Implementation of OGP’s National Action Plan-II Commences in Kabul

Anayatullah Alami, Integrity Watch Afghanistan

On the 14th February 2020, the Open Government Partnership Secretariat, Integrity Watch Afghanistan, the Democratic Development Organization for Afghanistan, and the Training Human Rights Association for Afghan Women (THRA) jointly organized a conference to initiate the implementation of the National Action Plan (NAP-II) of the Open Government Partnership (OGP), in Kabul.

NAP-II consists of 18 commitments made by the Afghan government agencies which should be implemented by 2021. The directors of different departments, local representatives, and village leaders from Kabul province and members of civil society attended the event. Afghanistan joined OGP, a global initiative, in 2017, and shortly afterwards created its first National Action Plan (NAP-I) with thirteen commitments.

Some of the commitments included in NAP-II included citizens’ participation in
municipality budgeting processes at provincial level, electronic collection of national incomes, development and support to public councils to monitor performances of schools, initiating public monitoring to ensure the quality of medicines and health centers, amendment of Independent Directorate of Local Governance (IDLG)’s regulations, implementation of the Access to Information Law, developing regulations to ensure transparency of beneficial ownership of companies, the monitoring of high-level appointments of police at the Ministry of Interior by the civil society and computerizing the legislative processes.

During the event, the Director of the OGP Secretariat Mr. Khalil-ur-Rahman Mathawakil said, “The National Action Plan–II has commitments which can bring transformative change and will facilitate a conducive environment for citizens’ access to information.” He also promised that the commitments made by the various directorates to implement these within the next two years would be followed up.

Speaking at the event, Mr. Sayed Ikram Afzali, Executive Director of Integrity Watch Afghanistan, said, “Achieving open governance is possible only when we fully believe in it and establish effective mechanisms for meaningful public participation.” He criticized the government for not doing enough to ensure public participation in the budget process, especially at the municipality level. He added that the NAP I process was a painful one since it consumed a lot of time and energy but did not result in much change. Nevertheless, he welcomed the secretariat’s collaborative and constructive approach during the NAP II development. “If properly implemented, the NAP II commitments related to public participation can bring transformative change in how governance is conducted in Afghanistan,” he added.

Ms. Roshan Sairran, Director of THRA, said, “Increasing transparency, accountability, and public participation cannot be achieved merely by utterances, instead, we should put these principles to practice” She added that achieving the commitments made, required active participation of women in NAP-II’s implementation processes.

The conference was followed by a panel discussion and a question-and-answer session in which directors from the ministries of health, education and Kabul Municipality delivered their speeches, county councilors and local elders of Kabul province spoke on behalf of audiences and a number of government officials uttered assurances to implement their respective portion of the NAP-II commitments.

In the last session of the event, people presented their recommendations and ideas for
implementation of NAP-II. Whereas, some participants criticized service delivery departments of the government. They said that the departments do not deliver on their promises and were not responsive to the people. A number of Maliks and elders complained against the insufficient time allotted to them to speak and as a protest abandoned the venue. At the end, Executive Director of Integrity Watch promised the audiences of organizing three more separate conferences for dialogue among local representatives, Maliks, district elders of Kabul province and government officials.

NAP-II had been created through an inclusive public participation process as more than 600 public representatives had been consulted in the formulation of the plan across 30 provinces. People had proposed more than 400 commitments to the technical committee of NAP-II to be accommodated in the plan. Therefore, the broad participation of the public in the commencing event created the opportunity to channel the public concerns and issues to the government agencies for the purpose of effective implementation of NAP-II.

OGP is an international initiative that started in 2012. More than 75 countries have joined this initiative during the last eight years and created a number of commitments for betterment of the governance and have implemented some of them so far. OGP has four principles: Transparency, Accountability, Public Participation and Use of Technology in government service delivery. On behalf of the Government of Afghanistan, Mr. Yama Yari, the ex-Minister of Transport, submitted the membership application of Afghanistan to the OGP Global Summit in December 2016 and the OGP accepted it.
Integrity Watch Research Finds 65% of Afghans Endure Electric Power Deprivation

Anayatullah Alami

On the 8th February 2020 in Kabul. Integrity Watch Afghanistan launched its recently completed power sector research the research found that only 35% of Afghans were connected to government electricity grid, leaving 65% in outage against the Afghan government’s 2015 promise to increase access to electricity in urban areas to 80% and in suburban areas to 50%. The research also made a recommendation that the institutional arrangements in the energy sector should be designed on good governance principles.

