



**Independent Joint Anti-Corruption
Monitoring & Evaluation Committee**

NEWS RELEASE

**Illegal hiring of prosecutors and lack of comprehensive training
contributes to impunity and risks of corruption**

KABUL, Afghanistan, February 10, 2014 – MEC has identified illegal practices and weak processes for the appointment and training of prosecutors in Afghanistan, which contribute to the lack of prosecution for corruption and general impunity. MEC is issuing recommendations to tackle the hiring and training procedures at the Attorney General's Office that would address these important issues.

The AGO currently hires prosecutors outside of legal requirements contained in the *Civil Service Law*. This leads to prosecutors who are not transparently hired on the basis of merit and competition. Furthermore prosecutors have often been hired with low education. Although the law requires new prosecutors to be hired with a minimum qualification, newly hired prosecutors are still lacking knowledge in some fields and there is no requirement to keep their knowledge current.

Most prosecutors do not have detailed terms of reference setting out the duties related to their employment. This leads to ambiguity regarding expectations of prosecutors and creates challenges for managing performance. MEC also identified relatively low salaries within the AGO as a contributor to corruption.

MEC recommends bringing the hiring of prosecutors into conformity with Afghan law. Additional mandatory training in all aspects of applicable law is needed to ensure that prosecutors have a comprehensive legal knowledge. The introduction of detailed terms of references for prosecutors would increase awareness and accountability to obligations and duties of prosecutors. Since low salaries create incentives for corruption and unclear guidelines for consistent pay can fuel nepotism, prosecutors' salaries need to be raised.

Mr. Drago Kos, MEC's current Chair, stated:

Qualified and well-trained prosecutors are essential to prosecute corruption effectively and combat impunity. MEC is concerned about the appointment of under-qualified and inadequately trained prosecutors at the AGO and the opportunities this presents for corruption. The AGO has to take action to tackle these issues with support of the international community.

MEC as the independent voice monitoring national and international anti-corruption efforts in Afghanistan will monitor the effective implementation of the recommendations to ensure that the AGO's prosecutors are qualified and hired in accordance with the Afghan law.

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