of all NGOs. However, the process to identify appropriate, competent and independent entity to conduct the comparative review has not been conducted. According to the NGO's Department of MOEC the Ministry has not the human resources to conduct the comparative analysis of the NGO's activities and their scope of work. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 64 | Results of the review are published online for each NGO | 64.1 | MOEc | Regular reports published online | (15 Dec. 2013) - Reports yet to be published. | (30 June 2016) - Each active NGO is obliged to prepare their reports every six months. A blank copy of the reporting form has been shared with MEC. The Homepage of the MOEC contains the lists of all NGOs including name, abbreviation, registration number date and location, contact number and e-mail. However, the reports of NGOs have not been published on the website. |
| 65 | A publicly available NGO database is created and regularly updated | 65.1 | MOEc | Database includes information on NGO activities | (19 Mar. 2014) - Database does not include this information. | (30 June 2016) - The list of national and international NGOs on MOEC's homepage as well as the online database of NGOs include the field of activity of NGOs but in the online database the field of activity is not publicly available. The information which is publicly available include: Name, registration number, registration date Contact number and Email. The classified information which is only accessible by the eligible employees of MOEc include: Name of the NGO's CEO, address, work objective in Afghanistan, number of the foreign and national employees, equipment, vehicles and financial reports. |
| | | 65.2 | MOEc | Database includes information on NGO finances | (19 Mar. 2014) - Database does not include this information. | (30 June 2016) - The online database of NGOs include information on NGO's Finances but this information is not visible for public users. The information which is publicly available include: Name, registration number, registration date Contact number and Email. The classified information which is only accessible by the eligible employees of MOEc include: Name of the NGO's CEO, address, work objective in Afghanistan, number of the foreign and national employees, equipment, vehicles and financial reports. |
| 66 | The appointment process of ATRA's board members is revised and reformed | 66.1 | MOCIT / IARCSC | MoCIT in cooperation with IARCSC develops procedures for vetting, short-listing and recommending members of ATRA's Board for appointment by the President based on the principles of competence, merit, equal opportunity and the needs of consumers. | (6 May 2014) - ATRA's board is appointed based on the recommendation of the Minister of Telecommunication and approved by the President, which weakens the independence of ATRA and undermines the principle of equal opportunity for qualified candidates. | (30 June 2016) - The chair of ATRA was proposed by MOCIT and appointed based on Presidential Order #765 dated 14.July 2015 while the deputy and other 3 members are appointed based on PD# 1206 and PD1446 dated 23. Sep. 2015 and 17 Oct. 2015. The mentioned PDs have been shared with MEC. According to the deputy chair of ATRA, all board members were interviewed by the President of Afghanistan. According to MOCIT, Article 5 of the draft amendment of the Telecommunication Regulation Law includes some criteria for the board members in order to ensure transparency and merit based recruitment. These criteria include i.a. : Higher education, minimum 10 years of experience in the related field and not convicted by court. The mentioned draft has been sent to MOJ for further process. A copy of the draft amendment has been shared with MEC. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 67 | Procedure for ATRA's Board converted to a regulation. | 67.1 | MOCIT | ATRA's board regulation clearly governs the meeting frequency, duration, quorum, decision making, and other related issues of ATRA's Board and Minister's Committee. | (6 May 2014) - The Law for Regulating Telecommunication Services generally determines the duties and authorities of ATRA, but it does not specify the authorities and accountabilities of the director, deputy and members, quorum, measures to ensure ATRA's independence. | (30 June 2016) - According to ATRA, since Article 5 of the Law of Regulating Telecommunication Services stipulates the issuance of a procedure for regulating the relevant affairs not a regulation, ATRA has a procedure in place. Besides, the telecommunication sector is constantly subject to changes and therefore, a procedure is more efficient since it can better cope with these changes than a regulation. The authority and responsibility of the board's chair, deputy, members and other departments as well as quorum of the board meetings and Minister's Committee are stipulated in the ATRA's internal Activity Procedure. The mentioned Procedure has been shared with MEC |
| | | 67.2 | MOCIT | ATRA's board regulation governs the use of the Telecommunications Development Fund in a transparent and accountable manner. | (6 May 2014) - The collection and use of Telecommunications Development Fund is not regulated by legislation documents. | (30 June 2016) - In order to assure transparency and proper oversight of the Telecommunications Development Fund, ATRA has developed a procedure which will be approved by the board soon. A copy of the procedure has been shared with MEC. |
| 68 | VCA of the employees appointment process conducted | 68.1 | MOCIT/IARCSC | ATRA with cooperation of the IARCSC conducts a vulnerability to corruption assessment of its employee appointment process and implements measures to address identified vulnerabilities. | (6 May 2014) - ATRA employees are not appointed by the IARCSC and are directly hired by ATRA, despite serving a public function. The salaries of ATRA staff are higher than that of other government staff and illegal interference have made appointments non-transparent. | (30 June 2016) - ATRA asked the IARCSC through an official letter on 15.03.2015 to cooperate in conducting a Vulnerability to Corruption Assessment of ATRA's recruitment process, but since IARCSC refused, the VCA has not been conducted yet. Therefore, ATRA expects MEC to conduct the VCA. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 69 | A distinct procedure for the collection of unpaid electricity bills developed and implemented | 69.1 | DABS | DABS takes affirmative actions to collect unpaid debts by setting strict deadlines and imposing fines in case of violation. | (17 Sep 2014) - DABS has so far been able to recover only 248 Mill out of 2,137 Mill Afs of doubtful receivables. The remaining 1,889 Mill Afs are still pending | (30 June 2016) - According to the information presented by DABS to the Cabinet dated Jun 2014, the unpaid electricity bills of public entities (2.07 billion Afs), private residences (2.64 billion Afs), commercial (1.25 billion Afs), and mosques and holly places (184 million Afs) until end of 1393 total amount to 6.15 Billion Afs. To recover these amounts the Cabinet made the following decisions: MOF was tasked to deduct the electricity budget of all budgetary units and send the fund to DABS's account. The identities of all private persons should be published if they fail to pay their bills within one week and their case should be referred to the justice and judicial authorities. MOI was tasked to identify those "powerful people" who decline to pay their bills or threaten DABS's employees and illegally tap electricity. Their electricity should be cut off and they should be refer to justice and judicial authorities. After the decision of the Cabinet, DABS has sent several official letters to MOF and held meetings with the Directorate of Budget. As a result, DABS has shared with MOF the list of public entities which have not paid their electricity bills for several years and asked MOF to settle the outstanding balances by end of 1394. However, DABS has not shared any information on the recovery progress of unpaid electricity bills during 1395. |
| 70 | Technical and managerial capacity building program established for the Ministry of Public Works to manage and oversee projects, including short-term and long-term expertise | 70.1 | MOPW | Needs assessment conducted to identify gaps in capacity | | (30 June 2016) - According to MOPW, the needs assessment has been completed and some capacity development programs have been provided based on the needs assessment. The list of participant has been shared with MEC. In addition, the Human Resources Strategic Plan is completed and shared with MEC. The plan includes an introduction and five sections in relation to the assessment of vulnerabilities, analysis of strengths and weaknesses, determine vision, mission and values, graphs of organizational chart of the human resource department and strategic plan for the development of human resource. This plan is to be designed and implemented for 4 years (2015-2018). |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 71 | Needs assessment for permanent and mobile quality control testing laboratories completed and laboratories established as needed | 71.1 | MOPW | Assessment carried out in every province to identify location of current and future infrastructure projects and prioritize the need for quality control testing accordingly | (15 Dec. 2013) - Initial needs assessment reportedly conducted by the MOPW, but unclear to what extent and whether all provinces were considered. | (30 June 2016) - Since the MOPW does not have projects in every province at the moment, there is a need to establish laboratories in seven zones (Kabul, Kandahar, Herat, Balkh, Kunduz, Nangarhar and Paktia). According to the Laboratories Department of MOPW, currently laboratory facilities are available in Kabul, Kandahar and Kunduz. Laboratory installation in Kabul, Kunduz, Balkh, Herat, Kandahar, Paktia and Nangarhar zones is part of MOPW organizational structure in 2014 and 2015, but this structure has not been approved yet. According to MOPW, since the proposed organizational structure has not been approved yet, the ministry has not been able to implement the plan. |
| | | 71.2 | MOPW | Mobile laboratories established based on needs assessment | (15 Dec. 2013) - The MOPW has decided to establish material testing laboratories for infrastructure projects in five provinces (Kunduz, Nangarhar, Herat, Kandahar, and Paktia) based on its needs assessment in the near future. | (30 June 2016) - According to the proposed organizational structure for 2015, laboratories are considered for seven zones, however the proposed organizational structure has not been approved yet. According to Laboratories Department of MOPW a mobile laboratory is active in Kabul only. Moreover, according to MOPW, contractors are obliged to provide required laboratory at the work-site where supervisory staff of MOPW use the aforementioned laboratories to assess the quality of the relevant projects. Additionally, according to MOPW, the ministry is currently working on the establishment of national laboratories and a list of the required equipment for the national laboratories has been approved by the University of Ohio. The mentioned list has been shared with MOF for their approval. |
| | | 71.3 | MOPW | Mobile laboratories sufficiently equipped, staffed and resourced to perform duties | (30 Nov. 2013) - According to the deputy minister, the provincial laboratories are equipped and ready to begin operations, but the ministry does not have enough professional staff to operate the labs. They have included additional staff in their tashkil request for 2014. | (30 June 2016) - According to the proposed organizational structure for 2015, laboratories are considered for seven zones, however the proposed organizational structure has not been approved yet. Currently, a mobile laboratory is active in Kabul which has been visited by the secretariat of MEC . Mobile lab lacks professional staff. Therefore, the personnel of Laboratories Department are being used to fulfill the duties. According to MOPW, since the proposed organizational structure has not been approved yet, the ministry has not been able to implement the plan in this regard. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 72 | Tender procedures ensure that construction companies meet minimum standards in their technical capacity | 72.1 | MOPW | Standards of technical capacity for construction companies clearly defined | | (30 June 2016) - According to MOPW's report, prior to bidding process, in compliance with the procurement law and on the basis of estimated cost for each project, the minimum technical standards for construction are set in the bidding documents. The assessment team ensures the technical capacity of construction companies in the course of offer opening.. |
| 73 | Communication policy developed for the regular reporting of activities from work-sites | 73.1 | MOPW | MOPW develops policy identifying MOPW focal point for contractors to report to on a daily basis on their project activities and progress | (15 Dec. 2013) - ARDS (MOEC) established a working group of relevant institutions to develop a daily reporting mechanism. Each institution will provide a draft mechanism to be combined into one unified reporting mechanism. | (30 June 2016) - The Project Management Department is in contact with all contracting companies as a liaison department. The report on work progress is usually prepared monthly, if necessary, there is possibility of reporting on a daily basis too. The MEC Secretariat has visited the Projects Management Department and looked into a number of project reports containing the information on the progress, quality and practical problems in the implementation of projects. According to MOPW on average 3 - 4 engineers are assigned to each project to enter all activities of the project into the journal on a daily basis and report about the progress on a monthly basis. List of 14 projects and a sample reporting form of one of the projects shared with the MEC Secretariat. |
