Spotlight

Growing momentum for Open Justice Reform in Afghanistan

On June 13, 2019, Integrity Watch organized 3rd National Integrity Conference with the theme of “Open Justice and Citizens Participation in Justice Institutions.” Over 300 government, donors, and civil society delegates attended the conference. A high-level delegation from the government including Vice-President Sarwar Danish, the Minister of Justice, the Chief Executive of the Supreme, Deputy Attorney General, and more than 10 senior Judges from Kabul and other Provinces attended the event. Vice President Danish’s clear and ambitious statement during the conference to support the open justice reform and his commitment to adopt the Afghanistan Open Justice Resolution into reform action plans is an indication of high-level commitment of the government to reforming the justice sector. The growing momentum for open justice reform is an unprecedented
development in the recent history of state-building in Afghanistan. It is unprecedented both because it is a home-grown initiative and also because the demonstration of will to open justice reform seems to be based on a genuine understanding of the issue both by the government and the civil society. Read more...

Integrity Watch holds a National Conference on Open Justice

Kabul, Afghanistan: On Thursday 13th June of 2019, Integrity Watch Afghanistan held a National Conference on Open Justice. The involvement of citizens in the justice sector is a critical element in ensuring good governance and in fighting corruption. More than 300 people attended the Conference including the Second Vice-President Mohammad Sarwar Danish, the Minister of Justice Dr. Abdul Basir Anwar, the Chief Executive of the Supreme court Nabjibullah Akbari, various Judges from Kabul and other Provinces, representatives from various donor organizations, Integrity Watch Volunteers and other civil activists.

Opening up justice sector institutions to regular monitoring and participation by CSO’s provides public oversight and thereby enhances citizens trust in them and their legitimacy. While public participation has increased in the last two decades and justice institutions have to some extent opened up, much more needs to be done to provide quality and free-from-corruption services to ensure trust of people. This includes high level political and judicial engagement with civil society and the media. At the Conference Sayed Ikram Afzali, Executive Director of Integrity Watch Afghanistan, stated that future reforms in justice institutions is dependent on there being openness in these institutions. He stated that Integrity Watch acknowledged that some opening up of the courts and the Attorney General’s Office had taken place but that these processes needed to be extended further. Read more...
Volunteers from 10 provinces share experiences of monitoring open trials

Rasool Ehsany, Integrity Watch Afghanistan

On June 12, 2019, Integrity Watch as part of its advocacy and program activities organized an ‘Exchange of Experiences of Judicial Activities’ in Kabul Province, for volunteers and local civil society organizations. The purpose of the event was to educate volunteers about effective advocacy and program management in order to exchange ideas about monitoring of open trials. Sayed Ikram Afzali the Executive Director of Integrity Watch stated that the Community Based Monitoring- Trials (CBM-T) is not a project but instead is a process. He confirmed that, as a consequence, Integrity Watch is establishing and implementing programs which should be sustainable in these local areas. He also confirmed that, aside from these current programs, Integrity Watch considering to organize monitoring over the police and prosecution services as well.

The participants participated in group discussions where they discussed major challenges and lessons learned. The groups raised challenges and proposed solutions regarding the monitoring of judicial institution. Insecurity, lack of coordination among government officials, lack of accountability, failure to use the Access to Information Law, the lack of women’s access to justice, the lack of people’s trust of judicial institutions, the lack of citizen’s awareness of their rights, the lack of police professionalism, the slow processing of cases by judicial institutions and the misuse of jurisdictions were highlighted as the major challenges facing delivery of justice in the 10 provinces. In some cases, the
Women volunteers raise awareness of rural women about court procedures in Parwan Province

Abdul Hanan Rahnaward, Integrity Watch Afghanistan

One year ago Shabana Forotan, a member of the Women Council of Laghmani Village near Charikar City, joined Integrity Watch’s Community-Based Monitoring of open courts. This was the first time she ever visited a court and engaged with court officials. Ever since, she participates twice weekly in the open sessions of the Parwan City Courts, after which she shares her observations with the other women of Laghmani Village. Ms. Forotan was not aware about women's rights in the justice sector before joining this program. Now she is very happy that, on behalf of the woman’s council, she participates in the monitoring of the open court sessions. She confirmed that sharing feedback with the village, women were much more knowledgeable about what is going on in the courts. Reporting from these court sessions helps people know more about their rights and also would increase their trust in the courts.

Currently Integrity Watch has 15 local monitors who monitor the Primary, Appeal and City Courts in the Jabul Saraj District of Parwan Provinces. They monitored 150 open court sessions during 2018. The CBM program in justice sector is facilitated by Integrity Watch in Parwan,
In May 2019, hundreds of people as well as various civil society groups participated in Integrity Dialogues with representatives of the justice sector in two northern Provinces with the aim of improving service delivery through citizen’s engagement.

Integrity Watch’s advocacy unit shared the main findings of a policy note on delivery of justice by courts in Balkh and Jawzjan provinces. Data was collected on open trials by local volunteers under the Community-Based Monitoring Program of Integrity Watch. The stated emphasis was that delivery of justice is a fundamental function of government. Mohammad Naser Timory head of Advocacy and Communications at Integrity Watch stated that, “access to justice is a basic right of every citizen. A government cannot properly govern if the justice sector is not fully accountable. Lack of justice & accountability increases the gap between the public and the government.” He further stated that according to the data collected by the Integrity Watch’s local volunteers who monitor courts, the courts in the aforementioned provinces performed well on observing the wearing of court uniforms and invoking the Almighty as required under article 217 of the Criminal Procedure Code. However, the study showed that the percentage of trials conducted in open courtrooms in these Provinces
is lower than other Provinces.
The Heads of the Appeals Courts of the mentioned Provinces joined the
dialogue and answered questions from the audiences. The judges also
welcomed this initiative by Integrity Watch and called it a “constructive way” to
connect with the public. The judges also spoke about court reform including
professionalizing both the administrative and judicial staff. In addition to this the
community volunteers who monitor the courts in the Provinces highlighted the
non-availability of defense attorneys in trial sessions and the lack of the
presence of lawyers entirely in some cases. Read more...

Social audit findings show major irregularities in construction of Mazar-e-Sharif Municipal Service Center

Rasool Ehsany, Integrity Watch Afghanistan

Dozens of the civil society advocates and citizens participated in the social audit of Municipality Customer Service Center of Mazar-e-Sharif – the largest city in northern Afghanistan and center of the strategic province of Balkh. This initiative was taken by the Provincial Integrity Network (PIN) members who received complaints from citizens re municipal services at the Municipal Service Center. The initiative was also inspired by a similar initiative taken by the PIN members in Kapisa province.

The PIN composed an audit committee of representatives from different sectors including government, civil society, and the private sector. The committee conducted a technical inspection of the Service Center building. The preliminary findings indicate major irregularities including changes in the drawings and design of the building during implementation. For instance, the construction of the conference hall was not in accordance with the drawings. In
addition, the company failed to construct fences for visitors to queue. Other issues were related to supply of goods such as chairs. According to the specifications in the contract, the contractor was supposed to supply 38 chairs, but during the social audit, the PIN members found that there were only 19 chairs. Lack of adherence to procurement rules and regulations was also evident throughout the procurement process. Read more...