Afghanistan
A Transformation in Progress

October 2016 Issue
# Table of Contents

<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reforming Justice: Cracking Down on the Pinnacle of Afghanistan’s Corruption</td>
</tr>
<tr>
<td>5</td>
<td>How the Afghan Government is Battling Corruption</td>
</tr>
<tr>
<td>9</td>
<td>Connecting Afghanistan: Rise of Technology in Governance and Society</td>
</tr>
<tr>
<td>12</td>
<td>Afghanistan’s Achievements in Healthcare</td>
</tr>
</tbody>
</table>
The Attorney General’s office sits in a labyrinth of gardens and trees—an unassuming compound for the heart of Afghanistan’s anti-corruption efforts. Through the cracked window of the waiting room, roses grow up through parched, cracked soil. The red, green and black Afghan flag blows quietly in the hot summer breeze. “Sorry for keeping you waiting,” says Farid Hamidi, Afghanistan’s newly appointed Attorney General, entering in a flurry of attendants and ringing cell phones. He’s just come from one of Kabul’s many emergency hospitals, where he was visiting colleagues injured the day before in an explosion.

In office for less than two months, Hamidi has introduced sweeping changes that redefine the role of the justice sector in Afghanistan. For decades Afghanistan’s justice sector has embodied the corruption and nepotism it is tasked to tackle. “The government has always used the Attorney General’s office to suppress political dissidents rather than to protect citizens’ rights,” says Hamidi. “The major obstacle to implementing justice and enforcing rule of law is this politicization of the justice sector. I want to change this, to transform the Attorney General’s office from

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—Fareed Hamidi
Attorney General
an entity that is used to silence dissidents to an institution that stands for people and their rights. My mandate—my responsibility—is to turn the Attorney General’s office into a center to fight against crime, and become the bastion for protection of human rights and citizens’ dignity.” Today, more than 1,700 prosecutors and around 5,000 judges increasingly exemplify this justice they are tasked to deliver.

The Attorney General has played a central role in the extensive judicial reforms that have been carried out under the National Unity Government. “I want to turn the Attorney General into an efficient institution where only merit, piety, professionalism and loyalty to the law are supreme,” Hamidi says.

Under the National Unity Government, more than 600 judges have been replaced, including all 34 provincial chief judges. Corruption divisions have been established in the Supreme Court and Attorney General’s office, with 300 prosecutors working full time on anti-corruption efforts. Jail repairs and newly built medical clinics have aimed to give resources to the country’s strained prison system. Sixty governmental judiciary staff, including six judges, were arrested in 2015. 14 prosecutors were arrested and 40 directors of the Attorney General office were replaced within Hamidi’s first weeks of taking office.

In addition to anti-corruption efforts, the judicial sector has made significant progress on the advancement of women under the National Unity Government. A Violence Against Women prosecution office of the Attorney General has investigated 9,500 cases, prosecuting more
than 4,500 of these cases since it was established in 2009. A gender division of the Supreme Court tried 519 cases of violence against women in 2015, leading to 693 convictions of perpetrators. Since taking office, Hamidi has tripled the number of women in the Attorney General office and appointed a female deputy Attorney General. “It is still very low, but I am determined to have at least 20 percent female representation in the Attorney General office by next year,” Hamidi says.

The government established a Judiciary Center, which aims to foster close coordination between the Judiciary and the Law Enforcement entities and also prosecute high-ranking government authorities accused of corruption. This marks the establishment of the first authoritative body whose activities will be supervised by the president. President Ghani has also been chairing coordination meetings between various branches of the judiciary sector to promote efficiency and transparency in the affairs of the judiciary sector.

The judiciary has invested in the future of its human capital through trainings: 316 students study to become judges at the Judicial Training Center, with 20 percent of students female. The courts have provided 755 judges with specialty trainings, and more than 1,249 employees have participated in professional development trainings. In an effort to institutionalize merit-based job postings across all areas of Afghanistan’s judicial sector, the arms of the judicial sector are working together to develop a new HR strategy, which will establish clear policies and a transparent mechanism for future recruitments and administrations. The Supreme Court and Attorney General have implemented a standardized job placement recruitment examination that aims to award jobs solely on merit—eliminating political favoritism, nepotism and association with powerful circles. “In the past, merit has been the last element in the recruitment process. The loyalty of staff was more for their patrons than the organization,” Hamidi says. “I am putting an end to it. We are working vigorously to replace incompetent cardres.
with new ones.” Within the span of three weeks, 1,200 candidates sat for the Attorney General’s exam.