| | | 73.2 | MOPW | MOPW ensures sufficient resources set aside for absorbing daily reports either by email or phone | (15 Dec. 2013) - Comprehensive communication policy and reporting mechanism yet to be developed | (30 June 2016) - MoPW is currently working on the establishment of MIS system which is not completed yet. MEC Secretariat has visited the MIS office. Additionally, MoPW monitoring team is reportedly present on the construction site. The progress report is submitted to the Ministry on a monthly basis. In case of urgent issues, the Ministry is informed on a daily basis. Electronic facilities are available at the Ministry. According to MoPW, all reports are signed by the designated team and sent to the Ministry. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 74 | Comprehensive corruption-reporting mechanism developed and implemented | 74.1 | MOPW | Public awareness campaign conducted including posters at MOPW affiliated offices, radio and television spots, as well as newspaper announcements to introduce corruption-reporting mechanism. | (15 Dec. 2013) - The MOPW is researching best practices with the help of MEC in order to establish the reporting mechanism. | (30 June 2016) - An anti-corruption unit has been established and a complaints box is installed at the ministry. Additionally, the phone number of the secretariat of the Minister has been made available to customers and the website of the Ministry has been opened on Facebook. MEC secretariat has visited the ministry's complaints box. The notice on the box indicates that complaints box is opened every month by Minister. |
| | | 74.2 | MOPW | Reported cases registered and duly investigated | (15 Dec. 2013) - The MOPW is researching best practices with the help of MEC in order to establish the reporting mechanism. | (30 June 2016) - According to MOPW, the ministry has referred the followings cases to Attorney General Office for prosecution in 1394: 1. The case of repairing ring road of Mazar e Sharif; 2. The misuse of high tonnage scales and four month delay in the payment of Torkham scale revenue; 3. 48 vehicles donated by the Ministry of Defense to MOPW have not been repaired; The copies of letters referring the aforementioned cases to Attorney General Office, shared with the MEC secretariat. According to MOPW, 30 cases are currently under AGO investigation. |
| 75 | Community-based monitoring mechanism developed and implemented | 75.1 | MOPW | MOPW develops a strategy to identify key CSOs and community groups to involve in training for monitoring and reporting | (15 Dec. 2013) - MRRD has a mechanism in place that provides training in the monitoring of small-scale projects, which they will expand and offer to staff of all ministries. Unclear whether training is also provided to community-based monitors. | (30 June 2016) - According to MOPW, the ministry is constantly in touch with the Afghan Engineer's Union, Architects' Union and Union of Afghanistan's Construction Companies to exchange information, opinions and standpoints. The list of the joint meeting with Roads Construction Companies dated 01.11.2014 has been shared with MEC. |
| 76 | CoST initiative implemented in Afghanistan | 76.1 | MOEc | International community provides funds for functioning of the CoST secretariat | (15 Dec. 2013) - The CoST-Afghanistan program was officially launched at a press conference on October 23, 2013, but still needs funds for the establishment of the CoST-Afghanistan Secretariat. | (30 June 2016) - ADB, GIZ and DFID have agreed to fund the CoST Secretariat. GIZ agreed to pay 30,000 USD for the scoping study of the project which will be paid to the two consulting companies. ADB and DFID agreed to fund the establishment of the Secretariat under the condition, that the Legal Status of the Secretariat be stipulated through a Presidential Order or Resolution of the Council of Ministers. According to MOEc, the Ministry is currently working on the legal status of the CoST Secretariat in order to draft a proposal and submit it to the Presidential Office and the Council of Ministers. Additionally, the CoST International Secretariat has allocated 80,000 British Pound for establishment and equipment of CoST in Afghanistan. |
| | | 76.2 | MOEc | CoST reports regularly to the people, President, and National Assembly of Afghanistan | | (30 June 2016) - CoST's meetings are held quarterly with the participation of all 13 members representing Government Institutions, Private Sector, the Parliament and Civil Society. The quarterly reports of CoST has been shared with MEC but not published. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 77 | Database of all infrastructure projects created | 77.1 | MOPW | MOPW publishes a database on their website that includes information such as the donor/funder of the project, the general contractor, location, expected completion date, current status, and reasons for any delays | (15 Dec. 2013) - The MOPW has shared a list of road projects missing technical information with MEC, but there is no indication that a comprehensive database has been created. | (30 June 2016) - MOPW is currently working on the establishment of MIS system. Once the establishment process is completed a comprehensive database will be developed. However the Ministry faces financial constrains in this regard. Currently, there is only a list of projects completed in 1394 and ongoing projects available on the MOPW's website. |
| 78 | Anti-corruption module developed and incorporated into curricula | 78.1 | MOE | Grades 1 to 12 include anti-corruption modules that sensitize students about corrupt acts and anti-corruption measures from an Islamic perspective | (15 Dec. 2013) - No anti-corruption module developed in the curricula of schools but a couple of anti-corruption issues have already been incorporated in the subjects. | (30 June 2016) - Anti-corruption issues are partially covered in the curricula such as languages and religious subjects(Grades 1-12). For example, the religious education schoolbook of the 9th grade covers corruption prohibition and legitimate *Halal* earning of livelihood. |
| | | 78.2 | MOHE | First-year university programs include anti-corruption modules that sensitize students about corrupt acts and anti-corruption measures from an Islamic perspective | (15 Dec. 2013) - No anti-corruption module developed in the curricula of universities but a couple of anti-corruption issues have already been incorporated in the subjects. | (30 June 2016) - The MOHE instructed universities to include anti-corruption issues in their curricula. MEC Secretariat has received a copy of the official letters sent to the universities. As a result, the Department of Shariah of the Kabul University was tasked to include anticorruption modules in the Ethics (Islamic Thaqafat). This subject is taught in all faculties. However, the department of Thaqafat answered to the Official Letter of MOHE that, due to the limited lecture time of the subject the implementation of this recommendation is currently not realistic. The mentioned department asked the Ministry to add one more hour to the subject time so they can include anticorruption modules into Thaqafat. |
| | | 78.3 | MOHE | Anti-corruption modules made mandatory for students enrolled in business administration or other business degree programs | | (30 June 2016) - Anti-corruption modules are not part of the business administration students curricula. MOHE has not taken any measures in this regard. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 79 | Appeal and Review Committee provided with additional resources | 79.1 | National Procurement Authority | Additional financial and human resources provided to ensure the effective functioning of the committee | (15 Dec. 2013) - The PPU has appointed five initial committee members and plans to increase the membership to 21 experts through appointments from other institutions. Financial resources are unclear. | (30 June 2016) - In Accordance with Article 50 of the National Procurement Law and based on Presidential Order # 676 dated 1st July 2015, the Review and Appeal Committee has been established which is composed of the representatives of MOCI, ACCI and Monitoring, Evaluation and Audit Department of AOP. The NPA currently provides the secretariat services to this Committee. The Review and Appeal Committee acts in accordance with the Review and Appeal Procedure. The AOP currently provides the secretariat services as well as venue and organization of the meetings. Training sessions and participation compensation for the Committee members are planed to be provided in the future. |
| 80 | Increased independence of Appeal and Review Committee | 80.1 | National Procurement Authority | Terms of appointment provide increased independence for committee members and restrict their removal to situations of gross misconduct based on pre-established objective criteria | (15 Dec. 2013) - Level of interference and counter-measures unclear. | (30 June 2016) - The Review and Appeal Procedure has been finalized and sent to all procuring entities via circular # NPA/C06/1395 dated 30.01.2016. According to Article 12 of the mentioned Procedure, the committee acts and makes decisions impartially and independently. Additionally, based on Articles 20 and 21 of the Review and Appeal Procedure, the Committee makes decisions which are sent to the related institutions by NPA. NPA can comment on the decisions of the Committee. Once the Committee reaffirms its decision after NPA's comments, the decision is final and is sent to the related institution. The Review and Appeal Procedure is publically available on the NPA's website. |
| 81 | Enhanced awareness of the Appeal and Review Committee amongst domestic and foreign bidders | 81.1 | National Procurement Authority | Develop and send circular to all relevant partners including contractors, the CoST secretariat, and MOCI, outlining the committee's terms of reference | (15 Dec. 2013) - There have been no substantive efforts to raise awareness of bidders of the PPU. | (30 June 2016) - The Review and Appeal Procedure has been finalized and sent to all procuring entities via circular # NPA/C06/1395 dated 30.01.2016. The mentioned procedure regulates the authority and responsibility of the Review and Appeal Committee, the method of filing a complaint and application for revision, the process of dealing with complaints and the process of decision making. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 82 | Audited institutions follow SAO recommendations | 82.1 | SAO | Non-compliant institutions penalized | (24 Mar. 2014) - The SAO recommendations are implemented by some institutions, but most of the institutions do not take it seriously and don't apply them. | (30 June 2016) - SAO recommendations are implemented by some institutions, but most of the institutions do not take them seriously. According to Article 21 of the new SAO Law, promulgated in March 2013, the followings are considered a violation of the mentioned Law and the offender will be referred to AGO: 1. Declining to provide documents and other information on due time 2. Delay in responding the official inquiries of SAO on due time 3. Delay in implementing Audit's Outcome and recommendations 4. Declining auditors access to the institutions 5. All other things that could delay or impede SAO's audit activities. According to SAO, in the audit of the fiscal year 1394 two budgetary units (IDLG and Central Statistics Organization) have been referred to AGO. |
| 83 | Institutions are identified, prioritized and audited based on risk factors | 83.1 | SAO | Detailed and in-depth financial and performance audit conducted of the government funds provided to the Afghanistan Red Crescent Society | (24 Mar. 2014) - Audit not planned or conducted yet | (30 June 2016) - According to SAO's official letter, Red Crescent is not willing to allow an audit by SAO since the ARCS's operations are being audited annually by the International Federation of Red Cross and Red Crescent Societies and by the Red Crescent internal audits. According to the ARCS, a special audit by SAO is possible if ordered by the President and agreed upon by International Federation of Red Cross and Red Crescent Societies. |