The research discovered a number of issues both within the system, approaches and lack of coordination that led to the poor performance in the power sector in Afghanistan. These include: the lack of effective institutional arrangements in the country’s energy sector, the Ministry of Energy and Water (MEW)’s reluctance to hand over Water and Engineering Power to Da Afghanistan Breshna Shirkat (DABS), the Electricity Regulatory Authority has not been established yet, Afghanistan Oil and Gas Regulatory Authority ( AOGRA) is not fully operational yet, poor coordination between the United States and the government of Afghanistan, weak institutional and human capacity, overlap and contradictions in policies and mandates, ambiguity in the role of government ministries and international development partners, the divergence and lack of integration between development partners’ agenda and the Afghan government’s needs.

Sayed Ikram Afzali, Executive Director of Integrity Watch, while addressing the media, said, “Afghan government has not developed a clear and evidence-based vision for governance in Afghanistan’s energy sector, which has caused sluggishness in the country’s economic growth, weakness of the energy sector, and paved the ground for corruption,”. 
Mr. Naser Timory, Head of Advocacy and Communications, Integrity Watch Afghanistan, said, “The reluctance of the government to create an Electricity Regulatory Authority in an independent manner and its failure to support operations of Afghanistan Oil and Gas Regulatory Authority has undermined the growth of energy sector.”

In order to overcome the weaknesses in the energy sector of Afghanistan the research recommended a set of actions to be taken by Afghan government which included the following: the government should clarify the roles and scope of work of relevant government agencies and DABS, the national power utility in the energy sector, mechanisms for coordination among relevant actors should be defined in all laws, the MEW should be redefined and reorganized, unbundling DABS should be commenced, an enabling environment for the private sector should be created, incentives should be offered for investment in the energy sector, a unified, agreed-upon development plan and agenda for the sector should be developed, and for ensuring good governance more studies should be conducted in the energy sector.
On Tuesday, 18th February 2020, a large number of civil society activists held a press conference in Kabul and criticized the government, particularly, the Ministry of Communications and Information Technology (MCIT) and the Afghanistan Telecom Regulatory Authority (ATRA) for failing to fulfil its pledge to improve telephone and Internet services and moderate its prices.

The civil society advocates launched the social media campaign called “Where is ATRA?” against the low quality of services and high prices by the telecommunication companies. In February last year, responding to the social media campaign launched by consumers, ATRA promised to improve the quality of telephone and internet services and reduce the prices. But, so far, little real change is apparent.

Mr. Mirwais Aria, the “Where is ATRA” Campaign Coordinator said, “the majority of the consumers complain about transparency, low quality, and high prices of the telecommunication services. The grievances pressed the citizens to initiate the social media campaign which was widely joined by users of social media across Afghanistan.” “The campaign still continues peacefully,” He added.

Mohammad Naser Timory, Head of Advocacy and Communication Department of Integrity Watch, speaking at the conference, said, “ATRA does not have the necessary features of an independent regulatory institution and this is the main cause of its failure to regulate and
Ms. Lailuma Nasiri, Director of Afghanistan Justice Organization (AJO) said, “The rule of law dictates that the conduct of the telecommunication companies should be transparent and the information should be publicized to ensure the rights of the citizens.” She added, “ATRA has the authority to regulate telecommunication matters and therefore should ensure the rights of the people concerning telephone and internet services.”

Mr. Khalil Raufi, Director of Human Rights and Civil Society Activists Network said: “Complete transparency has not yet been achieved, the quality of services are even worse compared to the past, and so far, the prices have not been lowered.” He added, “our specific demand from the government and ATRA is to respond to the complaints of the citizens, help people access transparent, quality and cheaper services, and share the information with the public.”

The social media campaign highlighted the following complaints about telephone and internet services: some telecommunication companies, without permission of consumers, activate value-added services in their SIM cards; data packages offered are not real; the companies renew data packages without permission of customers; SIM cards are sold illegally and without registration on the streets which lead to increase in crimes; some of the services provided under the name of 3G/4GLTE are not real; ATRA has failed to stop the corruption; it has deprived the citizens of their rights of access to information regarding telecommunication issues; internet prices are high, and ATRA failed to regulate as well as moderate them.
Integrity Watch organized a roundtable on Monday, 10th of February 2020 in Kabul to discuss the policy which the organization proposed for the management of Conflict of Interest issues. Forty people including representatives from relevant government agencies, the international community and civil society attended the event.

Integrity Watch first presented the policy at the roundtable and the participants then discussed it. The policy, which focuses on administrative arrangements and a legal framework, develops an earlier piece of research which Integrity Watch carried out on the subject which was titled “A Gap Analysis of Afghanistan’s Conflict of Interest Regulations.”