“After the first recruitment examination I sat on this couch and greeted an endless stream of the Members of Parliament and officials who flooded my office, demanding that I hire their candidates,” Hamidi says, smiling. “I thanked each of them for advocating their constituency, but told them very clearly that the process will be based on the performances of candidates on the exam. If they do well then I will hire them. Otherwise, there is no way I will allow anyone without proper qualification to get a position in the Attorney General’s office.”

In an institution that has been mired in opacity for decades, Hamidi is striving to bring transparency. He holds open office hours every Monday, in which anyone is welcome to meet him and voice their concerns, and regularly meets with the media and business community. “They used to be harassed and threatened by the Attorney General,” Hamidi says. “The idea is to show them that we are determined to protect their rights and will not allow further exploitation in the name of the law.”

While Hamidi’s hardline approach to reform has been popular among the public, it has been less so with those who have previously benefited from the office’s nepotism and political favoritism. “Every day starts with the news that I am a top target,” Hamidi says, smiling. “At the end of every day, I am hopeful. I am optimistic for fighting corruption. There is the opportunity to bring a voice to the voiceless, and the hope that I could implement justice in Afghanistan.”
HOW THE AFGHAN GOVERNMENT IS BATTLING CORRUPTION

To many outside Afghanistan, media reports have painted a picture of a dysfunctional government doomed to collapse because of irreconcilable rifts between the President and Chief Executive Officer. Yet the National Unity Government of Afghanistan has succeeded in implementing concrete reforms that have addressed key issues, among them rampant corruption.

In 2014, the National Unity Government took office, inheriting political and economic systems mired in corruption. The Afghan public has repeatedly identified corruption as one of the primary causes of dissatisfaction with the government, with 90 percent of citizens considering corruption the most pressing problem in their daily lives, according to the Asia Foundation’s 2015 Survey of the Afghan People. Within weeks of taking office, the National Unity Government presented a plan mapping out Afghanistan’s road to self-reliance, with battling endemic corruption centrally featured. After identifying drivers of corruption—including collusive procurement practices, weak rule of law and arbitrary regulations that built incentives to pay bribes—the government mapped out a 10-point strategy for tackling corruption. This plan included requiring all government officials to publicly declare their assets, dismissing corrupt officials, introducing mobile banking services, requiring ministries to create counter-corruption action plans and modifying regulations that cause or perpetuate corruption. The government has also adopted the Afghanistan National Development Strategy, which provides an effective framework to enhance government anti-corruption leadership and evaluate the effectiveness of anti-corruption measures.

The government has quickly followed through on many of these action steps. President Ashraf Ghani and Chief Executive Officer Abdullah have led by example in anti-corruption efforts, declaring their assets publicly and making it mandatory for all high government officials to follow suit. The National Unity Government reopened a notorious Kabul Bank corruption case, which resulted in the recovery of $440 million and the arrest of key culprits in the case. In a case the government investigated with the Ministry of Urban Development, 27 people were suspected, including 10 high ranking officials and two deputy ministers, for corruption in a contract building residential apartments in Kabul. In an ongoing case with the Ministry of Interior Affairs, seven people were suspected,
including a high-ranking official, for involvement in the embezzlement of 87,000 liters of fuel in Kapisa province. In a third case, with the Ministry of Education, six engineers were imprisoned for dramatically inflating prices in a contract to build dormitories in Kabul. The government dismissed corrupt officials in key institutions, including the judiciary, customs, security and finance. In the customs office alone, which collects 46 percent of domestic revenue, the President dismissed more than 25 percent of staff on corruption charges. Computerized systems were introduced to make tax collection procedures simpler and more transparent, and a restructuring of the public finance system has led to increased transparency in government spending. The Ministry of Interior is transferring all police payrolls to electronic payments, reducing the opportunity for corruption, and the Ministry of Finance initiated a series of reforms such as simplifying the business licensing process, reducing civil servants’ discretionary power and developing and implementing a plan to address customs corruption, which has led to an increase in domestic revenue.