| 84 | A forensic audit of the Telecommunication Development Fund is conducted | 84.1 | SAO | The Supreme Audit Office should conduct a comprehensive and in-depth forensic review of the collection and use of the Telecommunications Development Fund from its inception to the present, inform MEC of its results, and publish a summary. | | (30 June 2016) - According to SAO, auditing TFD had started in September 2015. However, since not all necessary documents have been put in SAO's disposal, the Supreme Audit office was not able to conduct a comprehensive audit. Therefore, SAO conducted the audit based on the received documents and submitted its report to the Presidential Office in February 2016. SAO made two proposals in this audit report: 1. ATRA shall be referred to AGO for not cooperating with SAO 2. The President shall assign a joint team to assess ATRA's refusal for an audit by SAO. The President has not made any decision yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 85 | Candidates register their campaign funds, assets, and expenditures, including their sources | 85.1 | IEC | Mechanism developed and implemented by the MOF and IEC to enforce the legal requirement on registering information that includes the source of campaign funds and assets | (15 Dec. 2013) - The Election Law obliges the candidates to register their movable and immovable assets upon issuing their request for nomination in the election. To ensure the implementation of this provision, the IEC demanded the candidates register their assets using the asset registration form prepared by the IEC. According to the IEC, all candidates have informed the IEC of their assets but the real verification never happened. According to a new Layeha, each candidate has introduced a financial representative to the IEC and opened a bank account which can be used for his/her campaign expenditures as well as for the rest of financial activities during the campaign. | (30 June 2016) - According to the IEC, a MOU will be signed with MOF and other related institutions on the registration of assets and campaign expenditures of the candidates for the next elections. However, in the past election the campaign funds, assets, and expenditures, including their sources has been registered in a symbolic way. The actual financial expenses of the candidates exceeded the legal threshold manifold. The verification of assets remains a big challenge and never took place. |
| 86 | Registered campaign funds, assets, and expenditures are verified, including the sources | 86.1 | IEC | IEC verifies campaign finances in cooperation with HOO, FINTRACA, AGO, Supreme Court, MOI (Major Crimes Task Force; Anti-Corruption Unit; and Interpol Afghanistan), NDS, Registration Department of Properties (municipalities), MAIL (Department of Properties),  MOFA, MOJ (Department of Government Cases), MOF (Departments of Taxes; Salaries; Public Procurement; and Contracts), and AISA. | (15 Dec. 2013) - The sources of income and assets are not verified yet | (30 June 2016) - According to IEC, verification of the candidates' assets and campaign funds is not the IEC's legal obligation or direct responsibility or, at least there is a loophole. The verification of assets remains a big challenge and never took place. |
| 87 | Effective oversight of political party financing | 87.1 | IEC | Long term oversight and audit program developed and implemented for the registration and verification of income, assets, and expenditures of political parties | (15 Dec. 2013) - The oversight and audit program has not been developed.   The registration was enforced but the verification didn't happen. | (30 June 2016) - Long term oversight and audit program for the registration and verification of income, assets, and expenditures of political parties has not been developed yet. Since there are no provisions in the Election Laws regarding the verification of income, expenses and assets of political parties, the IEC does not see that as its legal obligation or direct responsibility. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 88 | Campaign commitments to anti-corruption are met | 88.1 | MEC | Elected candidates comply with the anti-corruption commitments made in their campaign platforms | | (30 June 2016) - The new administration is trying to enforce its anti-corruption commitments. The reopening of the Kabul Bank case based on PD3 and Resolution of the Council of Ministers dated 19.08.1393 about the implementation of MEC's recommendations, evaluation of the fuel contract of the MOD, arrest of 6 MOUDA employees, reevaluation of AISA's legal status and incorporation of anti-corruption efforts in the 100 day plans of all ministries are some of the examples in this regard. Further, upgrading the High Council of Governance and Justice to High Council of Governance, Justice and Anti-Corruption through PD 168 dated 19.03.2016 can be considered an important step in the fight against corruption. However, releasing the former CEO, main debtor and shareholder of Kabulbank from jail and signing an illegal construction agreement with him in November 2015, raised serious concerns about the commitment of the unity government in fighting corruption. |
| 89 | Structure of the Civil Service Commission reviewed and reformed to ensure transparency, accountability and effective management | 89.1 | IARCSC | IARCSC's mandate assessed to identify appropriateness of public servant appointment management | (15 Dec. 2013) - IARCSC reform plan under review by OAA. | (30 June 2016) - IARCSC recognizes the need for review and reform of its mandate. According to the decision of the Cabinet, the appointment board of IARCSC has only an observing role in the appointment of Civil Servants, including high ranking positions (grades 1 and 2) |
| | | 89.2 | IARCSC | Strategy for reform based on an assessment to enhance transparency by publishing meeting minutes and ensuring appointments are based on merit | (15 Dec. 2013) - IARCSC reform plan under review by OAA; unclear to what extent target met. | (30 June 2016) - According to the decision of the Cabinet, the appointment board of IARCSC has only an observing role in the appointment of Civil Servants, including high ranking positions (grades 1 and 2) |
| 90 | Civil servant misconduct assessed appropriately and available disciplinary measures put to use | 90.1 | IARCSC | IARCSC Complaints Board publishes and disseminates its decisions and reports on investigation results online | | (30 June 2016) - The Complaints Board of IARCSC publishes its working reports on the commission's website. However, the decisions are not included in their reports. According to IARCSC, the complaints board in cooperation with the Directorate of Information and Public Relations is currently working to allocate a plot on the website for publishing the decisions of the Complaints Board. |
| | | 90.2 | IARCSC | All senior management must include implementation of IARCSC/Complaints Board orders in annual performance plans of staff | | (30 June 2016) - According to IARCSC, the complaints board officially communicates their decisions with the relevant institutions and the institutions are obligated to implement the decisions of the Complaint Board in the annual performance plans of their employees. IARCSC is responsible for monitoring the implementation of these decisions. A filled copy of the complaint form of the Board has been shared with MEC. According to some of the ministries, the Complaint Boards decisions are being implemented on due time. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 91 | Salary and benefits for civil servants appropriate and consistent | 91.1 | IARCSC | Strategy developed and implemented to provide employees sufficient salaries and benefits to sustain themselves | (15 Dec. 2013) - The MOF and IARCSC have developed a plan for the equalization of salaries for civil servants that has been approved by the cabinet and the MOF is planning to implement it soon. The ACD submitted a salary increase request for its staff to the President in 2012. It is unclear whether the reformed salaries are sufficient and if they are applied universally. | (30 June 2016) - There is a procedure in place regulating extraordinary benefits of the civil servants, a guideline for CBR salaries and the National Technical Assistance (NTA) Remuneration Policy. However, there is no unified strategy in place. According to IARCSC, drafting such a strategy is not only the responsibility of IARCSC but MOF, MOEc and other relevant institutions have a responsibility in determining the civil servants salaries. |
| | | 91.2 | IARCSC | Strategy ensures similar functions across the government receive similar salaries (taking into consideration level of education, work experience, skill sets, etc.) to reduce the percent of staff paid outside of government structures (i.e. non-tashkil staff) | (15 Dec. 2013) - The MOF and IARCSC have developed a plan for the equalization of salaries for civil servants that has been approved by the cabinet and the MOF is planning to implement it soon. The ACD submitted a salary increase request for its staff to the President in 2012. It is unclear whether the reformed salaries are comparable. | (30 June 2016) - According to IARCSC, civil servants of the same grade and with the same functions receive the same salary and benefit. For example, a civil servant of grade 4 receive the same salary and benefit in all government institutions. Additionally, CBR, NTA and Super Scale salaries are some measures, that can increase the percentage of qualified staff within the government structure (i.e. non-tashkil staff). However, the discrepancy between the governmental and project salaries are remarkable which is a serious challenge. |
| 92 | Suspected and biased officials identified and introduced to relevant authorities | 92.1 | IARCSC | IARCSC identifies and takes legal actions against officials suspected of being biased and taking bribes in the appointment process | (30 Oct. 2013) - There is unjustified influence or interference in the appointment process by some of the ministries and high-ranking officials. | (30 June 2016) - According to IARCSC, identification and taking actions against officials suspected of being biased and taking bribes is the responsibility of NDS and AGO. |
| 93 | Fair Civil Service staff development | 93.1 | IARCSC | IARSC prepares and implements a mechanism to ensure fairness in the provision of scholarships and in-service training programs, especially overseas training opportunities. | (30 Oct. 2013) - The selection of participants for capacity-building programs seems to be based largely on personal relationships. | (30 June 2016) - A commission comprising the MoFA, MOLSAMD, MOEc and MOHE has been established under the chairmanship of the General Director of the Civil Services Institute to fairly distribute the scholarships and trainings based on the needs and contents of the programs to relevant institutions and in accordance with the Regulation on the Scholarships and Studies Abroad. The mentioned Regulation, the minutes of the committee sessions and the list of candidates introduced for bachelor and master degrees in India have been shared with MEC. According to IARCSC, the existence of the joint commission can prevent/reduce illegal interference in the distribution process of scholarships. However, illegal interference in the distribution of scholarships is still prevalent. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 94 | Awareness of new administrative procedures raised among end users | 94.1 | IARCSC | Procedures for most important public services collected and published in book form (e.g. government directory), distributed freely and widely, and regularly updated | (15 Dec. 2013) - A government directory which covers all important public services does not exist in Afghanistan. | (30 June 2016) - A guideline for simplified procedures will be made available to those ministries which have signed simplification agreements with the IARCSC. However, due to lack of budget and printing capacity, IARCSC cannot issue a Government Directory which contains important government services and make it freely available at the moment. Instead, IARCSC plans to publish the simplified procedures on its homepage. |
| 95 | An effective electronic attendance system established and implemented for all civil servants. | 95.1 | IARCSC | All governmental institutions equipped with electronic attendance system | | (30 June 2016) - Electronic attendance system will be implemented for IARCSC employees when the Commission moves to its new building. All other governmental institutions are responsible for launching the electronic system themselves. Some ministries e.g. MOLSAMD, MOJ, National Assembly, MAIL and some other institutions have already implemented the electronic attendance system. |
| 96 | Interference in the work of public bodies and officials explicitly prohibited through legislation | 96.1 | IARCSC | IARCSC and OAA develop legislation defining types of activities that are considered inappropriate interventions in public administrative processes | (15 Dec. 2013) - The OAA has drafted an order for the President that prohibits the illegal interference of all institutions and individuals, but the order was never signed due to the inclusion of articles 1(7), 1(9) and 1(15) in PD 45. However, interference continues to be rampant and is rarely punished. | (30 June 2016) - According to IARCSC this is beyond their authority. However, MEC has prepared the draft Law on Lobbying which could prevent inappropriate interventions in public administrative processes if enacted. The mentioned draft Law has been shared with the Parliamentary Anti-Corruption Caucus for further process. |
| 97 | A policy developed and implemented to mitigate unfair influences. | 97.1 | MOHE | MOHE in coordination with universities, develops and implements a policy to mitigate unfair influences and pressure and prevent illegal access | (30 Sep. 2014) - Using unfair influence is an issue that is mostly practiced by ministry authorities, Members of Parliament, and other government organizations. | (30 June 2016) - According to MOHE, procedures and TORs are being implemented to avoid unfair influence. However, MEC's findings show that illegal interference in the allocation of scholarships and hiring process of the Ministry are still prevalent. Nevertheless, some amendments have been made in the Kankor exam process of 1394 (e.g. Using the cutting system and a barcode for the exam and admission forms, introduction of the Jumbling Exam System, reform of the Kankor Guideline and using a new scoring machine) in order to ensure transparency. |
