

**EMBARGOED UNTIL 00:01 15 OCTOBER 2009**



## **Memo to the President: Key Recommendations to the Next Afghan Government<sup>1</sup>**

As a group of fifteen national and international organizations focused on alleviating poverty, addressing humanitarian needs and helping individuals to access their basic rights, we are deeply concerned about the challenges facing many Afghans. While the recent electoral process was deeply flawed, the situation is critical and demands urgent action from the Afghan government and other key stakeholders. The following recommendations are given from our standpoint as independent, impartial non-governmental organizations and based on our experiences and assessment of what we believe can make a difference in the lives of Afghans.

Significant progress has been made over the past eight years. This is particularly true in healthcare and education, with a dramatic increase in the availability of basic health services and over six million children enrolled in primary school. Yet despite these impressive achievements, much remains to be done. Nearly half of all Afghans live in poverty and a third are at risk of hunger.

In many places where our organizations work, state institutions are extremely weak and unable to provide services. In Daikundi province, for example, less than one percent of schools have a building in which to hold classes and running water and electricity are rare. Conditions are often worse in rural areas, where unemployment is estimated to be as high as 50% and access to health services, particularly for women, remains limited. Approximately every half hour, one Afghan woman dies from pregnancy-related complications and another from tuberculosis.

Although much aid money has flowed into Afghanistan, the government faces immense challenges in harnessing the impact of this aid to coherently build state institutions. Quick impact projects have been prioritized over the long term, strategic investment that institution-building requires. While some aid has targeted the capacity building of ministries in Kabul, this has done little to improve services, access to justice and governance at a provincial or district level. Weaknesses in state structures have been compounded by corruption and a lack of transparency at all levels.

The situation for women and girls is increasingly precarious, with initial gains made after the fall of the Taliban being rapidly eroded. Women in public life are subject to threats, intimidation and violence and girls' schools are frequently targeted and attacked by insurgents, particularly in the south and east.

Violence is now at its worst levels since 2001 with civilians increasingly being drawn into the conflict and public anger towards pro-government forces growing. Despite a new military strategy focused on protecting the population, allegations of abuse and corruption against Afghan National Security Forces (ANSF) have undermined public trust and created fear and resentment.

While these problems cannot be solved overnight, we believe that the following key actions can begin to address the root causes of poverty, improve access to basic services and ensure that Afghans are able to exercise their fundamental rights.

## Governance

Afghans overwhelmingly want a government capable of delivering basic services and maintaining law and order. Yet government systems are often opaque and overly bureaucratic, creating inefficiencies and increasing the opportunity for graft. Institutional capacities in many line ministries are weak and they are unable to deliver services in many areas of the country. Together with corruption, this has fuelled frustrations and undermined the legitimacy of the government in the eyes of many Afghans.

Though the performance and training of the Afghan National Police (ANP) has improved, much more must be done to professionalize the police and ensure that their focus is law enforcement and protecting communities. Most Afghans rely on informal justice mechanisms because the formal system is seen as inequitable, overly bureaucratic and corrupt. Recent attempts at judicial reform have largely ignored informal systems while the gap between formal and informal systems continues to erode confidence in the state.

To ensure that the government can effectively lead reconstruction and development as outlined in the Afghan National Development Strategy (ANDS), its ability to track and coordinate international aid must be strengthened. Aid is required to fund roughly 80% of the Afghan budget,<sup>2</sup> yet too often aid delivery is uncoordinated and its distribution is distorted by military priorities.<sup>3</sup> The Ministry of Finance has pushed donors for greater transparency and alignment with mutually agreed upon priorities but has often been met with resistance or simply been ignored.

