

High Office of Oversight & Anti-corruption

June 2, 2009

We will discuss

- National Anti-corruption Strategy – also known as the “Azimi Report”
- Institutional Arrangements
- Role of the High Office in Anti-corruption efforts
- Mechanisms to monitor the Implementation of the Anti-corruption Strategy
- Progress to date
- The way forward
- Challenges and Opportunities

Legal Framework

- The legal framework for the fight against corruption is based on:
 - the Afghan constitution
 - the United Nations Convention against Corruption
 - and the law on overseeing the implementation of the anti-corruption strategy

National Anti-corruption Strategy

- A comprehensive, context-based and expert assessment of corruption in Afghanistan
- Mar 2006 – High Level Commission tasked by the President
- Mar 2008 – Commission presented its Report
 - Key recommendations of the report
- Sep 2008 – High Office of Oversight operationalized

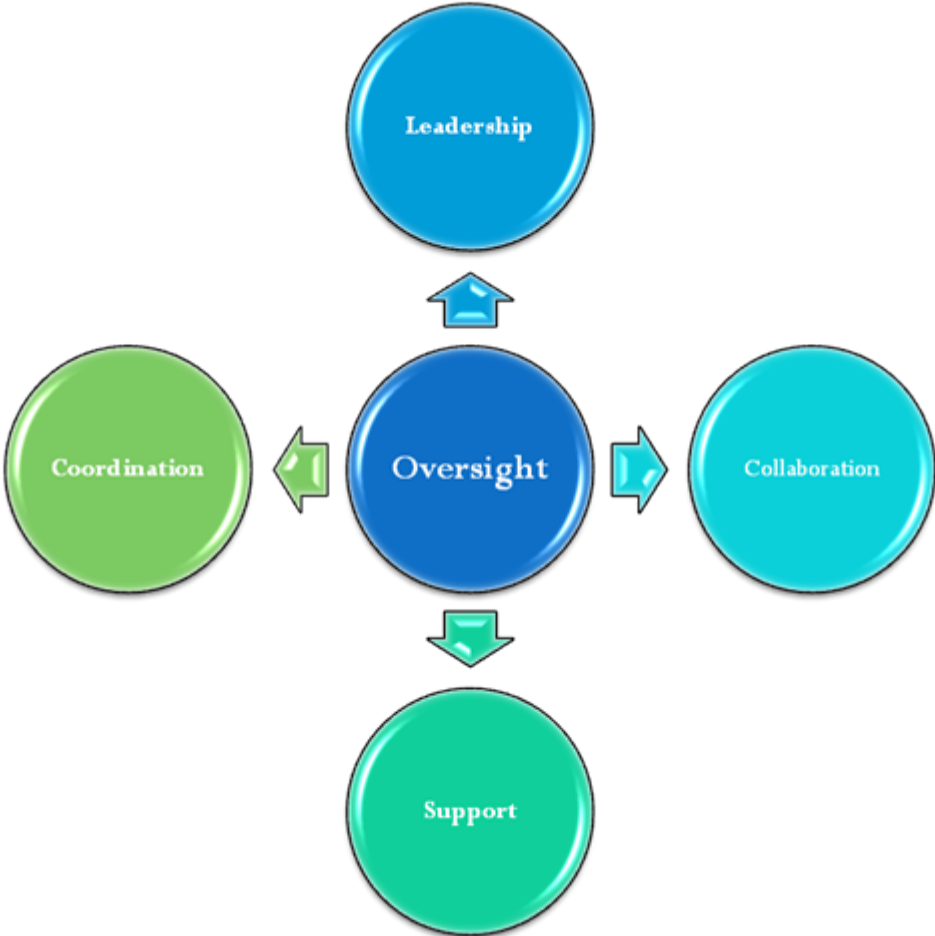
Institutional Arrangements

- Anti-corruption Law
- High Office of Oversight
- Special anti-corruption units within the AGO and the Supreme Court
- Monthly High Level Meeting on Anti-corruption

High Office of Oversight

- The highest office for the coordination and overseeing of the implementation of the anti-corruption strategy and procedures for administrative reform in the country
- Independent in carrying out its duties reporting to the **president** (Article four of the High Office of Oversight)

HOO Mandate




~~Enforcement~~

~~Investigation~~

~~Prosecution~~

Mechanism to Monitor the Implementation of the Anti-corruption Strategy

Oversee the performance of government offices concerning the implementation of the strategy

Government offices responsible to develop their own anti-corruption strategies and plans

Report to the president progress on anti-corruption

Progress to date

- Establishment of the High Office of Oversight
- Anti-corruption Units established within the AGO in order to investigate corruption cases
- Anti-corruption tribunals established in Supreme Court in order to deal with crimes of corruption
- Various disciplinary measures taken including suspending/firing/arresting of officials in various government offices
 - Supreme Court has suspended/fired/arrested nearly 50 Judges on Charges of corruption

Progress to date

- Ministries anti-corruption strategies adopted
 - 85% of government offices have produced their plans
- Examples
 - A 17-Article work-plan prepared by MoI – implementation plan is underway
 - IDLG anti-corruption work-plan prepared
 - Important anti-corruption measures for sub-national government

Progress to date

- Partnerships established with four ministries/agencies – MoI, MoE, MoF, CAO
 - Review Administrative Procedures for reducing vulnerability to Corruption
 - Strengthen Complaints and investigation capacity
 - Establish Integrity Promotion Office

Progress to date

- Asset registration policy & system operationalized
- Review of laws and regulations on anti-corruption launched
 - Penal Code on anti-corruption drafted and pending final review and to be printed in the Official Gazette
- Public Awareness Campaign launched

Challenges

- Legal institutions/policies
 - Inadequate laws, regulations and policies e.g. penal codes and criminal procedural codes for fighting corruption
- Inadequate cooperation/support of government offices
 - Lack of trust among state organizations and the general public
 - Inadequate cooperation and coordination

Challenges

- Lack of clarity of roles among concerned government offices
- HoO's absence at the sub-national level
- Lack of formalized relations with state institutions
- Insufficient capacity within government offices

The Way Forward

- Ministries are to begin implementing their own anti-corruption programs with guidance, support and oversight from the High Office
- Formalize relations and cooperation between HoO and government offices/state institutions

The Way Forward

- Continue to work in a collaborative partnership with ministries and state agencies, including all levels of sub-national government to:
 - identify and address points of vulnerability to corruption
 - raise standards of integrity
 - introduce reforms in administrative systems and procedures
- Review existing laws, regulations and operational manuals and propose necessary amendments

The Way Forward

- Mobilize and expand efforts and resources aimed at public education and raising awareness in Anti-corruption
- Establish and operationalize complaints receiving systems within government offices
- Strengthen HoO's Capacity to support government offices to effectively implement the anti-corruption strategy

Opportunities

- Unconditional and Strong support of the President
- Collective sense of urgency and momentum created among all relevant national and international actors in the fight against corruption
- Positive working relations between HoO and government agencies especially those in law enforcement
- Commitment by the international community
- Monthly anti-corruption decision-making meetings led and chaired by President

The End