| 98 | Clear document management procedures developed and implemented | 98.1 | MOHE | MOHE in cooperation with universities (Student Affairs Departments) develops procedure for MOHE and the universities to have access to the document management system | (30 Sep. 2013) - Accessibility to documents and information is difficult and there is no consolidated mechanism available to the applicants. | (30 June 2016) - Accessibility to the document management system is still a challenge. However, MOHE is planning to computerize the archive system which will solve some of the problems. Currently, identities of all newly enrolled students are registered and archived together with their notes in each semester and subject. The graduation and certificate issuance are processed in accordance with the above mentioned information. However, the registration and documentation of the documents are not completely computerised yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 99 | Comprehensive document management database accessible by relevant authorities | 99.1 | MOHE | MOHE in cooperation with universities create a new computerized system in archive and implement it. | (30 Sep. 2013) - In general there are two threats facing documents: first is the possibility of catching fire, and second – which is most threatening - is the destruction or deterioration because of moisture. | (30 June 2016) - According to the IT Department of MoHE, a plan for computerizing the archive has been drafted and sent to the Minister for her approval. MOHE did not share a copy of the draft plan with MEC. Nonetheless, the IT department usually receives the official letters electronically from universities and higher education institutions in the provinces and archive the hard- and soft copies. |
| 100 | Monitor implementation of the legal framework. | 100.1 | MOHE | The Ministry of Higher Education in consultation with the universities seriously monitors the implementation of the legal framework and universities take measures to identify those who violate the legal provisions and make sure they are appropriately punished. | (30 Sep. 2013) - The lack of monitoring process by the designated authorities allows teachers to think that the legal documents need not be implemented. | (30 June 2016) - According to MOHE, monitoring the compliance with laws, regulations and Laihas is conducted by the internal audit department, Directorate of Quality Assurance and Directorate of Academic Coordination Affairs. According to the report of the audit department, 12 violation of the legal documents and procurement procedures have been referred to the relevant authorities in 1394 for further investigation. The cases include illegal activities of private universities and higher education institutions as well as violation of the procurement rules and regulations. The list of the referred cases has been shared with MEC. |
| 101 | Mandatory computer training for teachers provided. | 101.1 | MOHE | Universities provide computer training for the teachers to digitalize the relevant information in order to improve the filing and information management system | (30 Sep. 2013) - One of the major deficiencies of the current document and information management system is teachers' frustration with the need to use computer technology. | (30 June 2016) - According to MOHE, computer and English language training sessions have been provided in a lot of universities. However, participating in these trainings are voluntary but recommended to all lecturers. |
| 102 | Suspects referred to the proper authorities. | 102.1 | MOHE | MOHE refers substantiated allegations to investigative entities. | | (30 June 2016) - According to the gender department of MOHE, one complaints with criminal implication has been referred to them recently from Ghor province involving physical violence to a female student by a lecturer. The case is currently under review of the Department. One other case of discrimination has been dealt with, in which a male applicant of comparatively minor qualification was preferred for a teacher's job at Al Berooni university. After the intervention of the gender department, the job was given to the eligible female applicant. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 103 | The process of implementing legal documents actively monitored by using different information sources. | 103.1 | MOHE | Universities and higher education institutes should, in coordination with MOHE, design a mechanism in a fixed time and incorporate the comments of students and teachers' associations. | | (30 June 2016) - According to MOHE, monitoring the compliance with laws, regulations and Laihas is conducted by the internal audit department, Directorate of Quality Assurance and Directorate of Academic Coordination Affairs. According to the report of the audit department, 12 violation of the legal documents and procurement procedures have been referred to the relevant authorities in 1394 for further investigation. The cases include illegal activities of private universities and higher education institutions as well as violation of the procurement rules and regulations. The list of the referred cases has been shared with MEC. |
| 104 | A complaints committee comprised of trustworthy people established. | 104.1 | MOHE | The universities set up complaints committees comprised of trustworthy people including one representative of students. | (30 Sep. 2013) - The Students' Complaints Committee has not always been impartial and favours the teachers which gives rise to the disappointment of students and impedes justice. | (30 June 2016) - There is no permanent complaints committee with students membership in place. However, there is the Order and Discipline Committee which deals with the complaints of students, teachers and admin staff. |
| 105 | The process of land distribution simplified and changed to a one stop shop | 105.1 | MORR | MORR simplifies the land distribution process, changes the system to a one stop shop, and develops mechanism to prevent high officials' interference in the process. | (30 Oct. 2013) - The working procedure of the land distribution process is long, bureaucratic and complicated and contains 63 steps resulting in confusion of the applicants of the land distribution process. | (30 June 2016) - The land distribution process has been simplified by the HOO. The legal committee of the Ministry has incorporated all relevant documents in its recently developed land distribution procedure which has been shared with MEC. MORR has recently establishment a One-Stop Shop at the ministry which in addition to land distribution provides all other services to applicants. Additionally, according to MORR, One-Stop Shops are established in 9 major provinces, including Herat, Nimrooz, Farah, Helmand, Maidan Wardak, Paktika, Nangrahar Kandahar and Parwan. MEC Secretariat has visited the One-Stop Shop at the MORR and the One-Stop Shop of the provincial directorate of Kabul. |
| 106 | Limit access of employees to database | 106.1 | MORR | MORR limits the access of employees to the database | (30 Oct. 2013) - Document and information management system is maintained in an old and classic way and there are no mechanisms or guidelines for accessing the documents. | (30 June 2016) - Currently MORR has a database in Kabul and 4 other provinces (Herat, Nimrooz, Kandahar and Nangrahar) which are not connected. According to MORR, the central database of MORR is planned to be completed with the support of IOM and connected to 12 provinces by end of 1395. Employees of the IT and Research departments have received trainings in data entry. A progress report of the MORR database has been shared with MEC. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 107 | MoLSAMD coordinates with SAO to identify fake retirement cards | 107.1 | MOLSAMD | MoLSAMD, in coordination with SAO, examines current retirement cards to identify ghost pensioners and take legal action against illegal beneficiaries. | (10 Dec. 2014) - There are thousands of fake retirement cards, from which brokers and staff are illegally receiving pension payments. | (30 June 2016) - According to MOLSAMD's report, circulars have been sent to the provincial directorates of the Ministry to evaluate the M40 Forms of pensioners, disabled and martyrs in order to identify ghost pensioners or those who receive more retirement pay than they are legally eligible. Additionally, delegations have been sent to the provinces to oversee the process. The evaluation has been completed in and the M 40 Forms have been reformed 32 Provinces (except Laghman and Takhar). According to MOLSAMD, approximately 155 million Afs have been saved in 15 provinces as a result of the following reform measures: evaluation and reform of the M 40 Forms, prevention of illegal interference of the "Brokers" (Kameshankaran), simplification of the application process, registration of pensioners in the new computer system, processing and payment through the banking system, verification of the pensioner's documents through involved institutions, payment of the pensioner's benefits only to the retiree or eligible inherits and the establishment of the Documents Evaluation Commission for the payment of the pension as a lump sum. Also, the General Directorate of Pension has started listing the pensioners of all government institutions and cross-checking the lists with the relevant institutions to confirm the accuracy of data. Additionally, MOLSAMD plans to establish the biometric system for the Pension Department and signed a contract with a Jordanian Company. The practical implementation of the biometric system will start soon. |
| 108 | The database in Pension Department completed and implemented | 108.1 | MOI | MOI establishes a functional computerized database in the Pension Department for entering and processing all police retirement issues | (30 May 2014) - A computerized database exists at the MOI but it is not used. The MOI Pension Department is not connected to MOLSAMD. It sends the retiree list in hand written form to MOLSAMD. | (30 June 2016) - All information related to the retirees of the National Police are entered into the new database and the documents of the National Police are processed through the new system. A computerised database already exists in the MOI. The data of all retired, disabled and martyrs of police officers are included in the database. This data includes names, father's names, rank, position, age ,begin of duty, year of retirement and period of service. However, the database is not connected online with the GDPT and other relevant institutions. |
| 109 | New criteria for disability determinations need to be developed and made publicly available. | 109.1 | MOLSAMD | The new criteria for disability determination should be detailed, comprehensive, and made publicly available to all applicants. Detailed disability examination forms should be mandatory and require signature of both the examiner and examinee. | (30 May 2015) - Current degree of disability determinations are based on vague criteria that aren't publicly available | (30 June 2016) - MOLSAMD has established a commission to develop new criteria for disability determination. The commission is currently drafting a regulation for the determination of the degree of disability and had 3 working sessions so far. Based on the MoLSAMD's report, the mentioned regulation is included in the 3rd 100-day plan of the Ministry but not finalized yet. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 110 | One stop shop established at MOLSAMD provincial offices. | 110.1 | MOLSAMD | All application requirements, including security incident verifications and disability determinations made/arranged at a single source. On stop shops have biometric capacity. All information including security verifications, disability determinations, biometrics, etc., are entered into a database, which MUST be linked to the national database in Kabul. | (30 May 2015) - Current process consists of unnecessarily duplicative steps, which requires signatures from numerous entities that are not co-located. No biometric capacity currently exists in MOLSAMD provincial departments. Databases exist at the provincial level but they are not linked in any meaningful way with the national database. | (30 June 2016) - MOLSAMD has officially requested the World Bank to provide support in the establishment of a biometric system and a database in Kabul and MOLSAMD's directorates in the provinces. According to the agreement between MOLSAMD and WB, the biometric system and the central database will be launched soon. MOLSAMD has signed a contract with a Jordanian Company. The practical implementation of the biometric system will start soon. According to MOLSAMD, the building of the Directorate of Martyrs and Disabled is currently under repair and a One Stop Shop is planed to be established in this building. |
| 111 | Law on the Basic Structure of the State approved and enforced | 111.1 | IARCSC/AOP | National Assembly approves the Law on the Basic Structure of the State, President endorses it and MOJ promulgates it. | | (30 June 2016) - The Draft Law on the Basic Structure of the State was reviewed by MOJ and submitted to AOP. Meanwhile, General Directorate of Legal, Justice and Judicial Affairs of the AOP had reviewed the law and submitted to President of Afghanistan. According to the General Directorate of Legal, Justice and Judicial Affairs of AOP, further process of Law on the Basic Structures of State, depends on amendment of the Constitution. According to the political agreement, the constitution is subject to amendments within completion of the 2 years of the National Unity Government. |
