



Press Release

25 of MEC's Recommendations Have Been Fully Implemented in the Afghan Justice Sector

Kabul - Afghanistan, 6th Jan 2019: The Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC) released its third monitoring report about implementation of the anti-corruption recommendations in the Afghan Justice Sector. This report focuses on anti-corruption efforts and proposed reforms at the Attorney General's Office (AGO) and their relevant stakeholders.

The findings of the report indicate that 25 out of the total 51 recommendations have been fully implemented. Additionally, 21 recommendations are partially implemented, while 4 recommendations have seen limited progress in implementation and one recommendation is not implemented.

In July 2017, MEC released a comprehensive Vulnerability to Corruption Assessment of the Attorney General's Office containing a total of 51 recommendations to improve transparency within the AGO, followed by two monitoring reports on implementation of MEC's original VCA report recommendations.

The third monitoring report findings indicate more progress with regard to the implementation of recommendations by AGO, which are as following:

- Developing AGO's Five-Year Strategic Plan (2018-2022) which was approved by High Council of AGO and is effective from June 20, 2018,
- Finalization of Conflict of Interest form for prosecutors by AGO High Council, is another step intended to restrict the possible misuse of official positions and facilities;
- Reactivating 38 Provincial Prosecution Offices in 16 Provinces that were not functioning due to security issues for the past 8 years;
- Remarkable increase in employment levels of female staff in different Departments of AGO, as female employment has increased from 3 to 21 per cent;
- Moreover, based on MEC's recommendation, AGO has entered the information of its 5050 staff in their Human Resource Management Information System (HRMIS).

Additionally, in order to implement MEC's recommendations, the AGO had previously taken the following steps:

Development of Job Descriptions for all Prosecutors, conducting organizational (*Tashkiel*) Reforms, expanding the activities at the Directorate of Monitoring and Oversight of Prisons to avoid illegal and unnecessary detentions, involvement of Provincial Appellate Prosecution Offices in planning and budgeting process, improvement of necessary monitoring over prosecutors'



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Independent Joint Anti-corruption Monitoring and Evaluation Committee

performance, and development and implementation of a comprehensive Complaint Handling Mechanism.

Meanwhile, MEC's findings indicate that the AGO implementation of some of the recommendations has seen only limited progress – problems still remain in the following areas:

- The Case Management System is operative in centers of the Provinces, but the system in the Districts has faced serious problems due to insecurity, lack of electricity, unreliable internet etc. Thus, the cases related to Districts Prosecution Offices are instead routinely recorded in the relevant Provinces later on.
- According to MEC's recommendation, The Attorney General should expeditiously complete investigations into Ministers where sufficient grounds exist and publicly report on the outcome of those investigations. According to the AGO, a committee has been established to prosecute cases related to Ministers. Reportedly, the cases of six former Ministers have been sent to an authorized court for legal judgment, though these have not been completed, nor has an outcome been publicly reported.
- As yet, no final decision has been made by Ministry of Justice with regards to proposed reforms related to resources and support for Legal Aid providers, and public access to legal services remains limited.
- Transportation problems still remain unresolved for AGO personnel at Districts level and insecure areas of the country.
- In most cases, the results from Forensic and Criminal Technical Laboratories are the basis for courts judgments, yet there is not adequate equipment for Forensic and Criminal Technical Laboratories in most of the Provinces, and in most Provinces, the judicial institutions seriously complain about the lack of such labs and equipment.

MEC will continue regular monitoring of implementation of the recommendations issued in its Special Report of the AGO's Vulnerabilities to Corruption.

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