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ASSISTANCE TO LEGISLATIVE BODIES OF AFGHANISTAN

QUARTERLY REPORT

October – December 2013



30 JANUARY 2013

ASSISTANCE TO LEGISLATIVE BODIES OF AFGHANISTAN

QUARTERLY REPORT: OCTOBER TO DECEMBER 2013

Program Title:	Assistance to Legislative Bodies of Afghanistan
Sponsoring USAID Office:	USAID Afghanistan
Contract Number:	AID-OAA-I-12-00003/AID-306-TO-13-00004
Contractor:	DAI
Date of Publication:	January 30, 2014
Author:	ALBA Project Staff

The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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ACRONYMS

ALBA	Assistance to Legislative Bodies of Afghanistan
APAP	Afghanistan Parliament Assistance Program
API	Afghanistan Parliamentary Institute
AO	Assistance Objectives
AUAF	American University of Afghanistan
BMP	Branding and Marking Plan
CI	Counterpart International
COP	Chief of Party
COR	Contract Officer's Representative
CSO	Civil Society Organizations
CTA	Chief Technical Advisor
CTAP	Civilian Technical Assistance Program
DAI	Development Alternatives Incorporated
DG	Director General
DSG	Deputy Secretary General
ICLAD	International Consortium for Law and Development
IDLG	Independent Directorate of Local Governance
IR	Intermediate Results
MEC	Independent Anti-Corruption Monitoring and Evaluation Committee
MJ	Meshrano Jirga
MOU	Memorandum of Understanding
MOWA	Ministry of Women's Affairs
MSI	Management Systems International
NDI	National Democratic Institute
PACC	Parliamentary Anti-Corruption Caucus
PC	Provincial Council
PMEP	Performance Monitoring and Evaluation Plan
PRD	Public Relations Directorate
SG	Secretary General
STTA	Short Term Technical Assistance
USAID	United States Agency for International Development
WJ	Wolesi Jirga

INTRODUCTION

ABOUT ALBA

The Assistance to Legislative Bodies of Afghanistan (ALBA) project is a four-year technical assistance initiative funded by the United States Agency for International Development (USAID), implemented by Development Alternatives, Inc. (DAI). Work under the project supports the development of the Afghan Parliament to enable it to operate as an independent and effective legislative, representative and oversight body.

USAID's overarching Assistance Objective (AO) 1 for Democracy and Governance in Afghanistan is "Improved performance and accountability of governance." Five intermediate results (IRs) comprise this AO. ALBA supports the third IR, "Strengthened governance and service delivery at national and sub-national levels." Specifically, ALBA supports the following sub-IR: "Institutional capacity and oversight capacity of elected bodies at all levels strengthened."

ALBA will assist in the continued development of the Afghanistan Parliament as a strong, effective, and independent parliamentary institution. The four key areas of the program are: Legislative Support; Oversight; Outreach; and Institutional Development of the Parliament with a major focus on the commissions as a vehicle for many of ALBA's activities.

USAID designed ALBA to prepare both Houses of Parliament for greater self-reliance. ALBA will build on the foundation of USAID's previous programs while expanding support to the Meshrano Jirga (MJ). This approach will include capacity development aimed at immediate and long-term application for practical, on-the-job learning as Members of Parliament (MPs) and staff reduce reliance on embedded advisors and engage in legislative, oversight, and outreach activities alongside government, civil society, and private sector actors.

CHAPTER I: EXECUTIVE SUMMARY

Work under the Assistance to Legislative Bodies of Afghanistan (ALBA) project was designed to support the development of the Afghan Parliament to enable it to operate as an independent and effective legislative, representative and oversight body. With the fall legislative session near its end, this quarterly reporting period witnessed activities and progress in all of the four major objectives of ALBA:

Under **Objective One – Strengthened Legislative Processes**, ALBA conducted an assessment of legislative drafting and analysis capacity during the October International Consortium for Law and Development (ICLAD) trainings and a parliamentary staff survey to provide empirical data from which the project prepared a skills sets analysis. From this analysis, ALBA developed a proposed curriculum for a comprehensive program course aimed at providing the permanent staff of the Parliamentary Secretariat with the skills required to become more effective at their jobs, focusing on legislative analysis and research, and budgetary oversight skills. Throughout the report period ALBA supported the legislative process by providing targeted assistance to those Commissions and MPs dealing with priority legislation, such as the Mining Law, the Provincial Councils Law, the Population Registration Law, and the Access to Information Law.

Under **Objective Two – Improved Oversight**, several Commissions travelled to the provinces to undertake oversight visits, including the MJ Commission on Disabled Persons and Refugees, who examined government investments in disabled facilities in Northern provinces. The usefulness of these oversight visits was demonstrated by the success of the Wolesi Jirga (WJ) Commission on Women’s Affairs in bringing ministerial attention and action in regard to the situation of women detainees in Kapisa. In addition the Budget team supported both Houses in oversight of the budget processes; preparing analysis reports on the 1391 Qatia Report, the 1392 Supplementary Budget, and the 1393 National Budget. ALBA continued support toward the further development of the Parliamentary Anti-Corruption Caucus (PACC), facilitating briefings for the group by such NGOs as Integrity Watch Afghanistan and Global Witness. Finally, ALBA began working with the PACC to develop its internal organization, its formal charter and other foundation documents.

Under **Objective Three – Increased Outreach**, ALBA designed the framework for its revisions to the parliamentary website, which is planned to incorporate such features as live audio and video web-streaming of plenary sessions, and dedicated pages for

citizens' petitions and complaints. In addition, ALBA support enabled several Commissions to conduct visits to the provinces to conduct outreach activities primarily in Herat, and Mazar.

Under **Objective Four – Increased Institutional Development**, ALBA continued the provision of basic language and IT courses for staff and members of both Houses, while at the same time beginning the process of integrating the staff of the capacity-building sections into Afghanistan Parliamentary Institute (API) planning and operations. ALBA also developed a comprehensive Parliamentary Skills Sets Needs Analysis, and from that developed a proposed API curriculum for review by the two Houses. In addition, efforts to lead several select Commissions through the processes of gender sensitive budget analysis were begun during this period, as Commissions consider the 1393 National Budget and its priorities.

CHAPTER II: SUMMARY OF PROGRAM OBJECTIVES AND RESULTS

OBJECTIVE ONE – STRENGTHENED LEGISLATIVE PROCESSES

Task 1.1 - Institutionalize Legislative Drafting and Analysis

Legislative Drafting & Analysis Trainings –

ALBA's partner in legislative analysis, ICLAD, conducted the first of a series of workshops aimed at enhancing the ability of MPs, staff and Ministry officials to work together and develop legislation that more effectively addresses its stated objectives. Using the newly introduced Mining Law and an initial draft of the Family Law, the focus of the workshops was the importance and utility of working with current legislation as case studies. The workshop on the Mining Law proved useful to several MPs participating, who used the knowledge and skills gained to pose insightful questions to the Minister of Mines when he testified before the WJ plenary.

In the subsequent workshop on the draft Family Law, 12 members of the Women's Commissions of the MJ and WJ, including both Commission Chairs, participated, along with CSO representatives.

Additionally, a total of 22 Secretariat staff members from both Houses participated in the workshops relating to the process of legislative drafting and analysis. The ICLAD experts were also able to make preliminary assessments and course recommendations that were reviewed along with the results of the staff survey conducted by the API.

These served as the basis for the initial API proposed curriculum list noted below and submitted to the Secretaries General of both Houses for comment and confirmation. (See Task 4.1)

Development of Legislative Staff Training Program – ALBA continued to develop the curriculum for the legislative staff training program as part of the overall API curriculum, a comprehensive package of courses aimed at providing the permanent staff of the Parliamentary Secretariat with the skills required to become more effective at their jobs. The development process included extensive consultations with upper- and mid-level management of both Houses, analysis of several staff surveys administered over the course of the fall period, and assessments arising from meetings held by ICLAD legal experts, as noted above.

Task 1.2 – Developing Effective Communications Processes with Executive

Independent Directorate for Local Government (IDLG) Planning for Provincial Councils (PC) Law Conference – ALBA met with IDLG to move forward with planning for hearings on the PC Law, bringing PC Chairs to Kabul to brief Parliamentary Commissions and leadership on their views with respect to this critical piece of legislation.

Meetings with Ministry Gender Units – ALBA met with representatives of the 22 gender units created within the majority of the Ministries. The aim of these meetings was to begin creating the links between these units, the Ministry of Women’s Affairs (MOWA), and the Women’s Affairs Commissions of both Houses. The gender units are envisioned to be a valuable partner in such critical activities as conducting gender audits to draft legislation and providing data for gender sensitive budget analyses for Ministry submissions.