| 112 | Self assessment conducted to identify causes of employees' dissatisfaction. | 112.1 | IARCSC | IARCSC launchs a self assessment to identify causes of employees' dissatisfaction and bring positive changes in the workplace | (30 Oct. 2013) - Many employees are not happy with their working environment because they believe that their views are not respected by managers and that super-scale salaries are not merit-based | (30 June 2016) - IARCSC has conducted a self assessment program with regards to the job satisfaction of this commission's employees in August 2014 which includes: salary and other benefits persuasion, satisfaction of the job, welfare and job security, mutual respect, job awareness, education pursuing possibility, satisfaction of the behavior of line managers, commitment to the job and impunity from violence, discrimination and unnecessary limitations. A copy of the mentioned Self Assessment has been shared with MEC. According to IARCSC, CSC will take the necessary steps forward for creating a better working environment |
| 113 | Separate pharmaceutical procurement procedures based on required criteria developed and implemented for procurement of quality pharmaceuticals | 113.1 | MOPH | Establishment of separate pharmaceutical procurement procedures that have better delineated criteria for selection and promote quality. | (22. Sep. 2014) - The Procurement law is too broad in relation to the procurement of pharmaceuticals. This paves the way for bribery and abuse of power by prosecutors and auditors in the procurement process. The MOPH is currently working on a new procedure. | (30 June 2016) - A Guideline for Procurement of Basic Pharmaceuticals and a Guideline for Distribution of Basic Pharmaceuticals have been developed, finalized and published in cooperation with relevant stakeholders (different Departments of the Ministry, Pharmaceutical Faculty of the Kabul University as well as NGOs e.g. CAF, AKHS, ADDA, HEFD and Save the Children). A copy of the above mentioned guidelines have been shared with MEC. Additionally, 2 training sessions on the guidelines have been provided to more than 200 employees of the Ministry as well as different NGOs and Public Health Institutions. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 114 | The Pharmaceutical Law is reformed and enforced to address conflict of interests in pharmaceutical business | 114.1 | MOPH | Pharmaceutical Law reformed to adequately regulate the increased volume and diversity of pharmaceuticals entering the country and prohibit government staff from having business interests in pharmaceutical companies. | (22. Sep. 2014) - The MOPH is working on amending the law. | (30 June 2016) - The amendment of the Pharmaceutical Law was finalized by MOPH and sent to the MOJ for further process. Article 4 deals with the establishment of a National Board for Pharmaceuticals and Food. In Paragraphs 9 & 10 of this Article the issues of conflict of interests of the board member is addressed. Additionally, the Good Governance for Medicine Program has been launched with the cooperation of WHO in 2012 which covers the issue of conflict of interest on an individual and institutional level as well as the prevention of conflict of interest. A Copy of the mentioned program has been shared with MEC. |
| 115 | Reform the organizational structure of the involved Pharmaceutical Affairs Directorates to ensure that human resources are allocated to provide better pharmaceutical services and monitor the process of pharmaceutical importation | 115.1 | MOPH | The organizational structure of the Pharmaceutical Affairs Directorate reviewed and reformed to ensure that human resources are allocated to improve surveillance/oversight capacity | (22. Sep. 2014) - The organizational structure is not conducive to addressing the challenges and scope of pharmaceutical import issues, resulting in poor performance/oversight. The Ministry is unable to control the volume/quality of imports or formulate and implement plans/strategies conducive to improving quality control. | (30 June 2016) - Based on WHO guidelines, MOPH has prepared and finalized a reform proposal regarding the separation of regulatory and pharmaceutical services. The proposal has been sent to the Presidential Office and was approved by the president. According to the mentioned proposal, fundamental changes are planned in the organisational structure of pharmaceutical affairs. Based on this proposal the GDPA will be replaced with the "National Medicine and Health Products Regulatory Authority" and the "General Directorate of Pharmaceutical Services" will be established as a new Directorate within MOPH. A copy of the mentioned proposal has been shared with MEC. |
| 116 | The roles and responsibilities of pharmaceutical related entities/ directorates are better clarified and overlap between departments is prevented | 116.1 | MOPH | Roles and responsibilities of the entities/departments involved in pharmaceutical affairs are clearly defined through TORs and their activities reviewed and reformed. | (22. Sep. 2014) - Overlaps between the responsibilities of involved entities/departments and poor inter-departmental coordination paves the way for unnecessary delays, lack of responsiveness and abuse of power by officials. | (30 June 2016) - Based on WHO guidelines, MOPH has prepared and finalized a reform proposal regarding the separation of regulatory and pharmaceutical services. The proposal has been sent to the Presidential Office and was approved by the president. According to the mentioned proposal, fundamental changes are planned in the organisational structure of pharmaceutical affairs. Based on this proposal the GDPA will be replaced with the "National Medicine and Health Products Regulatory Authority" and the "General Directorate of Pharmaceutical Services" will be established as a new Directorate within MOPH. A copy of the mentioned proposal has been shared with MEC. A joint committee at the MOPH is currently working on the establishment and organisational structure of the National Medicine and Health Products Regulatory Authority. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|-----|-----------|-----|-------|----------------|----------|--------|
|  |  | 116.2 | MOPH | Formal coordination mechanism among departments established and implemented to provide better services and effective monitoring. |  | (30 June 2016) - Until now, the National Board for Food and Pharmaceuticals was responsible for coordination, monitoring and exchange of information in the pharmaceutical sector. After the establishment of the National Medicine and Health Products Regulatory Authority, as approved by the president, all pharmaceutical affairs will be managed and coordinated by this authority. |
| 117 | The number of qualified staff with pharmaceutical backgrounds in the process of importation, pharmaceutical services and monitoring increased. | 117.1 | MOPH | Salary and benefits of pharmacists determined based on their professional level and opportunities for promotion provided. | (22. Sep. 2014) - Lack of qualified staff, lack of transparency in the recruitment process, low salaries as well as the fact that pharmacists are not accepted as cadres result in low productivity as well as the intervention and manipulation in the recruitment process and the use of bribes and illicit payments through pharmaceutical importing companies. | (30 June 2016) - After the establishment of the "National Medicine and Health Products Regulatory Authority" and the "General Directorate of Pharmaceutical Services", as approved by the president, measures will be taken to support key positions through CBR. Additionally, based on the new Draft Pharmaceutical Law, a risk premium will be provided for pharmacists, according to GDPA. |
|  |  | 117.2 | MOPH | Transparent and merit-based recruitment mechanism established and implemented. |  | (30 June 2016) - According to GDPA, the recruitment process is merit based and the MOPH in cooperation with the Civil Service Commission is responsible for the process. |
|  |  | 117.3 | MOPH | The Food and Drugs Quality Control (FDQC) Department equipped with required technical resources. | (22 Sep. 2014) - The FDQC Department, the Department is partially equipped with the necessary technical resources but is struggling with shortages of the required materials for dissecting and analysis of food and drugs. These shortages are planned to be addressed in cooperation with the World Bank Health Project and financial resources of the Ministry. | (30 June 2016) - The FDQC Department has conducted a needs assessment of its technical resources and shared their findings and a list of the needed equipment with the WHO to address the identified gaps for their support. The mentioned list has been seen by MEC Secretariat which includes 114 different kind of equipment, 130 reagent and 80 glass items for the lab. According to the FDQC, the equipment of the lab is currently on hold until the approval of the business plan. Additionally, GDPA has included the issue of strengthening the quality and quantity of the FDQC in a proposal submitted to the System Enhancement for Health Actions (SEHAT) program supported by the World Bank. The Proposal has been approved and establishment of a new building and its equipment with new testing machinery is currently ongoing and will be completed soon. The mentioned proposal has been shared with MEC. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 118 | The registration and licensing of pharmaceutical importation companies reformed | 118.1 | MOPH | License issuance/renewal based on annual monitoring and evaluation of importing companies. | | (30 June 2016) - Renewal of license for importing companies is regulated in Article 15 (7) of the draft Pharmaceuticals Law which has been sent to MOJ for further process. According to Article 15 (9) of the Draft Law, the National Pharmaceutical Regulating Authority is authorised to suspend or terminate a license based on public interest, provision of this Law or relevant regulations.<br>According to GDPA renewal of company licenses is enshrined in a separate chapter called "License Registration" in the new Draft Pharmaceutical Law. The implementation of this will depend on the enactment of the mentioned law. MOPH has not shared the Draft Law with MEC.<br>According to the 6-months report of MOPH published on Oct.19th 2015, of the 1000 pharmaceutical importation companies that has been evaluated, only 200 of them have been considered credible.<br>Additionally, according to GDPA, more than 100 inactive companies have been identified, their licenses have been suspended and their list has been shared with MOPH. A copy of the mentioned list has been shared with MEC as well. |
| | | 118.2 | MOPH | Specific mechanism to prevent companies interference in licensing process developed and implemented. | | (30 June 2016) - According to Article 15 (5) of the Draft Pharmaceutical Law, license for importing or producing of pharmaceuticals is issued by the National Pharmaceutical Regulating Authority after the approval of the relevant technical committee.<br>Technical committees are established in accordance with Article 4 (3) of the draft Law by the National Board for Pharmaceuticals and Food which are assigned with specific tasks.<br>According to MOPH, the decision on providing a license will be taken by an appointed committee, which also includes non-MOPH members after a comprehensive evaluation of the company's documents. This mechanism can prevent undue interference to some extend. TOR and Administrative Guideline of the committee have been shared with MEC. Additionally, the establishment of the National Pharmaceutical Regulating Authority, which is currently under process, can prevent interference in the licensing process. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 119 | A specific sampling procedure and quality testing of pharmaceuticals developed | 119.1 | MOPH | A specific mandatory sampling procedure for pharmaceuticals established | (22. Sep. 2014) - Unprofessional sampling creates opportunity for manipulation. | (30 June 2016) - MOPH developed and approved the National Policy for Quality Assurance of Pharmaceutical Affairs in 2015, which is available on the GDPA homepage. Additionally, a primary draft of the Sampling Guideline for Pharmaceuticals (Rahnamood) has been developed and is currently under review of the Technical Joint Committee. Further, the sampling TOR (Laiha) of pharmaceuticals will be developed in the future. |
| 120 | Standard monitoring mechanism for the process of pharmaceutical quality control developed | 120.1 | MOPH | Standard monitoring mechanism in the process of pharmaceutical testing established within the quality control laboratory | (22. Sep. 2014) - The lack of transparent evaluation criteria of laboratory procedures and oversight and the lack of required equipment in the quality control laboratory slow down the sampling process and creates opportunities for manipulation. | (30 June 2016) - The National Board of Pharmaceuticals and Food is responsible for regulating, coordinating and monitoring all activities relating to drugs and food. Based on the System Enhancement for Health Actions (SEHAT) Program proposal, which is supported by the World Bank, one of the med-term objectives is to obtain the International Standardization Organisation (ISO) certificate and assure external monitoring mechanism of the quality control process. A copy of the mentioned proposal has been shared with MEC. |
