



**Islamic Republic of Afghanistan
Attorney General's Office**

The Second 100-Day Plan

Preface:

Attorney General's Office (AGO) of Islamic Republic of Afghanistan, based on the article 134 of Constitution is part of executive power and is independent in its performances. Based on the framework of the enforced laws, investigation of crimes and filing cases against accused in the courts are considered the basic duties of AGO. AGO staffs perform their duties according to the applicable laws of the country considering impartiality, independency, respect to humanity and Sharia rights of the public as their priorities. Based on the acquittals' principles, AGO enforces laws on violators and organizes its operations according to Law on Mandate and Tashkeel of AGO.

The accepted Tashkeel of the year 1393 (2014) of AGO consists of 5170 staffs which covers professional, administrative and civil service staffs, fight against internal and external security, Counter-Narcotics and violence against women in the center and provinces.

In order to provide constant judicial services and address criminal cases, AGO acts as a public prosecutor. AGO has been established within the justice and judicial system based on the Afghanistan national standards and priorities and its aim is improvement in quality of social justice, Islamic and national values, equality and freedom according to the law. On the other hand, AGO provides equal opportunities for everyone to access the justice. The following points indicate general objectives of AGO:

- Investigating on criminal cases, following the findings of proofs by the detection and security agencies for finding out the truth;
- Endorsement or refusal of adopted decisions during the investigation process of cases and determining the suspects;
- Following up the proceedings against the accused in criminal cases;
- Collecting required reasons, attributing or denying the crime to a suspect while considering acquittal;
- Indifferent Evaluation of profess and acquittal of the suspect/s of the cases;
- Requesting documents, profess and extra information related to the case from the detection agencies and issuing instructions on performances and collecting profess;

- Preparing criminal charge sheet and lawsuit against the accused;
- Requesting punishment for the accused according to the applicable laws of the country;
- Enforcing final courts decisions and the decrees of the president's office;
- Preserving and supporting individual and public rights and freedom in order to stabilize rule of law and justice;
- Observing criminal statistics, analyzing reasons and causes, deciding better methods to fight and presenting academic and professional solutions to resolve and reduce crimes;
- Providing capacity building opportunities and training for AGO professional and administrative staffs.
- Providing office facilities and equipment for better performances of prosecutors and other staff;
- Organizing individual performances of the prosecutors and civil services of AGO staff;
- Organizing criminal and disciplinary responsibilities of prosecutors, and enforcing other responsibilities and authorities based on the enforced laws of the country.

In reference to the mentioned duties and authorities, based on the first 100-Day Plan from May 31, 2015 to September 2, 2015, AGO has performed the following activities regarding the investigation and follow up of the accused of the criminal cases:

Totally, AGO has investigated 8513 criminal cases and lawsuit against accused in front of the courts. These figures include 327 cases of administrative corruptions, 354 cases of drug trafficking and 3911 miscellaneous cases. Also, about AFN 6,945,142 cash fines have been received and transferred to the central bank.

AGO has not easily accomplished these achievements, unfortunately AGO has lost its 36 staff in enforcing the rule of law and securing justice, and 70 more have been injured as a result of terrorist attacks.

Considering the aforementioned points, AGO planned to do the following activities during the second 100-Day:

Duration	100 Days
Term Start & end of activity	Nov 22 – Dec 2015
Criteria for determining percentage	15 days for arranging and organizing central and 15 days for provincial offices Tashkeel
Turnover %	% 100
Indicator	Central Directorates of Appellate Prosecution Offices, Deputy AGO and related offices in Military Affairs, Fight Against Internal and External Crimes Prosecution offices
Sub-activity	<ol style="list-style-type: none"> 1. Reviewing 1395 (2016) Tashkeel based on approval of Islamic Republic of Afghanistan Cabinet, and resolving organizational challenges according to the requirements and especially involving the Tashkeel of prosecution office for elimination of violence against women in all provinces of the country for providing justice to the public. 2. Merging Tashkeel of Hudood Department of Chief of Staff Office and transferring its budget to the deputy office of AGO in Military Affairs according to Article 134 of Constitution Law by considering Article 3(7) of Law on Mandate and Tashkeel of AGO, if approved by the President's Office. 3. Establishing control and monitoring prosecution in Herat, Balkh, Kunduz, Paktia, Kandahar and Nangarhar provinces after approval of the Tashkeel. 4. Arranging and reviewing TOR chart for civil section that is left beyond the first 100 days. 5. Supporting and equipping the fight against internal and external security crimes prosecution in Justice and Judiciary Center in Parwan Province.
Main activities	Arranging and organizing Tashkeel of AGO in accordance with the Law on Mandate and Tashkeel of AGO
Reform plan	Reforming the Tashkeel based on the requirements
Plan objectives	Resolving Tashkeel challenges to provide better justice services to the public
Plan	Arranging and organizing Tashkeel of 1395 in accordance with the Law on Mandate and Tashkeel of AGO
Sector	Leadership board and deputy AGO in administrative and human resources affairs
No	1