OBJECTIVE TWO – IMPROVED OVERSIGHT

Task 2.1 - Increase General Oversight through Commissions

Outreach / Oversight Visits by Commissions – ALBA supported provincial visits by the WJ Commission on Women’s Affairs, Civil Society and Human Rights and the MJ Commission on Widows, Gender Issues and Civil Society to Herat where representatives visited women shelters in the province, and the regional prison to witness first-hand the current conditions of these facilities. The groups also met with the Governor, officials from the line Ministries and the provincial Department of Women’s

Affairs. The chair of the WJ Commission presented some of her findings to the WJ plenary session on 4 December, demanding that the appropriate officials overseeing the prison system in the Western region be summoned to answer for the appalling conditions that they encountered during the visit. A more formal report from this activity is being developed.

Oversight Visit of WJ Commission on Women’s Affairs, Civil Society and Human Rights to Kapisa Province – ALBA supported the planning and execution of this Commission visit, aimed at accomplishing several goals, including an examination of the conditions of female prisoners in the Kapisa jail, monitoring election preparations, including registration efforts, and meeting with MOWA officials to discuss critical issues for women in the province.

The delegation met with the Deputy Governor, the Provincial Council, the Provincial Chief of Police, the Head of Provincial IEC office, the heads of select provincial line ministries, and representatives of the Provincial MOWA. Provincial officials, including the Deputy Governor, were delighted to receive the delegation, stating it was the first time such a WJ delegation had visited the province in a long time, and adding that their own MPs appeared to avoid visiting the province. In this light, the officials were very forthcoming in their comments to the delegation and urged them to raise their concerns throughout Parliament. As a result of the visit, the Commission prepared a detailed report, which was tabled in the WJ plenary.

During the trip, the delegation conducted site visits to the Kapisa Provincial Women’s Prison, a safe house for abused women, and an election registration site. One recurring set of issues raised related to the elections. All expressed concern regarding the low level of registration due to the insecurity of registration sites. In fact, three districts have not registered any women at all. Additionally, all felt that there was a low level of awareness of the upcoming elections, especially since provincial council elections are to be held in conjunction with the Presidential elections next April.

WJ Commission for Women held hearing with Minister of Justice and the Deputy Minister of Interior – An important outcome of the ALBA-supported WJ Women’s Commission visit to Kapisa Province on 8 October, was the Commission’s decision to summon the Minister of Justice (MOJ) and the Minister of Interior (MOI) before the Commission to discuss the problems identified during the visit in Kapisa. The MOJ attended, and a Deputy MOI.

The problems identified by the Commission included:

- A lack of women defense attorneys to assist the accused in court;
- The lack of proper buildings, clean water and sufficient space in the prison, which is located in a poorly maintained rental house;
- Poor health conditions for prisoners and no medical treatment available;
- Holding women in jail after their sentencing period, mainly because the court asks for collateral, which is illegal;
- Failure by the court to follow up on some cases, which should be processed within 10 months and three days according to the law. During its site visit, the Commission found women who’d been in jail for almost three years without any court decision handed down; and,
- Incarcerating women who fled from abuse in the jail, when legally they should be transferred to shelter houses.

“Regular oversight visits to provinces will bring transparency and accountability to the relevant bodies to take responsibility and be responsive for their actions . . .”

Additionally, the lack of security for women’s polling centers was raised with Deputy Minister of Interior with focus on recruitment of women body searchers. The MPs also discussed the lack of security for women candidates in PC races, which reduced the number of women candidates competing in the upcoming election.

Results of the meeting:

- The MOI pledged to construct new prison buildings, the plan for which will be shared with WJ Women's Commission. MOI plans to fund construction of standard prisons from its development budget focusing on priority provinces;
- An MOI Monitoring Team was dispatched to the provinces. The findings of the delegation's visit will be shared with Commission once it is complete;
- A committee composed of MOWA, MOJ and MOI will be established to follow up on the cases of women who are jailed for fleeing their home and other reasons;
- MOI medical staff are supposed to be located in the prisons for inmates' treatment, with a protocol for referring serious cases to Ministry of Public Health (MOPH) clinics and hospitals. The MOI Chief of Prisons will follow the issue with the head of prisons and the provincial MOPH offices; and,
- Regarding female searchers for women's polling stations, the MOI will coordinate with the Election Commission to recruit more female searchers to ensure women's safety during the election.

MJ Commission on Disabled Persons, Refugees and Martyrs – ALBA coordinated efforts with the Commission to support conducting public hearings in four regions of the country on disabilities issues both before and after the International Day for People with Disability on 3 December, offering to assist in the following ways:

- Support to the Commission and its staff;
- Support to the provincial delegates traveling from the neighboring provinces and from the districts in the host province;
- Support to the event logistics; and,
- Planning and administration.



A participant speaks at the public hearing held by the MJ Commission on Disabled Persons.

ALBA moved forward on the first of the public hearings to be held in four different regions of the country on Disabilities Issues. This first hearing was held in Mazar in November and involved the participation of Provincial Counselors, CSOs, and line ministry officials from Mazar City and the provinces of Balkh, Samangan,

Saripol, Jawzjan and Faryab. ALBA also provided support to the Commission’s National Townhall in Kabul on issues of the disabled, held in conjunction with International Day for People with Disability in December.

MJ Commission on Disabled Persons, Refugees and Martyrs – Provincial field hearings supported by ALBA saw 12 members of the Commission and their staff travelling to Mazar to conduct initial meetings with the Governor, provincial line Ministry officials and provincial councilors. A total of 97 representatives of disabled groups operating in neighboring Samangan, Jawzjan, Sar-e-pul, and Faryab provinces attended day-long sessions held by the Commission. There were an additional 60 participants from the host province of Balkh that attended. A comprehensive report on the hearings and its conclusions was prepared. **(See Annex A)**

MJ Commission on Widows, Gender Issues and Civil Society – The members of the Commission travelled to Herat to hold several hearings on the issue of violence against women. A public hearing on this issue attracted over 150 members of the public, and subsequent meetings with the Governor, various security organizations, the provincial Department of Women’ Affairs, and the Provincial Council generated a great deal of attention and recommendations relating to decreasing violence against women in the west of the country. Submissions were also received from the regional office of the Human Rights Commission and the Directorate of Religious Affairs. The MJ Commission subsequently presented its findings to the MJ plenary following their return.

Task 2.3 - Support Parliament's Oversight of Budget Priorities & Implementation

Budget Team

Qatia Analysis and Briefings – ALBA's budget team finalized its analysis of the 1391 Qatia documents, related to the financial statements on development expenditures, operating expenditures, and revenue generation. Additionally, the team conducted briefing sessions for three Commissions in the MJ and seven commissions in the WJ.

Joint Committee Hearing-1391 Qatia Report - The ALBA Budget Team supported the WJ Joint Committee hearing on the 1391 Qatia Report, preparing background documents and suggested questions for the witnesses who appeared before the Committee as well as those ministries who appeared because their development budget execution rates fell lower than 55% during 1391. The leadership of nine ministries and the Office of the Auditor General were summoned to the Commission. Questioning focused on the reasons behind the low execution rates for the Ministries represented at the hearing, and attached is a summary of the responses provided. **(See Annex B)**

"... there were many things in this budget about which I was not clear, but this [ALBA] presentation made it very clear for me"

Joint Committee Recommendations from Qatia Briefings – ALBA Budget Team Qatia briefings enabled the Joint Committee to hold a comprehensive review session with participation of representatives of seven WJ Commissions along with seven Budget Commission Members. By consensus vote, the Joint Committee proposed a series of recommendations to summon before the Joint Committee those ministries whose implementation of the 1391 budget resulted in violations of law, failed to meet the expenditure threshold for the ministries, or retained large monetary surpluses at the end of the budget year.

1393 Budget Briefing – Following the completion of the 1391 Qatia Hearings, the ALBA Budget Team drafted an analysis of the 1393 Budget, and submitted to Parliament. The Budget Team also briefed the WJ Complaints Commission on its analysis; afterwards the Commission Chair stated to the ALBA team, "there were many things in this budget about which I was not clear, but this [ALBA] presentation made it very clear for me." The Chair asked the team to re-appear before the Commission to answer further questions about the Budget from other MPs. ALBA continued its

briefings on the draft 1393 National Budget, appearing in front of the following Commissions:

- WJ Commission on Women’s Affairs, Civil Society and Human Rights;
- WJ Commission on National Economy, Non-governmental Organizations, Rural Development, and Agriculture and Animal Husbandry; and
- WJ Commission on Complaints and Petitions.