Sayed Ikram Afzali, Executive Director of Integrity Watch while delivering the opening address at the roundtable said, “Managing conflicts of interest needs appropriate infrastructure. Earlier research by Integrity Watch on this subject showed that although there were some regulations contained some references to this issue nonetheless there was no specific overall legal & administrative system to manage conflicts of interest in Afghanistan.”

Abdullah Mohammadi, Director of Policy of National Procurement Authority (NPA) pointed to the importance of creating a conflict of interest management system in Afghanistan and said that such a system should have a clear structure to identify conflict of interest issues, address and prevent them, and punish the offenders. Mr. Mohammadi emphasized that any such proposed structure should present specific solutions necessary for prevention of
Dr. Sadiq Baqiri, legal advisor to the Second Vice President of Afghanistan, welcome the initiative but termed the proposed administrative arrangements as complicated. He referred to the gaps in administrative courts and said that the long-term solution to deal with conflicts of interest was the creation of administrative courts. He added that the proposed policy, with some changes, could serve as a transitional step until the administrative courts are established.

Mr. Mujib-ur-Rahman Shirzad, technical assistant at the Office of the Ombudsperson, recommended that the administrative arrangements part of the conflict of interest policy should be assigned to an internal investigation section of each agency. Mr. Ashraf Khan Azimi Deputy Director of the Institute of Drafting Laws of the Ministry of Justice (MoJ) said, “Improvements in administrative laws can eradicate the environment conducive to administrative corruption.”

Officials from the Supreme Court, the Attorney General’s Office, the Ministry of Mines and Petroleum (MoMP), the Ministry of Public Health (MoPH) and other relevant government agencies attended the roundtable, in addition to representatives from the international community including UNAMA, EU, GIZ, Canadian Embassy, Open Society Afghanistan, Killid Group, Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC) and other relevant institutions participated in the event. The roundtable participants agreed that explicit articles for the management of conflict of interest issues should be added to the regulations of each government department. They agreed that instead of the establishment of a separate conflict of
interest board, responsibility should be assigned to the existing Anti-Corruption Commission, which the board should report to. The participants also emphasized that research on conflict of interest and policy discussions should be conducted to cover the legislative and the judiciary branches of the state.

In 2017, President Ghani asked Integrity Watch Afghanistan to conduct research on the conflict of interest regulations in Afghanistan. Integrity Watch completed the research in November 2018. Then, in partnership with other national and international organizations, it began discussions for a proposed policy on conflict of interest for Afghanistan. As a next step following the completion of the proposed conflict of interest policy, the National Procurement Commission, will assign to a state institution the responsibility of drafting a conflict of interest regulation.

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**Low Quality Construction Forces Students to Study in Tents in Herat**

Students in Ordokhan schools in Enjil district of Herat study in open air or in tents despite having a school building that was built not too many years ago. Integrity Watch team
monitored Ordokhan School in late 2019 and found that the students and teachers were reluctant to use the school building and its classrooms due to fear of it collapsing.

The monitoring team observed the existence of substantial cracks in the building which indicated a very poor quality of construction. The result of this was that a number of students and teachers did not attend the school while others were forced to study in tents.

The team found that the school with one thousand registered pupils -half of them girls- was built in 2006 by a donation from the Japanese government and was constructed under the supervision of the Ministry of Education. Moreover, the school, which is situated in Ordokhan village, is approximately 20 km away from Herat city. This makes it difficult for the students to go to the city to complete their education.

Integrity Watch’s Community Based Monitoring team recommended that the school should be repaired by Citizen Charter (CC), a program which is currently active in the repair and construction of public schools in the Province. The team also demanded that the government and responsible anti-corruption state agencies prosecute the company and others involved in the construction of the low-quality school building.

The Community Based Monitoring program mobilizes local communities to monitor school services and advocate for addressing problems faced by the schools. The program has completed community-based monitoring of almost 500 schools in seven provinces. Integrity Watch is planning to scale up the program through collaboration with local civil society organizations and cover 150 more schools in three additional provinces over the next two years.
Ferozah Causes Delays in Mazar-e Sharif Ring Road Project

Aziz Mubarez

Ferozah (turquoise) is a semi-precious stone that many Afghans wear as jewelry symbolizing good fortune. Ferozah is also usually used as an innocent name for ladies. Nevertheless, Ferozah, a bathhouse in northern city of Mazar-e-Sharif of Afghanistan was neither innocent by any mean nor bringing good fortune to the residents of the city. Ferozah bathhouse was illegally built on a road channeling the bathhouse’s waste water to the center of the road and also by being in the middle of the road, it obstructed the construction work of a brand new ring road that would connect the highways around the city which plays a vital role in the Afghan economy.