- **Ensure that government appointments and hiring are merit-based and that human rights and criminal records of individuals are thoroughly investigated prior to appointment.** Existing vetting procedures and mechanisms should be re-examined to ensure that they are effective and appropriate. This may include establishing a transparent, appropriate mechanism for vetting police (particularly senior officers), strengthening the President's Advisory Council on Appointments and establishing clear guidelines on appointments for the Civil Service Commission that include the transparent investigation of human rights abuse claims.
- **Undertake thorough police reform.** Effective internal and external mechanisms for ANP oversight and accountability, including for parliamentary and civilian review, should be established at both national and local levels. Police pay and rank reform must be combined with steps to ensure appropriate ethnic balance, enhanced training and professional development and recruitment of more women.<sup>4</sup> The government should refrain from deploying police for offensive counter-insurgency purposes so that they can effectively focus on law enforcement.
- **Implement judicial reform and strengthen peace-building efforts at all levels.** Substantial support is required for a multi-layered peacebuilding approach at the community, district and provincial levels, including training informal structures in legal codes and gender equity, to secure access to justice over the long term. The appeals system should also be strengthened and external monitoring of access to justice should be initiated countrywide.
- **Improve aid coordination, transparency and management mechanisms.** The government should exert greater pressure on donors to provide timely, complete information about all aid activities, including those undertaken by Provincial Reconstruction Teams, to the Ministry of Finance. The government should push donors to devote more funding to long term programming aligned with the ANDS,

focused on meeting key benchmarks, and to avoid regional imbalances of aid that may create disparities or uneven access to services.

## Education

Significant progress has been made in improving access to education over the past eight years, with nearly 12,000 schools operational across the country. Yet five million children still do not attend school, enrolment drops sharply at secondary levels (falling to 20% for boys and 5% for girls) and just 37,000 students attend university. Roughly half of all schools do not have dedicated buildings and just 20% of teachers are professionally qualified.<sup>5</sup> With over 800 reported attacks on schools in 2008, increasing violence has meant that many children – particularly girls – are denied their right to education.

Experience has shown that if you build schools and employ qualified teachers, parents will send their children, both girls and boys, to school. In Badakhshan, support for a handful of qualified female teachers to work in a remote village increased the number of girls attending from 70 to over a thousand in a single primary school.<sup>6</sup> Though the desire for education is strong, often the resources and expertise are lacking, with government funding for education comprising only 5% of the 2009 national budget.<sup>7</sup>

Roughly 50% of men and only 18% of women are literate; in rural areas, adult literacy decreases to just 37% for men and 10% for women.<sup>8</sup> Yet increasing adult literacy can have significant social and economic impacts, particularly for women, including reducing maternal mortality, improving child health and expanding economic opportunities.

The ANDS outlines ambitious goals for education, including primary school net enrolment for girls and boys at 60% and 75% (respectively), a 50% increase in female teachers and 100,000 students enrolled in higher education by March 2011, and the Education for All Initiative aims to reduce illiteracy by 50% by 2015. Afghanistan is in danger of falling far short of meeting these goals unless urgent action is taken.

- **Increase access to education at all levels by recruiting, training and seeking to retain more teachers, particularly women.** Teacher training programs must be scaled up to address the shortage of qualified teachers. Incentive programs should be enhanced and expanded to enable more teachers, particularly women, to work in remote areas. More must be done to increase secondary school enrolment and to ensure that secondary education leads to better income-earning opportunities, relevant skills development or placement in a university. University curricula and the quality of professors should be improved alongside greater support for scholarship programs and job placement schemes.
- **Support and expand education systems and infrastructure.** Efforts to construct school buildings for the roughly 6,000 schools that lack them must be expedited. Incentives for attendance should also be expanded; a universal mid-day meal, costing \$200 million per annum, has been proven to increase enrolment, improve student performance and help address child malnutrition.<sup>9</sup> While recent efforts at improving curricula have been important, there must also be greater efforts to train teachers in the new curricula to ensure that they are used properly and have a positive impact on the overall quality of education.
- **Scale up efforts to tackle adult literacy and learning needs.** The National Education Strategic Plan includes literacy and informal education for adults and out-of-school children in one of its eight priority programs, but the current approach

must be revised to address the needs of adult learners and planning should be decentralized to respond to local needs. More technical and financial resources must also be devoted to adult literacy programs, which comprised just 1% of the education budget in 2007.