Additionally, ALBA reviewed and compiled a series of advisory recommendations received from other MJ Commissions, preparing a consolidated statement shared with the MJ plenary session, after which the 1393 Budget was formally sent to the WJ.

1392 Supplemental Budget – ALBA completed its analysis of the 1392 Supplemental Budget for the WJ Commission on Finance, Budget, Public Accounts and Banking Affairs. The Commission adopted this analysis and presented it to the plenary, where voting took place during the 4 December session.

1393 Budget Analysis Report – ALBA completed its analysis of the 1393 National Budget, which was presented in Dari to the plenary of the WJ by the Chair of the Budget Commission.

1393 Budget Hearings – ALBA supported a series of hearings by the Budget Commissions of both Houses to examine projects within the 1393 Budget, with the WJ Commission calling for testimony from a wide variety of officials from the following offices: the MJ, the WJ, the Supreme Court, the Ministry of Justice, the Office of Administrative Affairs, the Ministry of Religious Affairs, the Office of the Attorney General, the MOWA, and the IDLG.

Parliamentary Anti-Corruption Caucus (PACC)

MSI Closure and PACC – Pending closure of the USAID 4A Anti-corruption Program implemented by MSI, ALBA met with MSI’s outgoing management and the members of the PACC to discuss areas in which ALBA could expand their support, including: continuation of ALBA training for PACC on Oversight and Anti-corruption Issues; provision of office space to PACC; support to PACC in their efforts to join the Global Organization of Parliamentarians Against Corruption (GOPAC); continuation of previous support to provincial trips aimed at establishing Anti-corruption committees within PCs; provision of API courses to PACC; and provision of a series of briefings on such

relevant topics as the Mining Law and upcoming Access to Information legislation. Additionally, ALBA drafted a new charter for the PACC. **(See Annex C)**

Review the draft Anti-Corruption Law (ACL) – ALBA prepared comments in Dari on the draft ACL and provided suggestions and inputs that needed to be added in the draft.

Anti-corruption workshop for PCs and creation of provincial anti-corruption commissions – PACC members discussed the importance of anti-corruption workshops for provincial councils as well as the continuation of the creation of anti-corruption committees within the PCs. They asked ALBA to continue supporting this significant success.

International Anti-Corruption Day – ALBA supported members of the PACC and the Afghanistan Coalition against Corruption (AFCAC) in holding a conference in Kabul on 9 December (International Anti-Corruption Day) during

which a number of Presidential candidates endorsed and signed an anti-corruption pledge, for both the election campaign and throughout their mandate.

Covered extensively by all national media outlets, as well as Voice of America and Radio Free Europe, the main outcomes of this event were the following:

- PACC announced their existence/creation to the public, government, parliament, civil society and to the international community at the event.
- AFCAC raised its profile within civil society as a prominent player in the anti-corruption field; and
- Seven of the presidential candidates signed an anti-corruption pledge and they promised that they will put “fighting corruption” at the top of their agenda. This is

the first time in Afghanistan that such an event, and such a pledge, had taken place. The participating candidates included:

- Dr. Ashraf Ghani Ahmad Zai
- Mr. Mohammad Daoud Sultanzoi
- Mr. Qutbuddin Helal
- Mr. Hedayat Amin Arsala
- Mrs. Habiba Surabi on behalf of Dr. Zalmay Rasool
- Mr. Sayed Husain Alami Balkh on behalf of Mr. Gul Agha Sherzai
- Mr. Shah Abdul Ahad Afzali on behalf of General Abdul Rahim Wardak

PACC Briefings on Access to Information (ATI) Legislation – ALBA held a meeting between PACC and several members of Integrity Watch Afghanistan (IWA) to provide briefings on the draft ATI legislation currently languishing within Cabinet. Strategies discussed to move the legislation forward, which has been significantly weakened by the Executive, include designing alternate draft legislation and having PACC members initiate it in the WJ during the spring 2014 session.

PACC Activities (IWA Briefing) – ALBA hosted a day-long briefing session for the PACC. This session marked the first regular meeting of the PACC at ALBA as they seek to shift support from the recently completed USAID 4A program to ALBA. As such, ALBA outlined the levels of support that PACC could expect in the future. These will include briefings and analysis on the 1393 Budget, as well as support for the establishment of anti-corruption committees at the PC level. Also during the session, IWA staff briefed the PACC on a research project being currently undertaken focused on the cultural and gender issues affecting corruption within the Parliament. They explained the focus of the research and used the meeting to “field test” the initial draft surveys, getting input from the PACC members on the content of the questionnaires and discussing the most effective methods to administer the somewhat sensitive questions to MPs.

PACC Activities (Global Witness Briefing) – Representatives from the CSO Global Witness briefed the PACC members on the status of the Mining Law and remaining weaknesses of the Law that needed to be addressed. They highlighted the fact that the Natural Resources Commission had passed certain amendments and the Law was now being sent to the other 17 Commissions for further discussions and amendments. The PACC and Global Witness then discussed in detail how each of the PACC members could initiate and push for effective amendments in their respective Commissions the next week. Global Witness prepared a set of briefing points on the Mining Law as it currently stands and shared it with the group.

OBJECTIVE THREE – INCREASED OUTREACH CAPACITY

Task 3.1 – Increasing Interactions with Civil Society

CSO Facilitation – ALBA facilitated meetings between the Advocacy Committee of CSOs (AWN, OSA, Qanoon Pohana, IDLO, WSO, EPD, and UN Women) and the Women Affairs, Human Rights and Civil Society Commission of the Upper House on the Criminal Procedure Code. The above-mentioned CSOs briefed the Senators on their concerns regarding Article 26 of the draft bill. The position paper of the civil society organizations was also distributed to the Senators. The Commission agreed to the proposed amendments of the civil society representatives and promised to advocate for the change in the text of the legislation.

In addition, the CSOs requested that ALBA provide an opportunity to meet with the Legislative Affairs Commission of the Upper House. [REDACTED]

[REDACTED] The Commission Chairman was pleased by the input and agreed to advocate for the proposed change. The Chairman thanked the CSOs for their continued support in the legislative process, and the following day called representatives of the Ministry of Justice, the Supreme Court, and the Association of Defense Lawyers to hear the representations of the CSOs.

After ALBA facilitated the CSO intervention, the draft language was changed to allow testimony by relatives, but prohibiting the courts from forcing their testimony if it wasn't voluntary. This is important as it represented a rare occasion where the input of CSOs was welcomed by several groups within Parliament, resulting in a significant change to the legislation being considered.

Task 3.2 – Strengthening Parliamentary Visibility

Legislation Tracking Matrix – The Project developed a Legislation Tracking Matrix that is updated every week by the Legislative Program team to provide a clear picture of where in the process each piece of pending legislation stands.

Integrated Social Media/Website/Proceedings Reporting – Discussions are currently underway to help develop an effective social media outreach and engagement campaign for the Parliament of Afghanistan. To achieve this goal ALBA is developing a

scope of work to bring in a short-term consultant to work closely with local stakeholder groups and ALBA to assess existing outreach platforms/technological capabilities, campaign briefs, outreach strategies, and other elements. It is planned that this consultant will conduct an assessment in two phases: the first will focus on a comprehensive analysis of existing web-based capabilities within the Parliament of Afghanistan; the second will focus on a review of mobile and other outreach opportunities.

Website Enhancements – ALBA conducted a comparative assessment of the current website against the standards developed by the Inter-Parliamentary Union (IPU) for such sites. It is anticipated that expatriate short-term technical assistance (STTA) will be brought in to do a more comprehensive assessment of the technical requirements and necessary upgrades. For the majority of the work a local IT company will be used in order to train Secretariat staff and ensure sustainability of the enhancements. These enhancements may include:

- Enhanced pages for leadership of Parliament (e.g., Speaker, Secretary-General);
- Links to individual Commission web pages;
- Live web-streaming of plenary sessions;
- Access to electronic versions of the plenary proceedings;
- Legislative tracking for MPs, CSOs and academic researchers;
- Links to a public complaints system and / or a proposed anti-corruption hotline;
- Links to educational pages describing the Parliament and its functions for schoolchildren and youth; and,
- Dedicated pages for explaining the Budget and Budget Processes.

Task 3.3 – Developing an Open and Transparent Legislative Process

Development of ALBA Public Opinion Research Plan – ALBA prepared to commission a certain amount of public opinion research during the reporting period, to inform on performance indicators and foster the use of appropriate public opinion research techniques among parliamentarians, Secretariat staff (primarily the Directorates of Public Relations of both Houses), and selected CSOs dealing with Parliament. The research was aimed at the following objectives:

- Measure baseline attitudes and interactions with Parliament and evaluate how these have changed at the end of the program (and if possible, the extent to which the program changed them);

- Obtain reactions on key parliamentary initiatives (3-4 per year) from youth, women, and NGOs to help NGOs develop campaigns and brief parliamentarians on public attitudes;
- Train NGOs and parliamentarians to use public opinion research in their work and advocacy campaigns via a “learning by doing” approach; and
- Develop capacity to support public policy research independently among Afghan strategic communication and research firms via a “learning by doing” approach.