In June 2016, President Ghani established the Judiciary Center, which aims to prosecute major cases of corruption of high-ranking government authorities. The center has been orchestrated in such a way to foster necessary coordination between judicial and law enforcement organizations.
so that cases of corruption are processed efficiently and without delay. For the purpose of transparency, the Judiciary Center has also been tasked to provide regular reports and data about its performance to the media, and organize open trials as far as the law allows. The establishment of the Judiciary Center demonstrates the resolute commitment of President Ghani and the National Unity Government towards addressing corruption at all levels.

Procurement is one area of government that has historically been most mired in corruption and to tackle this, the National Unity Government has started a vigorous campaign to clean up government contracting procedures. President Ghani established the National Procurement Authority—a body tasked with reviewing all major government contracts to prevent corruption and promote transparency in government contracting. The body serves as secretariat for the National Procurement Commission, which is headed by President Ghani, who has presided over 53 sessions of contract reviews. The authority is composed of key government officials, including CEO Abdullah, and has reviewed 900 contracts, worth $2.5 billion, to ensure contracts are awarded fairly, transparently and legally. This review led to the government saving $208 million, including a single contract of fuel procurement that saved the Ministry of Defense millions of dollars. The authority has blacklisted more than 45 companies that have received contracts based on longstanding ties to former officials, and another 11 companies are in the process of being banned. The Afghanistan’s judiciary system has long
been infected with rampant corruption, which has been exploited by the Taliban and other terrorists to undermine the legitimacy of the Afghan government. To address this issue, the President established an Anti-Corruption High Judicial Council, led by the President, Chief Executive Officer and team of experts. The President also doubled the size of the Special Crimes Task Force and granted the force special authorization and the mandate to investigate governors, ministers and other high-ranking officials. More than 600 judges, including all 34 provincial judges, were replaced. The Afghan National Security Council is in the process of introducing a specialized police unit to protect judges and prosecutors, which will better enable them to implement reforms.

Since the establishment of the National Unity Government, many corruption cases have been investigated, which includes corruption cases of high-ranking government officials and also government ministries. In May, 2015 a case of the Ministry of Urban Development where large-scale corruption was suspected to have taken place over construction of residential blocks in Khwaja Rawash, Kabul was investigated. As a result of robust investigation, more than a dozen high-ranking officials of the ministry, including two deputy ministers, were found to be accomplices. While the case is currently in the court, three suspects have been detained and six others have been suspended from their work based on President Ghani’s order.

Afghanistan is a long way from achieving a transparent and corruption-free economy. The country is consistently ranked among the most corrupt countries in the world. Nepotism remains widespread and reports by Transparency International and the Asia Foundation have found that more than half of Afghans have paid a bribe when interacting with police, judiciary, customs, public health or other government officials. In a system mired with endemic corruption, the National Unity Government has made significant progress in its less than two years in office, implementing reforms that set the stage for continued transformation towards a more transparent government. With international support and continued government dedication, Afghanistan is on a path to becoming a transformed, self-reliant and corruption-free country.
“In 2001, I wanted to call my brother living abroad. I went to a local public call office at 6 o’clock in the morning and had to wait four hours before I had a chance to finally make the phone call,” says Israr Ahmad Karimzai, Director of Information and Communication Technology and E-Governance of the Office of the President. “I look back to those days and compare them to today, when I can call my brother at the touch of a button on my own mobile phone, at any time and from anywhere in Afghanistan.”

This change is indicative of the remarkable transformative power of technology in Afghanistan. Telecommunications, for example, has grown from a practically non-existent sector in 2001 to a thriving $2 billion industry today. Under the Taliban, fewer than 15,000 telephone lines were operational, with telephone coverage extending to less than one percent of the population and mostly limited to the country’s largest cities. Limited international connections and a lack of indigenous cellular service left Afghans socially and culturally isolated within the country and from the rest of the world. Prior to 2002, only one Afghan in every 450 had access to communications services, according to the Ministry of Communications and Information Technology (MCIT).