## **Health**

Laudable progress has been made in addressing the health needs of Afghans, with access to health services increased by a factor of nine and infant mortality decreased by 25%.<sup>10</sup> While there were just 467 midwives in Afghanistan in 2002, there are now over 2,000.<sup>11</sup> Much of this success is due to the Ministry of Public Health's (MoPH) Basic Package of Health Services (BPHS), which has worked with national and international non-governmental organizations to expand health coverage.

However, serious challenges remain. The average life expectancy is 43 years, one in five children will die before their fifth birthday and up to 5,500 additional midwives are needed. Some areas are worse off than others; for example, maternal mortality rates in Helmand are three times the national average. Services, especially in remote and insecure areas, are still insufficient and lack of staff capacity and high turnover has presented significant challenges to sustainably expanding health care systems.

- **Renew efforts to improve the coverage, quality and specialization of health services, particularly in remote and highly insecure areas.** Flexibility and innovation should be encouraged to adapt services and structures to local conditions and security dynamics. MoPH should provide enhanced health services in remote areas by better equipping and training community health workers to address priority needs and working with donors to strengthen government salary policies to enable the recruitment of qualified staff to serve in vulnerable communities. MoPH and BPHS partners should continually build health workers' capacity to address pressing and complex health needs, improve retention, enhance the quality of services and develop Afghanistan's medical institutions.
- **Dramatically increase the number of female health workers, particularly nurses and midwives, to improve women's access to health services.** Although women now make up nearly half of the country's 20,000 community health workers, high demand for specialized services persists throughout the country due to the dire health conditions of women. MoPH, with donor support, should provide incentives for female health workers to significantly increase their numbers and expand successful pilot programs to train community-based nurses and midwives to ensure adequate and balanced coverage of basic health needs.

## **The Rights of Women and Girls**

Though many improvements have been made in the lives of women and girls since the fall of the Taliban, these gains are in serious danger of being reversed. Instead of merely paying lip service to the idea of gender equity, the Afghan government, together with international donors, must make a genuine commitment and take concrete action to secure the rights of women enshrined in the Afghan constitution.

The Elimination of Violence against Women (EVAW) Act, which criminalizes rape, is a modest step forward. However, there are concerns that it does not clearly define rape, creating a dangerously murky legal environment for women, and that state institutions

will not be able to ensure its implementation. Additionally, certain provisions that are harmful to women within the Shia Personal Status Law remain highly concerning.

Securing the rights of women goes hand in hand with strengthening the rule of law and human security, as well as with economic development. Without harnessing the enormous potential of half of the population, Afghanistan will be unable to alleviate poverty. In particular, the ANDS benchmark of reducing poverty among female-headed households by 20% is unlikely to be met by the target date of 2010 unless more is done to ensure that women have access economic and educational opportunities.

In particular, women have a critical role to play within government yet they account for only 25.9% of civil servants, 4.2% of judges, 6.1% of attorneys and 0.4% of police.<sup>12</sup> Women in these positions face enormous hurdles. A recent UN report found that they are likely to encounter resistance from colleagues or local power holders, face reputational smears when they speak out (particularly with regard to sensitive cultural or religious issues) and be targeted for intimidation or violence.<sup>13</sup> At a higher level, the Ministry of Women's Affairs has largely been marginalized and ignored.