In light of potential sensitivities regarding public opinion research in the run-up period to the Presidential and Provincial Council elections, this initial planning has been placed on hold, and ALBA will consider resumption of this activity in the post-election period.

OBJECTIVE FOUR – INCREASED INSTITUTIONAL DEVELOPMENT

Task 4.1 - Strengthen the Afghanistan Parliamentary Institute

API Coordination Meeting with WJ HR Director – ALBA staff met with the WJ Human Resources Director to discuss plans for longer term programming, as well as outfitting the new API wing. Regular coordination meetings were discussed as a means to ensure progress in the revitalization of the Institute, as well as establishment of admissions and curriculum standards to ensure an efficient use of faculty and instructor resources. ALBA is reviewing the recommendations made by the WJ and planning to discuss these recommendations with the Deputy Secretary General, reflecting input from the parliament regarding usage of space, curriculum plans, and establishment of educational standards.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Briefed on the possible curriculum course offerings list developed by ALBA, the Secretary General followed up the meeting by providing concrete suggestions to the proposed curriculum and promised full cooperation.

Parliamentary Skills Sets and API Curriculum – Issues involving the institutionalization of sustainable and substantive knowledge enhancement for Afghanistan Parliamentary staff – and, by extension, the Parliamentarians – are an interlocking, multi-tiered challenge. To address this challenge and determine services for staff and department heads of both Houses, ALBA accessed two sources of information: 1) the results of a needs assessment survey conducted by API staff to help identify better and more effective future programming; and 2) the findings of an internal assessment conducted by DAI’s subcontractor for legal training, ICLAD.

Drawing on this information and reviewing historical data from the previous project, ALBA developed a comprehensive Parliamentary Skills Sets Needs Analysis, and from that developed a proposed API curriculum for review by the two Houses to be held on 12 January 2014. **(See Annex D)**

API Training Courses – The basic training courses offered at the Institute have proven to be popular with members and staff of both Houses. During the third quarter, the API witnessed, on average, 175 participants per week participating in IT and language courses. The next quarter will see these training numbers augmented by the start of the advanced courses at the API, including legislative research, program management, strategic planning and parliamentary journalism techniques.

Task 4.2 - Support Gender Mainstreaming in the Parliament

Gender Budgeting Analysis – ALBA assisted the Women’s Commissions of both Houses on the analysis of the 1393 national budget from a gender perspective among several other assignments. This analysis was designed to provide a snapshot of the 1393 national budget as it relates to gender in certain areas of government activity. It is not meant to be exhaustive, but rather to focus on a few key areas which are important from a gender perspective. In following years, similar analyses will aim to: 1) examine other areas of relevance to gender; and 2) re-visit the areas detailed in this report to determine whether identified problem areas have been addressed. For this analysis, three different areas of Ministry activity will be examined as they relate to the Budget: process, internal hiring practices, and investment in women and girls through government programs.

Strategic Planning Session with MJ Commission on Widows, Gender Issues, and Civil Society – At the request of the Commission leadership, ALBA conducted a strategic planning with this group to determine their priorities for action during the current legislative session. Issues identified included:

- Analysis of priority legislation – Law on Children’s Paternity / Law of Provincial Councils / Annex Four of the Penal Code;
- Outreach efforts – visits to several provinces to examine the status of women’s access to education, health, and justice, as well as the state of women’s election registration; and,

- An analysis of 1391 Qatia documents and 1393 national budget from a gender perspective.

QATIA Presentation to MJ Commission for Women – The ALBA Budget Team presented an orientation session to the MJ Commission for Women, with all nine members and the Chair participating. The Senators were briefed on the performance of the operating and development budgets, including detailed information on the 1391 allocations to Ministries and actual expenditure levels. The Chair suggested that ALBA should provide QATIA briefings to each MJ commission, as well as a preparatory briefing for the introduction of the 1393 budget, particularly from a gender perspective.

Task 4.3 – Support Meshrano Jirga Activities

Coordination of Commission Field Visits – ALBA increased its support to provincial oversight visits by Commissions of the MJ, as noted elsewhere. ALBA is ensuring that the office of the Secretary General (SG) is briefed on such activities and that the office of the SG initiates communication and coordination with the relevant Governor’s offices.

MJ Commission on Relations to the Provincial/District Councils and the Immunities and Privileges of the House – ALBA conducted a planning meeting with the Commission to identify priorities for the current fall session. The support to be provided in this area will include the following:

- Support to the comparative analysis of legislation relating to parliamentary privileges and benefits both during the period of service for elected representatives and following the end of their period of service;
- Support to the analysis of the draft PC Law, including the holding of public hearings and a series of consultations with members of the PCs both in Kabul and in the provinces;
- Support to more structured interaction with the IDLG as it moves towards full Ministerial status; and,
- Support to the creation of mechanisms which enable the Commission to systematically gauge priorities of the PCs in the areas of the national budget and the government’s legislative agenda.

Additionally, ALBA held discussions with the Commission to conduct oversight hearings in the provinces to review the implementation of the election laws (IEC and ECCs), although the tight timeline in the run-up to the recess in mid-January could require Senators to remain close to Parliament to deal with the numerous pieces of legislation that must be reviewed prior to the recess adjournment.

UPCOMING EVENTS

6-8 January 2014 – Independent Directorate for Local Government (IDLG) Planning for Provincial Councils (PC) Law Conference

12 January 2014 – Joint WJ/MJ planning session for API Curriculum

14 January 2014 – Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC) Board meeting with PACC

19-21 January 2014 – MJ Commission on Women’s Affairs, Civil Society and Human Rights oversight field visit to Nangarhar Province

Provincial Oversight Visits – In addition to the above-mentioned field visit, the following field visits are being planned with the specific dates to be confirmed:

- WJ Commission on Women’s Affairs, Civil Society and Human Rights – Takhar Province
- MJ Commission on Handicapped, Disabled, Dependents of Martyrs and Refugees – Herat Province
- MJ Commission on Relations to the Provincial/District Councils and the Immunities and Privileges of the House – Badghis Province

21 January to 5 March 2014 – Parliament is in Recess

6 March – Parliament begins spring Session

CHAPTER III: PERFORMANCE MONITORING

This quarter witnessed progress on several key indicators within the ALBA PMP:

Indicator	Q3	Actual (YTD)	Target Year	Progress	Comments
1.1 Number of laws debated and subject to final vote	11	29	22	131%	In addition four international cooperation agreements were also passed by National Assembly
1.2 Percentage of legislation produced with input from outside experts and CSOs	2	18%	25%	72%	CSOs were successful in influencing two pieces of legislation considered during the session, the Criminal Procedures
2.1 Number of Executive oversight taken by legislature	175	204	35	582%	Hearings, questioning, field visits: WJ Commissions – 90 MJ Commissions – 74 WJ Plenary – 6 MJ Plenary - 5
2.2 The number of times a standard procedure for questioning Ministers and officials developed by ALBA is used	33	33	6	550%	ALBA’s budget team designed the format used to question Ministers on the following: 1391 Qatia, 1392 Mid-Year Budget Review, 1393 Budget
2.3 The number of times the service of the budget unit are accessed by commissions	0	3	30	10%	The Secretariat’s budget units were not used by Commissions during the recent fall session.
2.4 The degree to which Public Accounts Sub Committee mandate is implemented	25%	25%	50%	50%	An initial concept paper was developed to address the establishment of this committee.
3.1 Number of interactions between CSOs and legislative bodies	10	12	30	40%	Commissions were active in seeking the views of CSOs, in the areas of the Mining Law and the 1393 Budget
3.2 Number of public forums in which legislators and members of the public interact	5	5	15	30%	Commissions became more active in undertaking outreach visits to the provinces; this is expected to increase during the upcoming quarter.

Other Quarterly Indicators – ALBA has established additional indicators that are not included in this Quarterly Report, either because they are reported on an annual basis or because the program has not yet collected data on those indicators. For a description of indicators where the program has not yet collected data please see the July – September 2013 Quarterly Report.