Today, an estimated 22 million Afghans are
active phone subscribers, with service coverage extending to 90 percent of the country, across all 34 provinces. Afghans are newly connected with a world of knowledge through the internet, which didn’t exist in Afghanistan under the Taliban. 3G mobile services were launched in Afghanistan in 2012, and have rapidly expanded to all 34 provinces. In 2001, none of the country had access to internet, but by 2013 this had grown to 3 million users, and has since jumped to 5 million in 2016, a number still expanding rapidly today. In 2014, Afghanistan launched its first ever satellite. This is provided in part via more than 4,000 kilometers of optical fiber, the infrastructure for internet services and data transfer. Afghanistan’s optical fiber network connects the country to neighboring Pakistan, Uzbekistan, Tajikistan, Turkmenistan and Iran, transforming Afghanistan into a digital silk road and communications hub for Central Asian regional countries.

Afghanistan’s telecommunication sector is a major contributor to the country’s GDP and a major source of revenue for the country. The industry’s $200 million in annual revenues account for 12 percent of total government revenues—optical fibers alone contribute more than $50 million in revenue.

The telecom sector employs 120,000 people nationwide and contributed to the rise of a generation of tech savvy and connected young Afghans. Afghanistan is among the best in the region in terms of communications infrastructure development and deployment. “We started from zero,” says Ajmal Ayan, Executive Vice President of Wireless in Afghan Telecom. “Today it is possible to call anywhere in the world from every village in Afghanistan.”

As technology has revolutionized communications across the country, the National Unity Government has also undertaken a series of initiatives to better integrate e-governance within the administration. A centralized system through the President’s Office, called Presidential Docs, has replaced bureaucratic procedures for processing petitions by automating petition intake and processing. This has reduced the paperwork time from days or even weeks to a government-imposed maximum of 48 hours. A videoconferencing system facilitates communication between the President’s Office, ministries and provincial government officials, and a digitized system manages and follows up on activities generated by presidential decisions. “The in-
The corporation of technology into government systems has enabled the president to connect directly with senior officials across the country,” says Nader Nadery, Senior Advisor to President Ghani on Public Relation and Strategic Affairs. “It has improved the government’s ability to coordinate, make real-time decisions and speed up paperwork processes. It has brought more transparency to the work of government and has made government officials more accountable.”

The Ministry of Finance has successfully established customs monitoring, human resources management and budget planning systems. Under the National Unity Government, the ministry implemented an e-pay system, through which Afghan traders pay customs duties directly to any bank in the country, rather than to the central bank. This reform dramatically increases the ease of doing business in the country, allowing traders to conduct business more quickly, transparently and easily. The implementation of e-governance in the ministry has led to financial transparency and accountability, which in turn has contributed to Afghanistan’s domestic revenue increasing by 21 percent under the National Unity Government. The Ministry of Interior has also used technology to increase transparency and internal capabilities. Beginning in 2014, police have been registered in a system that tracks their data through unique biometric indicators. Today, 97 percent of the police force has been registered in this system. More than 80 percent of the police force and 73 percent of the government’s total 800,000 military and civilian employees receive their salaries electronically. This transition to e-payments and biometric tracking cuts down on corruption by ensuring payments are made accurately and traceably.

Technology has dramatically transformed communications and governance in Afghanistan. The National Unity Government has embraced technology both as a way to tackle some of the country’s most pressing and deeply rooted problems such as corruption and good governance, and simplify previously bureaucratic processes. As Afghanistan adopts and embraces technological advances and strengthens its telecommunications infrastructure, Afghans are becoming increasingly connected, both with each other and the world—creating hope for a progressive, transparent and corruption-free country.
Hakeema, 35, who works as a midwife, raises the sleeve of her patient and wraps her sphygmomanometer around the arm of 25-year-old Jameela, who has come to Yakawlang District Hospital for a check-up. Jameela is five months pregnant. She walked for almost half an hour from her nearby village to reach the hospital. The room where the check-up takes place is filled with pregnant women who have come to the hospital to be seen by Hakeema and other medical professionals. Noises of the patients and medical staff fill the poorly lit halls of the hospital.

“Before this hospital was rebuilt 10 years ago, we had to drive for hours to get to Bamyan city center for medical purposes,” Jameela says. “Now most of our health problems are solved in this hospital. This has brought about significant ease to life of the residents of this district.”