The Afghan Government contracted EN-EZ, a Turkish construction company, to build the ring road at the projected cost of $17 million. The 17-KM long ring road connects Shama Square to Kamgar Square in Mazar-e Sharif City. The Turkish company began the construction work in mid-June 2019 and it is planned to be completed on June 16, 2021. So far only 7% percent of the construction work has been completed.

Integrity Watch Afghanistan initiated Community-Based Monitoring of Mazar Sharif City’s ring road on 9th January 2020 through community volunteers. The volunteers, in the process of monitoring the construction work, found that an illegal public bathhouse on the road site hindered the construction work and caused delays in project implementation. In addition, the public bathhouse had damaged some other parts of the road that were being constructed. The community volunteers advocated for the destruction of the illegal bathhouse on the road so that the construction
company could continue its work.

EN-EZ previously requested the bath owner to remove the bath from the road site, but the owner of the bathhouse was a powerful individual who refused to cooperate. EN-EZ requested community volunteers trained and facilitated by Integrity Watch to help them resolve the issue. The company engineers told the community volunteers that the bathhouse was stopping them to carry on their work.

The integrity volunteers advocated for the removal of the bathhouse through a two-pronged strategy of approaching the government as well as the local resident of the area. They raised the issue at the sectoral meeting, which is regularly organized by the Provincial Directorate of Economy (MoEc) and facilitated by Integrity Watch. In addition, they urged the residents and villagers to remove the obstruction. Finally, the strategy yielded the desired results. The volunteers together with the community members succeeded in persuading the owner to destroy at least parts of the public bathhouse and so helped EN-EZ continue its work.

Integrity Watch’s Community Based Monitoring-Infrastructure (CBM-I) program promotes social accountability through community mobilization and social audits. The program empowers communities to monitor infrastructure projects that are implemented in their areas. The program started in 2007 with 10 communities in the Jabel Seraj district of Afghanistan’s Parwan Province. The program has expanded over the years due to its success in empowering citizens to take an active role in promoting integrity and accountability. Around 1296 infrastructure projects have been monitored by 2884 the community volunteers since 2007 in eleven provinces of Afghanistan.
Community volunteers regularly meet with officials to solve problems faced by health centers in Kabul

Ali Ahmad Mashal Afroz

Community volunteers supported by Integrity Watch, in their bi-monthly meeting with the officials from the Directorate of Public Health of Kabul Province, presented problems of 12 health centers on Thursday, February 6, 2020 that required the attention of the Department. The community volunteers shared additional problems faced by health centers as following:

- In Rahman Maina Health Center, the laboratory was not functional, and it lacked ENT checkup devices and an ultrasound machine.
- The volunteers discovered that in Macroryan Health Center cooking gas which had been allotted to the health center was stolen and consumed privately in houses. The clinic had no electricity and also lacked a surrounding wall.
- Ahmadshah Baba Health Center faced a lack of generator fuel, prescription pads, and 24 hours electricity.
- In Parwan-III Health Center staff punctuality was a major issue and residents were reluctant to take part in health council meetings. There was no support staff in the clinic, medicines did not arrive in time and officials behaved badly with the customers. It lacked dustbins, and the surrounding wall of the clinic was short.
- Jamal Mainah, Mirwais Maidan and Hothkhel Health Centers faced issues such as lack of medicines, water, electricity, laboratory equipment, a slide and needle set and a security guard.
- A health center staff vehicle’s payment was pending, medicines were not supplied based on seasonal needs and some health centers lacked a delivery room.
• Absence of vaccinators, a clinic head, and lack of a pharmacist, pediatrician and of internal medicines were also among the problems presented in the meeting.

The Provincial Health Department confirmed they had addressed six issues previously raised by the Community-Based Monitoring of Health (CBM-H) program of Integrity Watch. The issues included timely supply of fuel for warming up a number of health centers, provision of medical supplies to some health centers, improvement in holding Health Shura fortnightly meetings, considerable improvement in behavior of health officials with clients, prevention of a doctor and head of the clinic referring patients to his private clinic and emptying a ground septic tank of a health center.

Integrity Watch works closely with the Ministry of Public Health officials to organize monthly meetings to discuss problems faced by clinics under CBM-H program. The meetings are attended by officials, Integrity Volunteers and service providers such as Afghan Institute of Learning and Sanayee Development Organization.