Additional Notes on Indicators – As ALBA heads towards the last quarter of its first year, it is apparent that some adjustment of the indicators will be required, in light of the significant progress encountered in some objectives, and challenges in others:

Passage of Legislation: It is clear that the passage of legislation has been, despite the recurring issues with achieving quorum in both Houses, at a pace greater than initially expected. Legislation passed with the input of CSOs and outside actors is on pace to meet Year One targets but could be improved with a focus on reaching out to relevant CSOs during the Spring 2014 parliamentary session, as there are a number of expected bills that are of interest to various CSOs active in parliament. Lastly, we should see the first of several pieces of legislation initiated within the Parliament (members' bills) in the next session.

Oversight Actions: The indicators relating to oversight by the commissions and plenary sessions of both Houses is significantly beyond the Year One targets, for several reasons. ALBA has engaged Commissions to undertake provincial field visits, and this is expected to increase for the remainder of Year One and into Year Two of the program. In addition, ALBA supported numerous Commissions of both Houses to scrutinize the major Budget documents in a more profound fashion than in previous Budget cycles, calling Ministers to the Parliament to provide testimony on the 1391 Qatia Report, the 1392 Mid-year Budget Review, the 1392 Supplemental Budget and the 1393 National Budget.

Public Hearings: Although the number of field visits by Commissions has dramatically increased through the support of ALBA, these visits have not significantly engaged the public at this point, focusing instead on government operations and provincial line departments. ALBA, in the course of its support to the initial planning of these visits, will encourage the inclusion of more public forums in which the MPs and public interact.

CHAPTER IV: CROSS CUTTING TASKS

Coordination with other donors

International Community Transparency and Accountability Working Group (ICTAWG) Briefing – ALBA briefed the members of the ICTAWG on the state of budgetary oversight within Parliament. More specifically, the topics covered included:

- Questioning of ministers and ministerial officials
- Scrutiny of budget and budget processes
- Budget processes: Qatia / mid-year budget review / tabling of budget
- Low burn rates of budget units
- Current state of oversight in parliament and the way ahead
- Future issues and challenges

The briefing appeared to be well received, and ALBA has been asked to be a permanent participant in future ICTAWG meetings.

Parliamentary Support Coordination Meeting – At the request of DfID and USAID, on 27 November 2013, ALBA hosted a meeting of donors currently providing, or planning to provide, support to the Parliament. The meeting focused on examining the approaches employed by the USAID ALBA program with a view to integrating the proposed areas of support as outlined in the DfID-supported UNDP program.

Anti-Corruption

Coordination Sessions with MEC Leadership – ALBA met with the leadership of the MEC and we have agreed to partner with this organization in the future, on several levels. These will include:

1. Briefings on anti-corruption and other relevant issues for:

- Parliamentary Anti-corruption Caucus (PACC);
- WJ Commission on Judicial, Justice, Administrative Reform and the Fight Against Corruption;
- MJ Commission on Legislative Affairs, Justice and Judiciary (Legal Monitoring, Human rights and Corruption Campaign);
- WJ Commission on Complaints and Petitions;
- MJ Commission on Complaints and Petitions; and,

- Any other interested Commissions within both Houses.

2. Working with MEC as well as relevant commissions of both Houses and CSOs to support the advancement of several pieces of legislation involving anti-corruption issues, such as:

- The Law on Access to Information;
- The Law on Fighting Corruption;
- The Anti-Money Laundering Law;
- The draft Public Enquiries Law;
- The draft Whistle-blowers Protection Law; and,
- The draft Ombudsman Law.

ALBA plans to host a briefing in November on the recent MEC analysis of the Mining Law for all interested MPs, most particularly those within the following:

- WJ Commission on Natural Resources and Environment;
- MJ Commission on Public Welfare Affairs, Natural Resources and Environment; and,
- PACC.

Coordination Meeting with IWA – Staff from IWA met with ALBA to discuss potential support for a research project into cultural and gender issues affecting corruption within the Parliament. ALBA has agreed to facilitate some of the research activities with selected MPs and Senators.

Gender

Please see activities listed under Tasks 2.1 and 4.2.

CHAPTER V: PROJECT MANAGEMENT AND ADMINISTRATION

Online Staff Training – ALBA staff, as a follow-on to ethics training in Kabul, completed DAI's online ethics and compliance package, as well as a basic security course, required for all expatriate, TCN, and local employees.

M&E Training – Led by the M&E Manager, ALBA staff undertook training sessions aimed at providing direction relating to their responsibilities within ALBA's Performance Monitoring Plan, using TAMIS to track progress on performance indicators on a continuous basis. ALBA's M&E data was used to provide necessary inputs for this Quarterly Report for the third quarter of ALBA operation.

Visit of DAI Contracts Office and Home Office Management Staff – The Contracts Officer for DAI Afghanistan and Home Office Project Director for ALBA visited several DAI projects in country, including ALBA. The Contracts Officer met with the relevant POCs within the USAID Contracts cell, resolving several issues, including clarification on local staff hiring procedures.

Short-term Technical Assistance – ALBA retained the services of two local STTAs during the report period. An STTA Gender expert is leading select Commissions through a Gender Sensitive Budget Analysis exercise, working with Commission staff to identify focus areas of particular interest and relevance to the Commissions' work (see Task 4.2). An STTA Anti-Corruption Advisor was also engaged to work on the new areas of anti-corruption that ALBA will pursue, in particular the expanded support and engagement with PACC as well as coordinating efforts with the nascent AFCAC, an active grouping of CSOs who have partnered with other USAID projects in the past.

UK Embassy Funding, Budget Re-alignment, and Re-organization – ALBA began discussions on the upcoming budget re-alignment in light of both the additional funding provided by the UK Embassy and the necessary adjustments to the budget and organizational chart identified over the last few months of operations. These issues were discussed during a meeting between the ALBA Home Office Project Director and USAID in Kabul.

ANNEXES

NB: All annexes are submitted electronically, in accompaniment to the Quarterly Report.

ANNEX A: Report on the Provincial Oversight Visit – Mazar-i-Sharif

ANNEX B: Summary of 1391 Qatia Hearings

ANNEX C: Draft Charter of the PACC

ANNEX D: Revised Priority Training Plan – WJ/MJ



Assistance to Legislative Bodies of Afghanistan (ALBA)

Operated by DAI as a Contractor for the US Agency for International Development

Northern Provinces Oversight Visit and Public Hearing MJ Commission for Disabled, Dependents of Martyrs, and Refugees 2-7 November 2013

The USAID Assistance to Legislative Bodies in Afghanistan (ALBA) Project provided technical and logistical support to the Meshrano Jirga Commission for Disabled, Dependents of Martyrs, and Refugees for hold oversight visits to Balkh Province Directorates and citizens, as well as conducting a regional public hearing held in Mazar-e-Sharif on 6 November. The delegation included the Commission Chair, the Deputy Chair and one Member, along with Commission staff and a representative of the Ministry of Parliamentary Affairs. The focus of this delegation was to learn more about the problems faced by persons with disabilities, martyrs issues and the refugees problems in the Northern provinces and what steps are being taken by local line ministries to address these problems.

The oversight visits on 2-5 November included meetings with the Governor of Balkh Province, the local Director of the Labor, Disabled and Martyr Affairs Directorate, the Head of the Balkh Education Department, the Head of Balkh Province Health Directorate, the staff of the Balkh office of the Afghanistan Independent Human Rights Commission (AIHRC), the Head and staff of the local Balkh School for the Disabled, and the staff of the Balkh Province Directorate of Refugees Affairs.

Participation in the Public Hearing held on 6 November numbered nearly 150 and included Line Directorate officials, Provincial Council Members, local CSOs and persons with disabilities from Balkh, as well as the northern provinces of Samangan, Jawzjan, Saripol and Faryab.

A Commission Report is planned on the main issues and possible solutions identified and will be discussed in coming Commission sessions in the next few weeks, with their findings to be raised in full plenary session. Upon finalizing the report, the Commission plans to hold individual meetings in Kabul with the corresponding ministries and organizations and share the findings and discuss next steps.

Meetings

Balkh Province Governor: The Commission met the Balkh Governor in his office, who was joined by local MP Mr. Amanullah Gozar to discuss the Commission's visit and planned program, sharing a copy of the planned meetings and a copy of the public hearing agenda. The Governor welcomed the Commission and noted his appreciation of their visit to Balkh. He tasked his staff to ensure that all related Directorates were informed of the visit and offered to provide any assistance and briefings which the Commission might need during its time in Balkh.

Director of Labor, Disabled and Martyr Affairs: The delegation met with Ms. Gulalai Hotak, the Director of Labor, Disabled and Martyr Affairs her staff at their office. During the visit, the following points were raised:

- Since her appointment to head the directorate, Ms. Hotak feels she has established a good relationship with persons with disability and martyr's families, and is following up on refugee land questions. She said she is pursuing the issues with higher authorities, including the relevant ministries in Kabul.
- She noted there were 3,000 registered disabled, 2,800 registered families of martyrs, and the distribution of land to 2,600 refugees in Balkh Province.
- Her final observation noted that there is no current development budget and no current Ministry disabled programming in Balkh Province, nor any specific projects in the past few years.