- **Fully support the implementation of the Elimination of Violence ERAW Act.** Comprehensive training for police and judiciary and enhanced efforts to monitor and track complaints are required to effectively address violence against women and ensure the safety of survivors. There should also be more accountability for public officials who fail to adequately investigate or prosecute perpetrators. Along with an increase in female police, Family Response Units should be strengthened. The government must also seek to expand the reach of the formal justice system while also working with *jirgas* and *shuras* to ensure that they address disputes in ways that respect women's rights as set out in the ERAW Act.
- **Increase the number of women serving in government institutions and ensure that they actively participate in decision-making processes.** The government should adopt and implement affirmative action and professional development policies aimed at correcting the gender imbalance at all levels. Marginalization, discrimination or harassment of women should be countered with zero tolerance and, in more serious cases, punitive action as part of larger efforts to ensure that women in government are part of decision-making processes.
- **Expand access to economic opportunities for women through increased support for vocational training, job placement and income generation activities.** The Ministry of Labor and Employment, together with the Ministry of Women's Affairs, should scale up existing training and job placement schemes for women. Donors should also devote more resources across the country to women's economic empowerment.

## **Agriculture and Rural Livelihoods**

After three decades of conflict, the rural economy remains fractured and fragile. Up to 80% of Afghans rely on agriculture and rural trades to support themselves and their families, yet only 5% of all international aid since 2001 has gone to agriculture. Less than half of Afghanistan's 19.5 million arable acres are under cultivation, the cost of fertilizer has risen by a third since 2007 and over half of all rural villages have only seasonal access to roads.<sup>14</sup> With few employment options, many rural Afghans, mainly young men, migrate to Iran or Pakistan in search of work. Rural poverty is also one of many factors driving poppy cultivation, with over 90% of farmers who grow opium

claiming that they are driven by primarily for economic reasons and the majority say that they would not continue do so if they had other options.<sup>15</sup>

The National Solidarity Programme has been highly effective in channelling resources to rural communities through Community Development Councils and recent efforts by the Ministry of Agriculture, Infrastructure and Livestock (MAIL) to recruit hundreds of new technical staff could have significant impact. However, government services at the district and provincial levels remain extremely weak. In Badakhshan, where many rely primarily on agriculture, MAIL has a budget of \$30,000 – which is devoted exclusively to overhead and administration, with no funds to spend on substantive support to farmers.

Unless there is significant investment in this sector, many Afghans will continue to live from harvest to harvest and remain extremely vulnerable to shocks, such as drought and market fluctuations. Donors are increasingly recognizing the need to support agriculture, but the Afghan government must lead these efforts to ensure that agriculture and rural development are supported efficiently and coherently across the country.

- **Improve agricultural support at the local level, through capacity building of line ministries and an expansion of services.** Greater technical expertise and human and material resources should target agriculture, irrigation and livestock management at the provincial and district levels. Improving rural infrastructure, particularly roads, and expanding irrigation systems can significantly increase productivity and market access. Line ministries and local institutions should strengthen land and water management capabilities and clarify land and water rights, which can improve food security and address the source of many local conflicts. However, special attention must be paid to the needs of women, vulnerable groups and minority ethnic groups in this process to ensure that they are not marginalized or excluded.
- **Increase support for rural trades and strengthen market linkages.** There must be a concerted effort to diversify the rural economy with an emphasis on reducing dependence on agriculture, which can help decrease vulnerability to crises over the long term. Greater support for viable off-farm and non-farm income-generating activities is also required, through skills development, the establishment of business cooperatives, facilitating access to credit and business management training for both men and women.

## **Protection of Civilians**

As Afghan National Security Forces (ANSF) take on increasing responsibility for military operations, they must also take greater steps to avoid causing harm to civilians. In the first six months of 2009, there were over a thousand civilian casualties – up by 24% from the same period in 2008 – with 30.5% of these deaths attributed to pro-government forces.<sup>16</sup> While airstrikes are responsible for the majority of these, night raids and other aggressive tactics employed by pro-government forces continue to cause harm and are seen as offensive, unnecessary and invasive by many Afghans.

A 2008 report by the Afghan Independent Human Rights Commission suggests that human rights abuses by ANSF are widespread and have undermined the trust of local communities.<sup>17</sup> Accountability for such abuses is largely nonexistent and in many areas, there are no other independent authorities to whom Afghans can report incidents or abuses involving ANSF.<sup>18</sup>

To address incidents where harm is caused to civilians, the Afghan government operates three separate funds to provide compensation. Yet few Afghans are aware of these funds or how to access them. Even if they succeed in filing a claim, disbursement systems are often overly bureaucratic and have been plagued with accusations of corruption.<sup>19</sup> Additionally, there is little effective coordination between investigation and condolence mechanisms operated by the Afghan government and those controlled by ISAF or troop-contributing countries, creating confusion and undermining investigations.