| 121 | Pharmaceutical pricing mechanism developed for importing companies | 121.1 | MOPH | Establishment of a mechanism for price verification in invoices developed | (22. Sep. 2014) - No mechanism exists to monitor and verify pricing structures based on pro formas or purchasing bills. | (30 June 2016) - The GDPA has recently developed a pricing procedure which was shared with MEC. Additionally, the GDPA has discussed the possibility of developing a comprehensive pricing policy with WHO. According to GDPA, WHO has declared its willingness for cooperation. |
| | | 121.2 | MOPH | A plan for the implementation of legal provisions in regard to printing prices on pharmaceutical packaging by producing companies developed | (22. Sep. 2014) - The manipulation of purchase prices is easy due to the existence of different market prices. | (30 June 2016) - According to the new Pharmaceuticals Registration Guideline, all existing and newly imported medicine must have a registration number. According to the GDPA, the development of a Pricing Guideline in corporation with WHO is planned. The Price Determination Office allows, in accordance with the applicable laws and regulations, a profit margin of 18.5% based on the Pro Forma Invoices taking into account the custom fees, administrative expanses and transportation costs. The importing company is obligated to sell the pharmaceuticals in accordance with the price list of the GDPA. Since this process has been applicable for a long time, it does not address the current requirements and there is no standardized policy in place. According to GDPA, labeling prices on the pharmaceutical packages is not realistic since 95% of the pharmaceuticals are imported. Different ways/solutions should be considered. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 122 | Enhance transparency in MOFA's hiring processes and take appropriate measures to ensure that all MOFA employees meet certain clearly defined standards. | 122.1 | MOFA | The MoFA amends the Law on Diplomatic and Consular Staff to require all MOFA senior officials, including ambassadors and consuls, to possess at least a Master's Degree in a relevant subject area, including, but not limited to, international affairs or political science. | (30 May 2015) - Illegal hiring practices, such as nepotism, are ubiquitous at MOFA, and successful applicants occasionally possess only a high-school degree. | (30 June 2016) - MOFA has established a committee chaired by Deputy Minister for Admin and Finance with the participation of the Treaties and Legal Department, Institute of Diplomacy and HR Department, to review the Law on Diplomatic and Consular Staff and the Recruitment Procedure of Diplomatic and Consular Staff. The committee has drafted the amendments of the Law on Diplomatic and Consular Staff and sent it to the MOJ for further process. A copy of the draft amendments have been shared with MEC. Objective criteria and procedure for the recruitment in the embassies and general consulates of Afghanistan are incorporated in the new draft. |
| | | 122.2 | MOFA | MOFA institutes a policy specifically prohibiting nepotistic hiring practices. | (30 May 2015) - No such policy exists, and nepotism is still practiced at MOFA. | (30 June 2016) - A specific Policy on prohibiting nepotistic hiring practices is not in place. According to MOFA, to ensure transparency in the recruitment process, annual exam is conducted for new appointments in two stages (oral & written) based on cutting system. However, illegal interference in the appointment process is persisting. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 123 | National Teaching Skills Examination process reformed | 123.1 | MOE | MOE defines clear and transparent need assessment criteria for teachers positions to ensure that recruitment is conducted based on needs and avoid nepotism. | (30 June 2015) - There is a lack of clearly defined need assessment criteria for the new teachers positions. | (30 June 2016) - According to MOE, teachers are recruited based on the current needs. There is a procedure in place which has been reviewed and updated in 2003, called the Procedure for Establishing and Promoting a School and Educational Normative.  According to this procedures, the following criteria are applicable:<br>Classes (1 - 3) one teacher,<br>Classes (4 - 6) 1.4 teachers,<br>Classes (7 - 12) 5.1 teachers.<br>Criteria for the maximum number of students in one classroom are as follows:<br>Classes (1 - 6) max. 40 students<br>Classes (7 - 9) max. 35 students<br>Classes (10 - 12) max. 30 Students.<br>Additionally, MOE conducts the annual National Teachers Recruitment Examination. According to MOE, this year, the "cutting system" has been introduced and implemented in order to enhance transparency. |
| | | 123.2 | MOE | The Teachers Recruitment Commission is granted an efficient and clearly defined role in the assessment phase. | (30 June 2015) - The teacher recruitment commission has a symbolic role in the process. And ignoring their role in scoring and practical employment. | (30 June 2016) - A Proposal on the mandate of the Teachers Recruitment Commission has been developed and approved. Based on the proposal, the commission is responsible for conducting the National Teaching Skills Examination on provincial level with the participation of two monitors from Kabul (1 member of the monitoring directorate and 1 member of the teachers training directorate). The results of the test should be analyzed and scored by the commission and the list of scores published in the provincial Directorate of the MOE. List of the successful candidates are being sent to Kabul for the recruitment process. |
| | | 123.3 | MOE | The Teacher's Complaint Commission is separated from the recruitment board and its members are not to be part of the teachers recruitment board. | (30 June 2015) - The provincial Education Director is heading both recruitment and complaints commissions. And all those who have complaints, first should convince the director to refer their complaints to the complaint board. | (30 June 2016) - According to the HR Department (Recruitment Unit) of MOE, there is no Complaints Commission in the MOE, all complaints regarding the recruitment of teachers and other employees are dealt with by the Complaints Commission of IARCSC. However, MOE 's HR Department has a complaint manager and the Minister's Office has a complaints unit<br>However, the Teachers Recruitment Procedure (Laiha) stipulates in Chapter 9, titled "Complaints Commission":<br>"In case an applicant does not agree with the result of the exam, he can officially file a complaint to the Deputy Minister of Admin in Kabul or the Director of Education in Provinces."<br>Article 29 of this Laiha regulates the composition of the complaints commission in Kabul and other provinces. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| | | 123.4 | MOE | MOE publishes exam results on its website and newspapers. | (30 June 2015) -The list is not shared publicly, which effectively allows officials to tell people they have failed, when in fact they might have passed, in order to solicit bribes | (30 June 2016) - MOE does not publish exam results on its website or newspapers. However, according to the HR department of MOE, exam results are announced on the pin boards of the provincial directorates of MOE. |
| 124 | Eligible and qualified teachers hired | 124.1 | MOE | Rigorous recruitment criteria established for contracted teachers. | (30 June 2015) - Teachers are hired through different process by undue influence on ministry's management by parliament and influential personalities for example special appointments, contractors etc. | (30 June 2016) - According to the HR Department (Recruitment Unit) of MOE, as of now, contracted teachers will be hired based on needs, through the National Teachers Recruitment Exam.  Additionally, based on the proposal of the HR department which was approved by the ministry, extraordinary appointments beyond the National Teachers Recruitment Exam are stopped. |
| 125 | Ghost positions are identified and taken off the payroll | 125.1 | MOE | MOE in corporation with IARCSC establishes a committee to identify all ghost positions and take them off the payroll. | (30 June 2015) - Teachers failing to show up to work or existing in name only, has been a problem in Afghanistan for years, these teachers are mainly existed in insecure areas and waste government financial resources. | (30 June 2016) - According to MOE, an envoy under the chairmanship of Deputy Director of Admin had been appointed to identify ghost positions. The envoy has prepared a report and submitted it to the Presidential Office. However, no further details have been shared with MEC. |
| 126 | IT infrastructure provided for the examination and appointment process of teachers | 126.1 | MOE | MOE computerizes the examination process with specific ID-Number that minimizes score alteration and other types of frauds. | (30 June 2015) - Exam results are compiled on a list that is sent, along with the original exams, to Provincial Education Directorates. This was cited as one of the most significant corruption vulnerabilities as the lists are easily manipulated and no effort is made to verify the lists with the original exams. | (30 June 2016) - The National Teaching Skills Examination process has not been computerized yet. However, according to the HR department of MOE, a database of MOE employees and teachers has been established with the support of the WB. The Database is completed  in Kabul and 15 Provinces and other provinces will follow. 5 provinces are linked to Kabul. The database include the following information: Full identity of teachers and admin employees, education level, photo, fingerprint, work place, recruitment code and score in the National Teaching Skills Examination. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 127 | Anti-corruption measures included in the 100-Day Plans | 127.1 | All GOs | A specific section addressing anti-corruption initiatives exists in all future 100-Day Plans | (15 Aug. 2015)  Only six ministries explicitly included anti-corruption sections in their 100-Day Plans | (30 June 2016) - The following ministries have specific AC operational plans in their 2nd and 3rd 100-day plans:  MoMP, MoCI, MoRR, MoHE, AGO, MoPH and MoPW. The reports on implementations are issued and shared with MEC Secretariat. Additionally, the following institutions have incorporated some AC activities and sub-activities in their 2nd and 3rd 100-day plans but have not reported on the implementation of these activities: MoF, MoJ, MoD, SAO, MoEW, MoT,  MoBTA, MRRD, MoCIT, MoLSAMD. The following institutions have no AC activities in their 2nd and 3rd 100-day plans: MoFA, MoWA, DAB, Central Statistics Organisation, MoCN, MoIC, MoHRA, Ministry of State in Parliamentary Affairs, MAIL, IARCSC |
| | | 127.2 | All GOs | Anti-corruption measures are effectively monitored by the AOP | (15 Aug. 2015) - The AOP is in the process of reviewing the first set of 100-Day Plans.t. | (30 June 2016) - The following ministries have specific AC operational plans in their 2nd and 3rd 100-day plans:  MoMP, MoCI, MoRR, MoHE, AGO, MoPH and MoPW. The reports on implementations are issued and shared with MEC Secretariat. Additionally, the following institutions have incorporated some AC activities and sub-activities in their 2nd and 3rd 100-day plans but have not reported on the implementation of these activities: MoF, MoJ, MoD, SAO, MoEW, MoT,  MoBTA, MRRD, MoCIT, MoLSAMD. The following institutions have no AC activities in their 2nd and 3rd 100-day plans: MoFA, MoWA, DAB, Central Statistics Organisation, MoCN, MoIC, MoHRA, Ministry of State in Parliamentary Affairs, MAIL, IARCSC |
| 128 | Timely public access to all 100-Day Plans | 128.1 | All GOs | Online publication of all 100-Day Plans on the official website of relevant ministries and institutions. | (15 Aug 2015) - Some of the institutions only provided oral summaries of their Plans to the President and did not publish them. | (30 June 2016) - MoRR, MoJ, MoHRA, MoCI, MoCIT, MoPW, MOWA and AGO have published their 100 days plans on their websites. |
| 129 | Organizational structure of the Office of Electronic ID Project reviewed and reformed and the technical positions are re-announced to recruit qualified candidates through a competitive process. | 129.1 | MOI | For the purpose of transparency in the process and merit based recruitment, MoI, IARCSC and IOM jointly reform the organizational structure of the Electronic ID Project and re-announce the positions to recruit qualified candidates through a competitive process. | (30 Sep. 2015) - Recruitment without consideration of Civil Servants Law and specific standards  has paved the way for recruitment of unprofessional and unqualified people in technical positions. Due to illegal interference, several members of the same family has been recruited in the Project. | (30 June 2016) - According to the head of HR of Electronic ID, the draft organisational structure of the Electronic ID has been prepared and sent to the Presidential Office for approval. However, the draft has not been approved yet. Additionally, the contract of 1045 contract workers of the project expired on December 2015 and as a result they lost their jobs. There are only 22 contract workers remaining in the directorate. |