Commission in discussion with Balkh Education Department Head.

Head of Balkh Education Department: The Commission delegation met with Mr. Qais Mehrahen, Head of the Balkh Education Department to share the purpose of the visit and discuss the number of people with disabilities at the government and private schools, the difficulties they face, what facilities are available these citizens and the type assistance and awareness

programs being provided, and the difficulties faced by the Education Department in serving the needs of the disabled.

The Director welcomed the Commission to Balkh and provided a short report on his three years in the position. Among the topics he raised were:

- There are currently 650,000 students and 550 schools in Balkh Province.
- At this time, there are 500 people with disabilities registered and attending regular schools.
- The Swedish Committee for Afghanistan (SCA) is conducting awareness programming for 100 teachers in coordination with Education Department.
- A school for the disabled was established in Mazar last year, supported by Governor of Balkh. Currently, the Education Department is working in coordination with the Ministry of Education to establish a new high school for people with disabilities, with plans for a hostel as well. The school is expected to provide modern services to the entire Northern region.
- The Directorate is requesting the Mazar Municipality to consider the specific walking paths on the streets for those people who lost their eyes and or are physically disabled. It is also asking construction contractors to consider the disabled in their building projects, especially regarding the provision of ramps to ease movement and disabled-accessible wash rooms in both schools where the disabled currently attend and in buildings now under consideration.
- In closing, the Director noted that the increase of married students now attending girls' schools is a big issue to be discussed with the Ministry of Education in Kabul.

Head of Balkh Health Department: Mr. Mirwais Rabi, the Head of the Balkh Health Directorate welcomed the Commission to his office, providing brief overview of his directorate's activities and the facilities provided to persons with disabilities, especially at hospitals and clinics. Mr. Rabi is also heading a community - based Persons with Disabilities Services Committee. In addition to meeting the Head, the visited the Swedish Committee facilities and services located inside Mazar Hospital.



Delegation visiting the Swedish Committee facilities inside Mazar Hospital.

He said that Mazar Hospital prioritizes services to the people with disabilities, but has seen little demand for those services. In discussion with the Commission, Mr. Rabi asked the Commission to consider the following problems on their return to Kabul:

- Forty percent of all clinics and the health centers in Balkh Province are operating out of rented premises that provide insufficient facilities, and he would like to see this issue raised with the Ministry of Health for consideration.
- Balkh Province has no Criminal Health Center/ facilities (Tebi Adli) available.
- Insufficient funding is provided by the Ministry to Health to the Balkh Health Department, limiting both the amount and quality of services that can be provided.
- It is not clear whether the Ministry of Health included any specific budget for criminal medicine in next year's National Budget, something to which the Commission needs to give immediate attention when reviewing National Budget this month.
- Donated drugs and medicines provided by the Indian Government and destined for the Indian Hospital in Balkh continue to be blocked by the Ministry of Finance and the Customs Office in Kabul, demanding taxes be paid on these items; the Director asked the Commission to look into this situation.

Afghanistan Independent Human Rights Commission (AIHRC): The Commission visited the AIHRC office in Balkh, and was briefed by the staff on their programs and activities.

The main issues raised by AIHRC for consideration of the Commission included:

- The security situation and access of AIHRC to the surrounding areas.
- An increase of violence and human rights abuses, with 397 cases reported in all five Northern provinces during the first six months of 2103.
- The killing of 15 women in Jawzjan province and no justice in such cases.
- Parliament's failure to enact the EVAW law, one AIHRC's priority concerns and a national issue.
- There are currently 190 people imprisoned in Balkh and processed by the executive but no actions taken on their cases.
- Parliament should support greater political participation by women in the upcoming provincial council elections.
- More awareness programs should be implemented by the Independent Election Commission (IEC), to encourage people to get their voting cards, especially women, and that the Commission directly approaches the IEC in Kabul.



AIHRC staff brief the Commission on outstanding issues.

- Lack of support of Parliament to women MPs, which could not approve the EVAW law.
- There are 90 women prisoners housed in only four rooms at Balkh Prison, which is a big and serious problem and there is no Jail in Jawzjan and Saripol provinces.
- The Swedish Committee's project on the mentally disabled has ended and there is no support for them, particularly with regard to accommodations. By law, the government is required to provide accommodations, but the government is not providing it and help is needed.
- Many complaints have been raised regarding the distribution of payments to the disabled in all provinces and the problem has reached serious proportions.



Classroom in Balkh School for the Disabled.

School for the Disabled: The Commission visited the Balkh School for People with Disabilities to discuss its activities and the problems they face. The staff noted that the main problems were a lack of appropriate premises and facilities, that there are no places for people with disabilities, or any broadcast programming for the disabled on ATN National TV and other stations.

Balkh Directorate of Refugees Affairs: The Commission visited the Directorate, meeting with the Deputy

Director and Directorate staff. The Commission immediately raised refugee land distribution complaints that have reached it and asked the Directorate staff to discuss their activities and what problems they face. The staff shared the following information:

- Some 17,144 refugee families registered in Balkh between the years 1381 and 1391, a total of around 74,000 individuals, of which some are returnees from abroad.
- Three refugee towns were already allocated to refugees but they are unable to build houses there.
- Money changes hand when the government is distributing land to refugees.
- The Ministry of Refugees in Kabul and its provincial Directorates receive no funds from the National Development Budget while the UNHCR supports such programs, however, the UNHCR programs do not have enough resources to handle all the needs, and should be reconsidered.

The Commission determined that it should check the number of refugees registered with the Refugee Ministry in Kabul and request the head of UNHCR provide more information on its programming.

Public Commission Hearing: Participation in the Public Hearing held on 6 November in Mazar-e-Sharif city numbered nearly 150 and included Line Directorate officials, Provincial Counsel Members, local CSOs and individual persons with disabilities from



Northern Provincial participants sign in for public hearing

Balkh, as well as the northern provinces of Samangan, Jawzjan, Saripol and Faryab. The Hearing aimed to address problems faced by people with disabilities, the families of martyrs and refugees.

After the initial opening ceremonies, the participants broke into separate working groups to identify and prioritize the major challenges and possible solutions for each province. The priorities lists developed by the work groups were collected by the Commission for inclusion in its planned report.

Following the break out group presentations and conclusion of the formal agenda, the Deputy Chairman of the Commission opened the floor to general discussion with the participants. One participant raised complaints about the failure to distribute land to refugees, as well as corruption in the distribution of benefits to people with disabilities, the Commission's Deputy Chair directly questioned the head of the provincial directorate of Labor, Disabled and Martyrs' Affairs. The directorate head rejected the complaints and indicated many of the problems originated under the previous national minister and said it should be referred to Parliament. The Deputy Chair closed the general discussion with the statement that the Commission would discuss the problems raised at the hearing with the relevant ministries and organizations – both in the provinces and Kabul.



Commission Chair speaks to the local media following conclusion of the public hearing.

Annex 3 - Joint Committee Hearing-1391 Qatia Report

The ALBA Budget Team supported the WJ Joint Committee hearing on the 1391 Qatia Report, preparing background documents and suggested questions for the witnesses who appeared before the Committee as well as those ministries who appeared because their development budget execution rates fell lower than 55% during 1391. These included the following officials:

- Deputy Minister of Energy and Water
- Deputy Minister of Transport and Civil Aviation
- Deputy Minister of Information Technology and Communication
- Deputy Minister of Mining and Petroleum
- Deputy Minister for Finance, Ministry of Finance
- Deputy Auditor General
- Minister of Education
- Minister of Information Culture
- Minister of Interior
- Minister of Justice

Questioning focused on the reasons behind the low execution rates for the Ministries represented at the hearing, and the following is a summary of the responses provided.

1. Ministry of Energy and Water (execution rate 50.6%)

The Deputy Minister of Energy and Water brief made his presentation and justified the low execution as follows:

Security: Some projects are located in insecure provinces where it is difficult to implement the project. For instance the Machalgho Dam project in Paktia province, Gambiri Dam Project in Kunar province and the Eastern Transmission Line project from Naghlu to Jalalabad were not implemented due to insecurity.

Donor Disbursements: Donors did not disburse the amounts they committed to Ministry projects, e.g., the Power Substations in Kunduz and Baghlan Provinces funded by ADB; and the Dahla Dam project in Kandahar province funded by the Islamic Development Bank (IDB).

Procurement Processes: The procurement processes were cited as being too lengthy and cumbersome.