- **Strengthen ANSF accountability mechanisms and ensure that all ANSF are trained in international humanitarian law.** The Afghan government, working with international mentors, should expand and enhance efforts to prevent abuses against civilians by Afghan forces and ensure that they are trained in and comply with international humanitarian law. Accountability should be increased through the establishment of complaints mechanisms at the local level, which would enable Afghans to confidentially report allegations of harm, theft or destruction of property.
- **Improve civilian casualty investigation and reporting mechanisms.** While the government often deploys teams to investigate civilian casualty incidents, they lack sufficient capacity and the results are rarely public. An autonomous forensic investigation unit should be established to address allegations of harm caused by pro-government forces. In such cases, compensation should be informed by the outcome of investigations, the government should desist from distributing compensation until investigations have been completed and the full findings of investigations should be made public.
- **Ensure that government compensation mechanisms are transparent, accessible and fully coordinated with ISAF and troop-contributing country mechanisms and processes.** The Afghan government must work more closely with ISAF to improve access to condolence and compensation mechanisms and avoid the duplication of efforts. More oversight, outreach and education regarding government funds should be undertaken to ensure that Afghans are able to access compensation, and understand that they can seek compensation regardless of who may have caused them harm.

## **2010 Elections**

Low turn out and fraud allegations marred the recent elections, with voting hampered by insecurity and poor organization.<sup>20</sup> Overall electoral reform will be a long and difficult process, and lies beyond the scope of this memo. But looking toward the 2010 Parliamentary elections, several immediate reforms are required to ensure a freer, fairer and safer election.

- **Immediately begin comprehensive planning for the 2010 elections.** A task force of relevant government officials, civil society actors and major donors should be urgently convened to lead the planning process for the upcoming elections. They should seek to identify, prioritize and address major flaws in the recent elections as well as to settle critical logistical issues, such as setting a date for elections and creating a timetable to ensure that preparations stay on track.
- **Discontinue the use of health clinics and schools as polling stations.** The insistence on using educational and health facilities as polling stations put their staff, students and patients at even greater risk of violence. Though these may be considered appropriate locations for polling stations elsewhere in the world, it was

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a dangerous mistake to use them in Afghanistan. Over 26 schools were attacked on Election Day alone and heightened threats and intimidation limited access to basic services before, during and after the elections. Prior to the next elections, the government must work with major donors to identify alternative sites. If no alternatives are available, arrangements must be made to procure temporary structures in which polling stations can be housed.

## **Conclusion**

The Afghan people desperately want both human and physical security – this means protection, jobs, basic services and transparent and accountable state institutions. Given the increasing violence and the myriad challenges facing the government, these recommendations are ambitious.

But the progress made over the past eight years, especially in increasing primary enrolment and expanding healthcare, demonstrates that positive change is possible. With sufficient political will, greater accountability and the support of a wide range of actors including both civil society and international donors, these recommendations can be implemented. Time is running out and immediate action is required. Indeed, millions of Afghan lives depend on it.

## Notes

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<sup>1</sup> The signatories to this memo are: Afghan Development Association (ADA), Afghan Peace and Democracy Act (APDA), Afghan Women's Skills Development Center (AWSDC), Afghan Civil Society Forum (ACSF), Coordination of Humanitarian Assistance (CHA), Cooperation Center for Afghanistan (CCA), Cooperation for Peace and Unity (CPAU), Education Training Center for Poor Women and Girls of Afghanistan (ECW), Helping Afghan Farmers Organization (HAFO), Human Rights Advocacy and Research Consortium (HRRAC), Oxfam International, Organization for Human Welfare (OHW), Sanayee Development Organization (SDO), Saba Media Organization (SMO) and Skills, Trainings and Rehabilitation Society (STARS). Inquiries can be directed to: Ashley Jackson, [ajackson@oxfam.org.uk](mailto:ajackson@oxfam.org.uk), +93 (0)700 278 657.