| 130 | Impartial and neutral audit of the contract with GTR. | 130.1 | MOCIT | To ensure transparency in the GTR contract, MoCIT initiates an audit of the procurement process of the mentioned contract through an unbiased third party highlighting the corruption issues in it. | (30 Sep. 2015) - The Contract of establishing the system and procuring the equipment for the Electronic ID Project with GTR Company which is worth $ 101 million, is complex and makes corruption existence presumable. | (30 June 2016) - According to MOCIT, an experienced international third party will be hired to assess the contract from a financial and technical perspective. The budget for this assessment has been allocated and the contracting process will start soon. The mentioned assessment will be completed during 1395. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 131 | Aid programs continue produce tangible results after foreign financial assistance ends | 131.1 | MOF/MOEc | MOF & MOEC take concrete steps to decrease the over-reliance on external funding to support national development. | (30. Dec. 2014) - Despite the overall reduction in funds for development, the majority of sectors still remain over-reliant on external funding. | (30 June 2016) - According to the Aid Management Directorate of MOF, in order to reduce the reliance on foreign aid,  the Ministry is working based on the SMAF policy. |
| 132 | Afghan-specific donor best practices captured in an accessible format for future use. | 132.1 | International Community | Major donors (USAID, DFID, JAICA,, EU, WB and ADB) compile a compendium of "best practices" to share with successor personnel at their own agency and with their international counterparts. | (30. Dec. 2014) - Hard-won lessons and experiences are often not captured in an accessible form for posterity because of frequent staff turnover at many donor agencies. | (30 June 2016) - According to USAID evaluation policy January 2011, every step of USAID's programming model considers the contribution to the broader goal of learning from experience. The learning from previous experience that is captured in evaluation findings are easy to access and considered whenever new projects are designed and implemented. Projects and policies are designed so they are evaluable and include a plan for evaluation. In addition, the Bureau for Policy, Planning and Learning PPL and the USAID Office of Learning Evaluation and Research LER commissions occasional external audits to determine whether and how evaluation findings are being used for decision making by operating units. Additionally, according to DFID, lesson learned is constantly considered in this organization. |
| 133 | Measures taken to ensure that aid programs are consistent with national and local development priorities. | 133.1 | MOF/MOEc | Relevant ministries implement improved processes to assuage donors' doubts about their program management and budgeting procedures | (30. Dec. 2014) - Alignment of aid programs with Afghan priorities still a challenge although progress made in this regard | (30 June 2016) - According to the Aid Management Directorate of MOF, reform of the project management relates to the implementing ministries and shall be considered under the new National Priority Program (NPP) which is currently being finalized by the Afghan Government. |
| 134 | Measures put in place to better safeguard international-assistance funds from corrupt actors. | 134.1 | International Community | Key donors (USAID, DFID, JAICA, EU, WB and ADB) increase publicly available information about their aid programs (e.g. information on the long-term commitment of the program, content, results, beneficiaries and evaluation reports of the programs) at the national and provincial level, by making it available in the DAD. | (30. Dec. 2014) - A significant amount of information on aid programs would be difficult to access for rural citizens or those lacking appropriate language skills and/or internet access. | (30 June 2016) - Information that is entered into DAD and is publically available includes: title and short description of the project, donor country, committed and disbursed amount, start and end date of the project. However, information on the long-term commitment of the program, content, results, beneficiaries and evaluation reports of the programs are not publically available on DAD. |
| | | 134.2 | International Community | Key donors (USAID, DFID, JAICA,, EU, WB and ADB) harmonize their aid support with any new anti-corruption strategy implemented by the new government. | (30. Dec. 2014) - The new government has not developed a new national anti-corruption strategy. | (30 June 2016) - The new national Ani-Corruption Strategy has not been developed yet so the donors can align their support with. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 135 | Strengthened support for national development policies and development assistance | 135.1 | MOF | The MoF and donors agree on a country-level mechanism for mutual assessment of aid effectiveness. | (30. Dec. 2014) - No mechanism exists for a mutual assessment of aid effectiveness. | (30 June 2016) - Based on the SMAF, there is a mechanisms in place to monitor the performance of indicators and work plans which includes:<br>1. The Joint Coordination and Monitoring Board (JCMB) for strategic coordination and joint policy formulation<br>2. The Senior Officials Meeting to be held every second years to review progress, and<br>3. A Ministerial-level Meeting to be held every second year to review progress, update indicators, assess resource requirements and renew international commitments. |
| | | 135.2 | International Community | Key donors (USAID, DFID, JAICA,, EU, WB and ADB) ensure that all aid programs' impacts are evaluated and financial expenditures are independently audited and made available to the public (contingent on donor countries' applicable laws). | (30. Dec. 2014) - Not every program is evaluated and audited independently, and many such reports are not made public. | (30 June 2016) - According to USAID, projects and policies are designed so they are evaluable and include a plan for evaluation. In addition, the Bureau for Policy, Planning and Learning PPL and the USAID Office of Learning Evaluation and Research LER commissions occasional external audits to determine whether and how evaluation findings are being used for decision making by operating units.<br>Additionally, USAID is regularly audited by the Office of the Inspector General (OIG-USAID). |
| 136 | The information exchanged between the Afghan government and donors is improved in terms of quality, quantity, and timeliness. | 136.1 | MOF | The MoF drafts plans to improve the quality and amount of information entered in DAD (e.g. information on the long-term commitment of the program, content, results, beneficiaries and evaluation reports of the programs). | (30. Dec. 2014) - The current DAD often lacks information about multi-year donor commitments, aid programs' contents and current funding status, and program outputs. | (30 June 2016) - Information that is entered into DAD and is publically available includes: title and short description of the project, donor country, committed and disbursed amount, start and end date of the project. However, information on the long-term commitment of the program, content, results, beneficiaries and evaluation reports of the programs are not publically available on DAD. |
| | | 136.2 | MOF | A restructured DAD is debuted in English, Dari and Pashto, and made accessible to the public at large and to the donor community. | (30. Dec. 2014) - As currently constituted, it can be difficult to obtain an accurate, complete, and up-to-date picture of all aid programs from the DAD. | (30 June 2016) - Information that is entered into DAD and is publically available includes: title and short description of the project, donor country, committed and disbursed amount, start and end date of the project. This information is provided in Dari and English. However, information on the long-term commitment of the program, content, results, beneficiaries and evaluation reports of the programs are not publically available on DAD. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|-----|-----------|-----|-------|----------------|----------|--------|
| 137 | A nationwide assessment of foreign assistance is jointly conducted by GIRoA and donor representatives to determine sectors and regions most in need of assistance. | 137.1 | MOF/MOEc | The MoF & MoEC, in consultation with UNAMA, drafts a plan to conduct an assessment that takes into account the distribution of funds by sector and by region. | (30. Dec. 2014) - Geographic and sector disparities persist in the allocation of funds. | (30 June 2016) - The Aid Management Directorate regularly prepares and issues a Cooperation Development Report, which is available on MOF website. The report includes a distribution of foreign aid by provinces and sectors. |
| 138 | Aid programs are effectively monitored by donors and by the Afghan government. | 138.1 | MOF | A nationwide independent commission for aid effectiveness is established by MoF and MOEc and with the support of donor community | (30. Dec. 2014) - No independent, Afghan-led body exists to monitor aid programs. | (30 June 2016) - The High Council of Economy is in place and chaired by the president. In addition to economic issues, the High Council of Economy also discusses the effectiveness of foreign aid. |
| | | 138.2 | MOF | The MoF in consultation with donor representatives, develops a plan for such a commission that would issue annual reports assessing the effectiveness of all foreign-assistance delivered to Afghanistan. | (30 Dec. 2014) - No such plan has been drafted. | (30 June 2016) - The Aid Management Directorate regularly prepares and issues a Cooperation Development Report, which is available on MOF website. The report includes an assessment of the effectiveness of foreign aid. |
| | | 138.3 | MOF/MOEc | Agreement is reached between the Afghan government (MoF & MoEC) and major international stakeholders to draw up a comprehensive set of aid effectiveness indicators. | (30 Dec. 2014) - No agreed-upon set of aid-effectiveness indicators exists that can be used both by the government and by the donor community. | (30 June 2016) - According to the Aid Management Directorate, the Aid Effectiveness Policy has been developed based on the Afghan Government's priorities and international best practice. Additionally, SMAF Area 6 includes 9 indicators related to Development Partnerships and Aid Effectiveness. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 139 | Increased amount of donor assistance channeled through national budget, if the Afghan government meets defined commitments to reduce corruption and increase financial transparency. | 139.1 | MOF/International Community | Key donors and GIRoA (MoF) adhere to the benchmarks set forth in the TMAF. | (30 Dec. 2014) - While some donors are already in compliance, insufficient information exists to render a judgment on every donor. | (30 June 2016) - **SMAF indicators that are met or partially met by the government of Afghanistan**: - Appointment of the Attorney General in April 2016, - Asset declaration of the President, 2ed Vice President and 22 Ministers. - Institutionalization of the National Procurement Committee - Development of the Anti-Corruption Plans of the 5 Revenue generating ministries, which are not yet approved by the President. **SMAF indicators that are not yet met by the Government include:** - Electoral Reform (due to rejection of the PD by the parliament) - Development of the Anti-Corruption legal framework - Development of the new National Priority Programs (GoIRA) is currently working on the NPP, which also includes Public Private Partnerships) - Lack of Doing Business Indicators improvement (Afghanistan's DBI is worsening since 2014) - Failure to occupy one-third of the 2400 CBR positions by December 2016 (currently 100 positions are filled and further 915 are under process) - Basic Structure Law, and Administrative Procedural Law are both drafted but not yet endorsed. (The enactment of the Basic Structure Law will probably require the amendment of the Constitution) |
| 140 | The reporting process improved and discrepancies in EQUIP's reporting system removed | 140.1 | MOE | EQUIP develops a quarterly and annual consistent reporting system which provides a true and fair picture of the program's progress and achievements | (4 Nov. 2015) - Currently, there are discrepancies in the figures between the reports of the World Bank, Teachers Education Department and EQUIP. | (30 June 2016) - According to EQUIP, semi-annual and annual reports are prepared and shared with the World Bank. Since there are differences in the reports provided by EQUIP and the World Bank, several meetings were held with the World Bank to overcome this problem and as a result the problem has been solved. |