The Deputy Minister said if the amount of above mentioned projects is excluded from the budget the execution rate will jump to 57%.

2. Minister of Transport and Civil Aviation (execution rate 49%)

The Deputy Minister cited the following:

Security: Most projects are implemented in the provinces and due to security reasons could not be implemented, such as the construction of airports in Ghazni and Khost provinces.

Lack of local capacity: Construction of airports in Farah and Daikundi provinces were delayed due to a lack of capacity resulting in a low execution rate.

3. Ministry of Information Technology & Communication (execution rate 43%)

The Deputy Minister testified that:

Lack of implementing partner: The Fiber Optic project had a commitment of USD 16 million during 1391. This project was announced twice, but no potential implementer could be found. Similarly, no potential implementer could be found for several other projects, delaying implementation of these projects and affecting the ministry execution rate.

4. Ministry of Mining and Petroleum (execution rate 41%)

The Deputy Minister testified that:

Donor Disbursements: The Ministry had a commitment of USD 25 million to Shabarghan Gas Project; donor has not disbursed this amount during 1391. If this USD 15 million was excluded from the budget the ministry execution rate would jump to 65%.

5. Ministry of Higher Education (execution rate 39.8%)

The Deputy Minister testified that:

Donor Disbursements: Three development projects received commitments totaling US \$13 million from the World Bank in 1391, but were never disbursed. If the World Bank commitment of US\$ 13 million is excluded from the Ministry Budget, the execution rate would be 52%.

Lack of implementing partner: Several other development projects were put out to bid but no competitive bidder was found for those projects, resulting in delayed implementation.

6. Minister of Information and Culture (Execution rate 29%)

The Minister testified that:

Donor Disbursements: There was a commitment of US \$2 million from Japan and India for certain projects in 1391 but these funds were never disbursed.

Lack of implementing partner: The National Radio Television (RTA) project required a technically proficient company but no such a company could be found to implement the project, and as a result the Ministry was unable to spend the planned US\$ 1.6 million.

The Minister stated that if the above mentioned funds are excluded from the development budget the ministry execution rate would be 59%, which is above the threshold level.

7. Ministry of Interior (execution rate 33%)

The Minister testified that:

MOF Justification: Around AFG 1 billion was moved from salaries budget (code 21) to the budget of Afghanistan Public Protection Force (APPF). Based on line No.8 of the budget implementation guidelines, but ministries cannot move form funds from the salaries code to any other code. However, the Ministry of Finance provided a justification, that these funds were already provided for APPF in the MOI budget but when based on the Presidential Decree APPF was established as an enterprise this money was moved to the APPF budget. Also it was agreed

by MOF that if MOI was short of budget then it would be reimbursed, which it was in 1391.

Parliament: Budget approval was delayed in parliament.

Weather: Some projects are in provinces in which project implementation could not take place, owing to severe winter.

8. Ministry of Justice (execution rate 17%)

The Minister testified that:

Donor Disbursements: The ministry had a commitment of US \$3 million from the World Bank for Legal Support Projects in the provinces. This project was contracted with a company; however it did not operate in accordance with the law, so the Ministry of Justice suspended its work, while the World Bank refused to transfer the funds on any other projects.

Lack of implementing partner: We had difficulty in finding a competitive bidder for some projects

Procurement Processes: Some projects were too small and companies were not interested in bidding for such small projects.

Implementation Delays: The implementer for the prisons projects was very slow and unable to complete the project on time.

9. Ministry of Education (execution rate 33.2%)

The Minister of Education disagreed with the execution rate presented by the MOF, stating the ministry execution rate was 69%.

Donor Disbursements: Its total budget was US \$169 million out of which US \$64 million was not disbursed by donors, so the functional budget was US \$105 million.

Parliament: US \$10 million was added during the mid-year review but this was delayed in parliament and only approved in the last month of the fiscal year.

Weather: Climatic conditions of some provinces also effected project implementation.

Security: Insecurity in some provinces delayed project implementation.

Procurement Processes: Procurement is a lengthy process and time consuming.

The Ministry of Education also secured money through the external budget and implemented projects with those funds. If the ministry execution rate is calculated at USD 105 million, its execution rate would be 69%.



Charter

Chapter One

General

Article One:

This charter is designed in the light of the constitution and rules and procedures of the Wolesi Jirga for coordination of the tasks and identification of roles and responsibilities of the leadership of this caucus, as well as for the establishment of discipline and ensuring accountability and transparency in the caucus.

Article Two:

This caucus is named (Parliamentary Anti-Corruption Caucus), the English abbreviation of which is (PACC).

Article Three:

This caucus will work as a parliamentary caucus consisting of current members of the parliament, which will follow the constitution, rules and procedures of the Wolesi Jirga, as well as other laws of the country.

Article Four:

The Parliamentary Anti-Corruption Caucus which is hereinafter referred to as (PACC) was established during its first official meeting on 26th of March 2013 corresponding to 6th of Hamal 1392.

Article Five:

Office of the PACC is located on Darul Aman Road, inside the National Assembly Annex, at the Afghanistan Parliamentary Institute (API).

Article Six:

This caucus has a specific logo, symbol and stamp which are used for official purposes.

Article Seven:

Members of the National Assembly of Afghanistan's Wolesi Jirga without political, ethnic, racial and sexual affiliations who wish to serve this devastated country, and have the commitment to fight corruption have and would agree with the conditions of the charter may gain membership of this caucus.

Article Eight:

The main objective of this caucus, as a parliamentary caucus is to reduce and eliminate corruption in Afghanistan.

Chapter Two

Objectives of the Caucus

Article Nine:

Since caucuses are composed of members who get together on the basis of sharing common ideas or having membership of the same political party, they cannot act contrary to the constitution and other laws of the country.

The PACC is therefore established for fighting, reduction and elimination of corruption in Afghanistan. To fight against corruption, it will pursue the following objectives:

- 1- The fight to reduce and eliminate corruption in Afghanistan
- 2- Oversight on actions of the governmental and non -governmental agencies to reduce corruption
- 3- Raising awareness of Afghan parliamentarians to fight corruption and monitor government's actions
- 4- Coordination and establishing relations with government agencies and national and international NGOs in order to effectively fight corruption
- 5- Implementation of law , transparency and accountability in government and non - government organizations
- 6- Drafting and submission of the anti-corruption law to the parliament
- 7- Supporting any action which should lead to the elimination of corruption in Afghanistan
- 8- Holding seminars and workshops related to corruption in Afghanistan
- 9- Public awareness through print and visual media

Chapter Three

Organization

Article Eleven:

The organizational elements of the caucus include:

- 1 - General Assembly
- 2 - Executive Committee (founders)

The General Assembly which is composed of all members of caucus, should be heads of the organization and be the highest decision making body of the organization.

Article Eleven:

General Assembly of the caucus has three types of sessions, which include:

- A. Regular meetings, which are held weekly.
- B. Extraordinary meetings, which are called by the Executive Committee, when required so .
- C. Annual meetings, which are held every year, where members of the Executive Committee are elected.

Article Twelve:

Each member of the General Assembly is independent and has the right to vote.

Article Thirteen:

The Executive Committee consists of the President, Vice President, Secretary and Communications Officer.

Article Fourteen:

Members of the Executive Committee consisting of the President, Vice President, Secretary and Communications officer of the caucus are elected for one term of the General Assembly. The term of caucus is for a period of one year, and is held for re-election of the members of the Executive Committee.

Article Fifteen:

Chairperson of the Executive Committee may hire other employees of the caucus in accordance with the advice of other members and need of the caucus.

Article Sixteen:

Executive Committee meetings are held once per month. Chairperson and other staff would present the reports of their activities.

Article Seventeen:

Responsibilities and Authorities of the Chairperson:

A: - Responsibilities of the President

1. Execution of all approvals and decisions of the General Assembly.
2. Daily administrative - financial matters of the caucus.
3. Establishing order and discipline among members of the caucus, as well as organizing meetings of the caucus.
4. Assigning tasks and preparing work plan for employees and members of the caucus.
5. Representation of caucus in events, seminars and workshops on national and international levels, and selection of members on the turn and work related basis to participate in such events.
6. Developing work report of the activities and progress of the caucus and its presentation to the General Assembly
7. Providing work facility and coordination among members of the caucus
8. Suggestions on establishment of committees handling activities of the caucus
9. Developing caucus budget and proposing it to the General Assembly
10. If required, the Chairperson can in writing delegate his authorities to his/her deputy or a member of the Executive Committee.

B: - Authorities of the Chairperson:

1. Participate in national and international, governmental and non -governmental meetings, seminars and selection of participating members on the basis of work related area and turns .
2. Developing the caucus ToRs.
3. Developing monthly, Biannual and annual reports of the caucus.
4. Evaluation of the quality and quantity of members' work in accordance with the approved work plan.
5. Solving arising problems between members and the Executive Committee of the caucus.