In 2001, Afghanistan faced a dismal public health landscape. Decades of war had led to the destruction and impeded building of health infrastructure, leaving less than 10 percent of the population within an hour’s travel to even the most basic healthcare services. Maternal mortality, was 1,600 per 100,000 and child mortality was 257 per 1,000 were among the
highest in the world. However, Afghanistan has made tremendous achievements in the realm of health care in the past 15 years. The number of healthcare facilities has increased by 400 percent, with 50 new healthcare centers constructed in 2015 alone, bringing the total number of medical facilities nationally to 2,200. Today, 67 percent of Afghans have access to at least basic healthcare facilities within one hour of travel from their homes.

Healthcare access in Afghanistan now reaches the remotest villages, in parts of the country cutting a days-long journey to a healthcare center to minutes. “We have made revolutionary progress with regards to expansion of health services in Afghanistan. However, we don’t want to remain complacent. We want to take health facilities to the doorsteps of the people,” says Dr. Ferozedin Feroz, Minister of Public Health.

The numbers speak to the widespread effect of this increased access to healthcare. Maternal mortality has fallen by more than three quarters, from 1,600 per 100,000 in 2002 to 327 deaths per 100,000 in 2013. Infant mortality was 93 deaths per 1,000 births in 2001, and has since fallen to 66 per 1,000 births in 2015. Child mortality has plummeted from 257 per 1,000 births in 2002 to 97 per 1,000 births in 2013.

In 2002, only a quarter of health facilities had a female health worker; by 2015 this number had increased to 85 percent and growing, according to USAID. Women now comprise 20 percent of Afghanistan’s 41,500 health workers. A huge factor in the dramatic decrease
in infant and maternal mortality rates is the increase of midwives across the country, facilitated by an intensive midwife training program. In 2002, Afghanistan had only 500 midwives nationwide. Today, this number has increased tenfold to more than 5,000, Dr. Feroz says. The Afghan Midwives Association, established in 2005, provides training and support to midwives in every single province.

“Because of the reluctance of the midwives to work in the countryside, we started a training program where we recruit women from communities, train them in the provincial center and send them back to their communities to work as midwives,” said Dr. Feroz. “Today Afghanistan has a midwife training center and a nursing training center in all 34 provinces. This has been crucial to expanding the presence of midwives and nurses across communities.”

In large part due to a lack of health services, Afghanistan has been plagued by preventable diseases, including tuberculosis (TB), malaria and polio. The Ministry of Public Health tracks TB cases, and improved TB services across five provinces and trainings across 15 provinces have helped the country treat an estimated 56,000 new TB cases annually. Immunization rates have steadily increased from less than 30 percent in 2000 to more than 75 percent in 2014 for DPT and 66 percent in 2014 for measles.

As drug addiction has been becoming a growing concern, The National Unity Government has put special focus on the rehabilitation of addicts, building 120 addiction prevention and treatment centers since 2014. The National Unity Government has also made addressing mental health a priority. To this end, the government has trained and dispatched more than 300 mental health counselors to comprehensive health centers across the country.

The Ministry of Public Health also developed the National Medicine and Health Products Regulatory Authority, which has created an effective framework for controlling drugs and medical products to ensure they meet the necessary quality and standards. The National Unity Government has also formed Afghanistan’s first medical staff licensing body, the National Medical Council.

The remarkable achievements of the healthcare sector in Afghanistan over the past 15 years have largely been accomplished with international support. While the country has made huge gains in health, Afghanistan’s healthcare access and quality still pale in comparison with its regional neighbors. Even with huge gains in access to healthcare, the Ministry of Public Health still estimates that each healthcare center serves between 15,000-
30,000 people, on average. Healthcare in Afghanistan remains fragile, and while access has dramatically improved, nearly a third of the country’s population remain without access to even the most basic healthcare services.

“The future is bright if we manage to build on the achievements we have had in the past 15 years, says Wahidullah Majroh, Spokesperson of the Ministry of Public Health. I am optimistic that we can further expand health services to our population. It is our achievements, commitment and support from our international partners that gives me hope and confidence.”