| 141 | Inspection and clarification of corruption cases in the process of food distribution at MOE during 2002 to 2013. | 141.1 | MOE | MOE conducts an inspection of the food distribution process covering the period of 2002 - 2013 in its offices and provincial directorates, identifies the actors involved in embezzlement, and refers all cases to the AGO for prosecution. | (4 Nov. 2015) - The distribution of food funded by WFP, especially biscuits distributed in schools through the MOE, was plagued by embezzlement, which caused a waste of more than 20% of the project funds. | (30 June 2016) - MOE has not yet conducted any assessment concerning distribution of food and biscuit and MEC Secritariat was not able to receive any information in this regard. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 142 | Establishment of an effective and transparent electronic procurement system | 142.1 | National Procurement Authority | Electronic procurement system developed by General Directorate of National Procurement | (9 Dec. 2015) - No electronic system developed by General Directorate of National Procurement | (30 June 2016) - The National Procurement Authority has taken certain actions in the implementation of electronic procurement in Afghanistan including the establishment and updating of a website for the NPA , publishing the Procurement Law, Procurement Procedures, bidding documents and other forms and standard procurement documents, publication of procurement announcement, notifications of decisions on awarding the contracts; list of blacklisted bidders and  contractors who are excluded to participate in the public tenders.<br>The issue of electronic procurement has been included in the National Procurement Authority 5-years strategy as one of the strategic objectives of this authority. However, according to the NPA, implementing a completely electronic procurement system requires the fulfillment of some preconditions e.g. enacting the Electronic Governance Law, cyber security law, development of IT infrastructure, capacity development etc. Therefor, all involved entities should pave the way for the complete implementation of the electronic procurement in their related fields. Otherwise, the implementation of this recommendation does not seem realistic. |
| | | 142.2 | National Procurement Authority | Electronic procurement system implemented by General Directorate of National Procurement in all government institutions | (9 Dec. 2015) - No electronic system implemented by General Directorate of National Procurement | (30 June 2016) - The issue of electronic procurement has been included in the National Procurement Authority 5-year's strategy as one of the strategic objectives of this authority. However, according to the NPA, implementing a completely electronic procurement system requires the fulfillment of some preconditions e.g. enacting the Electronic Governance Law, cyber security law, development of IT infrastructure, capacity development etc. Therefor, all involved entities should pave the way for the complete implementation of the electronic procurement in their related fields. Otherwise, the implementation of this recommendation does not seem realistic. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 143 | Reform in recruitment process of procuring entities | 143.1 | National Procurement Authority | Assure the recruitment of honest and reputable procurement employees in all procuring entities, especially in the General Directorate of National Procurement . | (9 Dec. 2015) - The General Directorate of National Procurement has partially implemented a HR reform. | (30 June 2016) - According to NPA, the recruitment process in NPA is based on merit, integrity, professionalism and commitment whereas a professional and personal background check is conducted for all employees. However, the recruitment process and human resource management in all other public procurement entities are based on the Civil Service Law and other relevant laws and conducted by the related institutions. NPA does not have any role in the recruitment of procurement staff in these entities. |
| 144 | Prevention of conflict of interest in public procurement | 144.1 | National Procurement Authority | Identity of the owners of the contracting companies publicized. | (9 Dec. 2015) - Identities of the owners of the companies are not publicized. | (30 June 2016) - In order to avoid conflict of interest, the Procurement Law states the issues as follow: Article 24 (3): Conflict of interest is a situation that procurement officials, including granting authority somehow benefits the procurement or being a relative of one of the bidders. Relatives in this sense are: children, father, grandfather, mother, grandmother, spouse, brother, sister, aunt, uncle, and their descendants to the second degree, parents of spouses and their siblings, son's wife or daughter's husband. Based on part 4 paragraph 1 of article 47 of Procurement Law, procurement employees are obliged to observe the following issues: " No direct or indirect conflict of interest." Moreover, Procurement Procedure, Article (108) states: In case of conflict of interest and before the start of any procurement activities or approval of which, all procurement employees, evaluation team, offer opening team, granting authority and members of the National Procurement Commission shall clearly state the issue (In the form Indicated in Annex 4). According to NPA, all bidders are legal entities and their legal status is determined in the business license. Based on the Procurement Law and Procurement Procedure the identity of the contracting legal entities are published on the homepage of the procuring institution as well as on NPA's homepage. |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 145 | Clarification of the employment conditions of foreigners in accordance with the new Labor Law | 145.1 | MOLSAMD | MOLSAMD drafts the new Regulation of Employment of Foreign Citizens in accordance with Article 6 of the new Labor Law and refers it to the Council of Ministers for approval. | (7 May 2016) - The new Labor Law was adopted in 2009, and the current Regulation of Employment of Foreign Citizens was adopted in 2005, based on the former Labor Law. The basis for the current Regulation of Employment of Foreign Citizens is Article 4 of the former Labor Law. However, the current Labor Law stipulates Foreign Citizens in Article 6. | |
| 146 | Draft and endorsement of a comprehensive procedure for hiring foreign citizens. | 146.1 | MOLSAMD | MOLSAMD in collaboration with the MOFA drafts and endorses a comprehensive procedure in accordance with the new Regulation of Employment of Foreign Citizens. | (7 May 2016) - Article 14 of the current Regulation of Employment of Foreign Citizens, assigned the MOFA and MOLSAMD to draft the procedures for hiring foreign citizens in government offices. But MOLSAMD only prepared one-page procedure, and this is not a comprehensive procedure | |
| 147 | Disciplinary measures and fines enshrined in the new Regulation of Employment of Foreign Citizens and the procedure for hiring foreign citizens. | 147.1 | MOLSAMD | MOLSAMD incorporates disciplinary measures and fines in the new Regulation of Employment of Foreign Citizens and the Procedure for Hiring Foreign Citizens. | (7 May 2016) - There are no disciplinary measures and fines in the current legal documents of the issuance of work permit for foreign citizens which paves the way for violation of the legal documents. | |
| 148 | Reform of the organizational structure of the process for issuing work permits for foreign citizens in accordance with the electronic system. | 148.1 | MOLSAMD | MOLSAMD aligns the organizational structure of International Work Permit Directorate (IWPD) with the new electronic system. | (7 May 2016) - Although the process of issuing work permits for foreign citizens has been computerized, the organizational structure has not changed. | |
| 149 | Hiring permanent employees in the process of issuing work permits for foreign citizens | 149.1 | MOLSAMD | MOLSAMD hires permanent technical staff in the IWPD. | (7 May 2016) - The majority of technical staff are contractors, if their contracts are terminated the IWDP will face shortage of technical human resources. | |
| 150 | Online distribution of work permits. | 150.1 | MOLSAMD | MOLSAMD activates the online issuance of work permits for foreign citizens. | (7 May 2016) - Online issuance of work permits for foreign citizens has not yet started. The application, document verification, approval and payment of the fee are conducted manually. | |
| 151 | Enhanced coordination between MOLSAMD and MOFA. | 151.1 | MOLSAMD/MOFA | MOFA issues work visa after the foreign employee receives his work permit from MOLSAMD. | (7 May 2016) - Afghan embassies issue annual and six-month visas to foreigners without coordination with MOLSAMD. This is a violation of Afghan Law. | |
| 152 | Downgrading the International Directorate of Work Permit to a sub directorate. | 152.1 | MOLSAMD | MOLSAMD eliminates IWPD and transfer its authority to International Sub Directorate of Work Permit | (7 May 2016) - The parallel existence of IWPD and Sub-Directorate of International Work Permit causes bureaucracy. The ToRs of these two positions are 80% identical. | |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|-----|-----------|-----|-------|----------------|----------|--------|
| 153 | Capacity needs assessment report prepared | 153.1 | ACAA | Afghanistan Civil Aviation Authority(ACAA), with the assistance of the international community ( Federal Aviation Authority, Department of Defense, and Coalition forces) conducts a capacity needs assessment covering human, institutional and physical aspects | (14 June 2016) - No capacity needs assessment conducted so far either by ACAA or by international partners. | |
| 154 | A comprehensive capacity building plan prepared and implemented | 154.1 | ACAA | Based on the findings of the capacity needs assessment, the ACAA prepares and implements a comprehensive capacity building plan which shall includes human, institutional(policies, rules and regulations, procedures and mechanisms) and physical (civil aviation equipment and infrastructures such as airports, terminals, depots etc.) | (14 June 2016) - ACAA lacks a planned and consistent capacity-building program and the current endeavors in this regard are carried out based on ad hoc donor plans. Most of the training programs planned so far, lacks an on-the-job (OJT) component | |
| 155 | Adequate number of trained technical personnel existed in ACAA | 155.1 | ACAA | ACAA with the assistance of the international community (FAA, DoD and Coalition forces) trains required number of technical personnel to ensure its self-reliance | (14 June 2016) - No consistent training program, which is prepared, based on a capacity needs assessment undertaken so far, and most of training program undertaken based on immediate and ad hoc plans of donors. The majority of FAA-trained personnel received only basic academic training without any OJT component | |
| 156 | Recruitment of the ACAA's staff according to the existing IARCSC's recruitment procedure | 156.1 | ACAA | ACAA and Independent Administrative Reform and Civil Service Commission recruit the ACAA's staff according to the existing IARCSC recruitment procedure | (14 June 2016) - The recruitment process in ACAA is sometimes influenced by high-ranking GIRoA officials, political leaders and MPs which means some of the key positions are occupied by individuals which are not qualified for these positions | |
| 157 | Bidding process conducted based on the National Procurement Law | 157.1 | ACAA | The ACAA's Contracting Department allows only those contractors, which cleared their tax obligations and have valid business license to participate in the bidding process. All ACAA's contracts (with foreign and domestic companies) publicized in ACAA's website | (14 June 2016) - Lack of adherence of the ACAA's Contracting Department to existing legal contracting process, occasionally results to awarding of the contracts to companies with unclear tax obligations and no valid business license | |

| No. | Indicator | No. | Inst. | Recommendation | Baseline | Status |
|---|---|---|---|---|---|---|
| 158 | Airspace management services provided by ACAA/contractors meet international civil aviation standards through effective safety oversight | 158.1 | ACAA | ACAA in cooperation with international partners (FAA, DoD and coalition forces) strengthens the existing Safety Oversight Department by providing adequate equipment, well-trained safety oversight inspectors and creates a comprehensive oversight mechanism | (14 June 2016) - ACAA lacks a strong and well-equipped Oversight Department with adequate number of expert safety oversight inspectors as well as oversight mechanism to ensure the technical functions carried out by ACAA itself or contractors meet international civil aviation standards. | |
| 159 | Strengthening Internal Audit Department (IAD) in ACAA | 159.1 | ACAA | ACAA's leadership Gives the IAD adequate authority to independently address all cases of corruption without express permission of the leadership | (14 June 2016) - ACAA's leadership occasionally interferes in IAD affairs, which prevents addressing corruption cases properly. Lack of AC expertise in IAD is also stands as a challenge to ACAA. Some of the inspectors in IAD lack adequate expertise in AC and proper investigation of the corruption cases, which results to ineffective performance of the IAD. | |
| | | 159.2 | ACAA | ACAA's leadership ensures that, there is adequate number of AC inspectors recruited for IAD and provided with essential trainings on corruption-related subjects including the investigation of the corruption cases | (14 June 2016) -ACAA's leadership occasionally interferes in IAD affairs, which prevents addressing corruption cases properly. Lack of AC expertise in IAD is also stands as a challenge to ACAA. Some of the inspectors in IAD lack adequate expertise in AC and proper investigation of the corruption cases, which results to ineffective performance of the IAD. | |