6. Issuing guidance to improve and better implementation of the activities related to caucus
7. Signing contracts and protocols with different authorities supporting the caucus.
8. Overseeing administrative and discipline affairs of the caucus.
9. Chairperson is official representative the caucus, who shall be responsible to sign all outgoing letters and official notes on behalf of the caucus.

Article Eighteen:

Deputy is the permanent assistant of the chairperson, in the absence of the chairperson, all his duties and responsibilities should be immediately delegated to him. Secretary is responsible for arranging meetings, as well as registration and minute taking during the meetings.

Chapter Four

Responsibilities and Authorities of the General assembly

Article Nineteen:

The General Assembly has the following responsibilities and authorities:

- 1- Hearing the Executive Committee members and Finance authorities' report
- 2- Election of members of the Executive Committee
- 3- Hearing report of the Caucus' monitoring and evaluation board, which is assigned to monitor and review actions of the government agencies
- 4- Approval and rejection of the new members, as well as firing the members from caucus
- 5- Taking decisions to modify or amend the caucus constitution
- 6- Designing the short and long term strategies and policies for caucus
- 7- Approval of the ToRs and internal procedures of the Caucus
- 8- All decisions must be approved by a majority vote in the General Assembly
- 9- Establishment of Committees for effective implementation of the caucus's programs

Chapter Five

Accession and Separation (Membership)

Article Twenty:

Those members of the Wolesi Jirga (National Assembly) who are committed to fighting against corruption can submit their request for membership to PACC.

Article Twenty One:

The Executive Committee reviews the requests for membership and present it to the General Assembly. After its approval by majority of the members, the membership is then granted.

Article Twenty Two:

Dismissal of a member of the caucus is proposed by the General Assembly or the Executive Committee. After its approval by majority of the members, the member is then dismissed.

Article Twenty Three:

The member who wishes to resign, should inform the Executive Committee in writing.

Chapter Six

Duties and Responsibilities of the Members

Article Twenty Four:

All members are obliged to observe all internal procedures of the caucus, Afghan laws and the rules and procedures of the Wolesi Jirga.

Article Twenty Five:

For achievement of its goals and implementation of its work plan, this caucus in accordance with the law can establish the necessary coordination with other national and international organizations.

Article Twenty Six:

Each member of the Executive Committee is responsible before the Chairman and every member of caucus is responsible before the General Assembly.

Chapter Seven

Miscellaneous Provisions

Article Twenty Seven:

Expiration of the tenure of the members in case of death, resignation, dismissal, absence longer than three months and the dissolution of the caucus happens without notice.

Article Twenty Eight:

In all official documents and other documents of the caucus, signature of the president and in his absence signature of the vice president is valid.

Article Twenty Nine:

This charter contains seven chapters and twenty nine articles, which is adopted during the first session of the General Assembly and the Executive Committee.

Draft Joint MJ and WJ Prioritized Training Plan

Effective Date 27 January 2014- 8 March 2014 (7 Dalwa 1392-17 Hoot 1392)

S/No	Training	Elements	Priority	Date	Resource	Participants	Duration	Remark
MJ and WJ								
1	Budget Process and implementation	<ul style="list-style-type: none"> ○ What is national budget ○ Budget process ○ Role of parliament in budget oversight ○ National budget analysis ○ Budget formulation 	A1	27-28 Jan 14 (7-8 Dalwa 92)	Budget Team ALBA	Finance / admin directorates	2 days	API
2	Database	<ul style="list-style-type: none"> ○ Spreadsheet ○ Trouble shooting of database in MS. Access ○ Report generation 	A1	29 Jan 14 (9 Dalwa 92)	API Computer Instructors	Concerned directorates	1 day	API
3	Human Resource Management	<ul style="list-style-type: none"> ○ HRM ○ HRD ○ Organizational structure ○ ToR development 	A1	1-5 Feb 14 (12-16 Dalwa 92)	French Embassy Trainer	HRD Staff of both houses	5 Days	2 days at API
4	Library management and record keeping of video and audio of committee meetings	<ul style="list-style-type: none"> ○ Computerizing of all books ○ Record keeping both audio and video ○ Catalogue 	A1	4-5 Feb 14 (15-16 Dalwa 92)	UNDP	Archive and Library of NA	2 days	API (date is subject to changes)
5	Good Governance	<ul style="list-style-type: none"> ○ What is governance? ○ Accountability ○ Transparency ○ Participation ○ Rule of Law 	A1	8-9 Feb 14 (19-20 Dalwa 92)	RMC-ZEER	Directors and Unit heads	2 full days	API
6	International Convention related on Gender	<ul style="list-style-type: none"> ○ What are the UN convention that Afghanistan signed ○ Progress and its implementation 	A1	8-9 Feb 14 (19-20 Dalwa 92)	UN-Women/ MoWA	Different Directorate of NA	2 days	API
7	Annual Performance Evaluation of civil servants	<ul style="list-style-type: none"> ○ How to fill the forms ○ Process of evaluation ○ Performance management 	A1	10-11 Feb 14 (21-22 Dalwa 92)	IARCSC	All directorates	2 days	API
8	Parliamentary reception and VIP meeting arrangement (protocol)	<ul style="list-style-type: none"> ○ How to accompany VIP and high level delegation ○ What are the areas considered in the protocol ○ How to improve the existing mechanism? 	A1	12-Feb 14 (23 Dalwa 92)	MoFA-Diplomacy Institute	International Relations	1 day	API
9	Strategic Planning and its difference with policy and mid-term plan	<ul style="list-style-type: none"> ○ Type of planning ○ Vision and Mission Statement ○ Goals and Objective setting ○ Process of development ○ Implementation strategy ○ Monitoring of strategic plan 	A1	16-17 Feb 14 (27-28 Dalwa 92)	RMC-ZEER	Nominated by Capacity Building units	2 full days	API

Draft Joint MJ and WJ Prioritized Training Plan

Effective Date 27 January 2014- 8 March 2014 (7 Dalwa 1392-17 Hoot 1392)

10	Journalism skills (News and writing) in Parliament	<ul style="list-style-type: none"> ○ Effective news writing ○ Basics skills of journalism ○ How to cover the most important part. 	A1	16-17 Feb 14 (27-28 Dalwa 92)	Nai/Internews	DIPR	2 days	API
11	Analysis and development of legislative policies	<ul style="list-style-type: none"> ○ What is legislative policy ○ How to analysis legislative policy 	A1	18-19 Feb 14 (29-30 Dalwa 92)	Afghan Blumberg	Legislative Affairs	2 days	API
12	Camera and recording skills	<ul style="list-style-type: none"> ○ How to use a TV camera ○ Which part is important to be covered? ○ How to censor and edit? 	A1	22-23 Feb 14 (3-4 Hoot 92)	Nai/Internews	DIPR	2 days	API
13	Role of women in conflict resolution and security as per the 1325 UN declaration	<ul style="list-style-type: none"> ○ Basic information on 1325 ○ Role of in conflict resolution based current situation of Afghanistan. ○ Women participation in decision making 	A1	22-23 Feb 14 (3-4 Hoot 92)	UN-Women/MoWA	All nominated staff	2 days	API
14	Procurement Law Afghanistan	<ul style="list-style-type: none"> ○ Brief general information about procurement ○ Procurement process ○ Explanation of all articles of law 	A1	24-25 Feb 14 (5-6 Hoot 92)	MoF/PPU	Relevant Directorate	2 days	API (letter is drafted to MoF-PPU)
15	Administrative Rights of Afghanistan	<ul style="list-style-type: none"> ○ General information on rules and regulation ○ Right of civil servants ○ Labor law 	A1	2-4 March 14 (11-13 Hoot 92)	IARCSC / MoLSAMD	Relevant directorate	3 days	API
16	Basic policy development and guidelines for gender	<ul style="list-style-type: none"> ○ What is policy ○ How to develop a policy paper? ○ Policy development cycle ○ Policy implementation 	A1	5-8 March 14 (14-17 Hoot 92)	UN-Women/MoWA	Gender Unit staff	2 days	API
17	Legislative Drafting (scrutiny and amendment techniques)	<ul style="list-style-type: none"> ○ Who will be involved in drafting ○ Drafting Process ○ Scrutiny and amendment 	A1	TBD	TBD	TBD	1 full day	API
18	Special English Conversation Class for Directors and Unit Heads		A1	3 days a week (2 hours in the afternoon)	API Senior Instructor	TBD	Continue	API

A1= Top Priority MJ and WJ joint training during recess



= Resource confirmed