<sup>2</sup> "Donor Financial Review," Government of Afghanistan Ministry of Finance, January 2009.

<sup>3</sup> For example, from 2002 through 2007, USAID devoted \$43 per capita to the relatively secure province of Takhar while the more volatile province of Zabul received \$537 per capita.

<sup>4</sup> Christine Fair and Seth Jones, "Securing Afghanistan: Getting on Track," United States Institute for Peace, January 2009; "Police in Afghanistan, Still Searching for a Strategy," Update Briefing, International Crisis Group, 18 December 2008.

<sup>5</sup> "Five million children not in school," IRIN, 21 April 2009; Voices of Parents and Children, Human Rights and Research Advocacy Consortium, October 2007; "Voices of Parents and Children," Human Rights Research and Advocacy Consortium, October 2007.

<sup>6</sup> Oxfam GB Badakhshan program, 2009.

<sup>7</sup> "Donor Financial Review," Government of Afghanistan Ministry of Finance, January 2009.

<sup>8</sup> "National Report on the Situation of Adult Learning and Education: Afghanistan," Government of Afghanistan Ministry of Education, April 2008.

<sup>9</sup> "Free Quality Education for Every Afghan Child," Oxfam International, October 2006.

<sup>10</sup> Joint Coordination and Monitoring Board (JCMB), "Annual Report, Implementation of the Afghanistan Compact," 1 May 2007; "2006 Afghanistan Health Sector Balanced Scorecard," Johns Hopkins University and Indian Institute for Health Management Research commissioned by GfRoa, 2007, available online at: [http://www.jhsph.edu/publichealthnews/press\\_releases/2007/afghanistan\\_report2006.pdf](http://www.jhsph.edu/publichealthnews/press_releases/2007/afghanistan_report2006.pdf).

<sup>11</sup> "Afghanistan needs to double midwives: UN," Agence France Presse, 26 January 2009.

<sup>12</sup> "Afghanistan Factsheet: 2008," UNIFEM, available online at: <http://afghanistan.unifem.org/media/pubs/08/factsheet.html>.

<sup>13</sup> "Silence is Violence: End the Abuse of Women in Afghanistan," UNAMA/OHCHR, 8 July 2009.

<sup>14</sup> Greg Bruno, "Nourishing Afghanistan's agricultural sector," Council on Foreign Relations, 26 May 2009, available online at: <http://www.cfr.org/publication/19478/>.

<sup>15</sup> "Afghanistan Opium Survey," United Nations Office on Drugs and Crime, August 2007.

<sup>16</sup> "Mid Year Bulletin on the Protection of Civilians in Armed Conflict," UNAMA Human Rights Unit, July 2009.

<sup>17</sup> "From Hope to Fear: An Afghan Perspective on the Operations of Pro-Government Forces in Afghanistan," Afghan Independent Human Rights Commission, December 2008.

<sup>18</sup> Press Statement of Philip Alston, Special Rapporteur of the United Nations Human Rights Council on extrajudicial, summary or arbitrary executions, Kabul, Afghanistan, 15 May 2008; "From Hope to Fear: An Afghan Perspective on the Operations of Pro-Government Forces in Afghanistan," Afghan Independent Human Rights Commission, December 2008.

<sup>19</sup> Erica Gaston and Rebecca Wright, "Losing the People: The Costs and Consequences of Civilian Suffering in Afghanistan," Campaign for Innocents Victims in Conflict (CIVIC), February 2009.

<sup>20</sup> "Polling Day Fraud in the Afghan Elections," Afghan Analysts Network Briefing Paper 03/2009, 3 September 2009, available online at: <http://aan-afghanistan.com/index.asp?id=301>.