One month	100-Day
November 10, 2015 to December 10, 2015	Project work which started before will be completed on December 26, 2015
15 Days for confirming the professional staff whose salaries had to be increased in the first phase based on the approval of legal advisory of President's office and 15 days for professional staff to complete their education.	Work on the intended project in the first 100-day plan which was started but due to the delay of the fund by donors it has not yet completed.
%100	%100
All AGO related offices in the country	Equipping at least 10 standard investigation rooms in fight against administrative civil and military corruptions of AGO
<ol style="list-style-type: none"> 1. Arranging and organizing the budget considering the requirements and resolving challenges existed last year. 2. Confirming the professional cadres of AGO whose salaries shall be increased, already discussed with senior officials based on increasing salary plan. 3. Identifying those whose educational levels are baccalaureate or bachelor in non-legal and non-sharia faculties and work in professional posts of AGO based on the previous Tashkeel. Organizing and estimating their educational cost in the financial budget of 1395 (2016) based on the legal advisory of the President's office to introduce to the government and private Universities (providing educational opportunities based on their professions) 4. Identifying and enhancing cadre levels of the Prosecutors based on the Law on Mandate and Tashkeel of AGO. 	<ol style="list-style-type: none"> 1- Installation of necessary technical equipment such as video cameras, voice recording devices, cameras and etc. 2- Equipping rooms with Computer, printer, constant electricity(in case of electricity shortage)
Arranging and organizing financial budget of 1395 (2016) in accordance and hierarchy needs and requirements of AGO.	Preparing 10 rooms
Arranging ,organizing and increasing salaries of professional staff in the first phase in accordance to the approval of legal advisory department of the President's Office	Control and observation of the investigation progress
On time execution AGO staff salaries and expenses.	Completion of criminal cases investigation using modern technology and accepted legal methods
Arranging and organizing operational and development budget of 1395 (2016)	Standardizing the investigation rooms of administrative corruptions
AGO Deputy in administrative affairs and Directorates of administration, finance and Human Resources.	AGO Deputy in Administrative Affairs and Administrative Directorate
2	3

100 Days	
October 7, 2015 to January 5, 2016	
20 days in central zone, 20 days in north zone, 20 days in south zone, 20 days in east zone and 20 days in west zone	
%100	
Professional posts of 5 Zones Appellate Prosecution Directorates in Kabul	
<ol style="list-style-type: none"> 1. Interviewing each and every prosecutor by the selection committee. 2. Observing criminal cases completed by the prosecutors in the past to identify their capacity, commitment to their profession and abilities. 3. Preferring criteria over relations in identifying and appointing professional and committed cadres. 4. Selecting professional cadres and appointing in appropriate posts after approval of AGO based on the approved Taskkeel 5. Supporting punishment and reward principles at AGO while considering behavior and profession of the prosecutors. 6. Identifying corrupted staff and supporting marri based recruitment. 	
Appointing a committee of 6 persons for selecting the competent, professional and appropriate cadres (at least three of the members will be from High Council and the director of related department)	
Elimination of administrative corruption in AGO	
Identifying committed and professional cadres	
Appointing cadres in professional posts after approval of the Taskkeel	
AGO, leadership board, AGO deputy office in administrative affairs and Directorate of Human Resources	
4	

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	continued
	continued
	Based on the requirements
All AGO sections including center and provinces, civilian and military until the generalization of Tashkeel of control and monitoring prosecution office in Balkh, Herat, Nangarhar and Kunduz Provinces	
<ol style="list-style-type: none"> 1. Constant performance evaluation from all central and provincial departments for identifying proper performances and violations, legally deciding about violators. 2. Supporting complaints hearing process and prevention of bureaucracy. 3. Creating and installing complaints boxes in all AGO related offices which were left beyond the first 100 days. 4. Checking Email-address which is created for collecting complaints and sharing them the AGO to act accordingly. 5. Responding to those who call and complain to: 0700289714 and 0202521819. Taking measures for resolving the complaints according to the law. 6. Assigning at least one call number for hearing complaints in coordination with Ministry of Telecommunication and IT Department through free call tool in order to provide further facilities to the people. 7. Providing operative money for consolidation, identification and actual arrest of corrupted people. 8. Constant cooperation with detection institution for arresting corrupt people from government institutions. 9. Handling cases submitted by AGO in accordance with the law Mandate and Tashkeel of AGO. 10. Monitoring professional performances of 5 zone prosecution offices of Kabul province for the year 1393 (2015) for implementation of enforced laws, analyze and evaluation of administrative corruption factors and identifying prosecutors who are involved in corruption. Providing reform instructions for better improvements. 	
Audit and control the administrative and professional performances of AGO	
	equally implementation of laws
	Elimination of administrative corruption
	Anti-administrative corruption
	AGO, leadership board of AGO, internal and external audit prosecution and its control and monitoring section
	5

100-Day Work Plan

September 27, 2015 – January 5, 2016

Continued

100%

The Accused of committing petty crimes and crime against public security across the country

- 1-Preparation for completing the prosecution of the referred petty crimes against public security and corruption, and preparing the charge sheet for the considered cases in accordance with the enforced laws of Afghanistan.
- 2-Preparing the lawsuit and indictment against referred accused cases before the relevant courts.
- 3-Monitoring on legality of the issued decisions by competent courts and adoption of decision about it in accordance with the enforced laws of the country (objection or acceptance about the decisions of primary and appellate courts) and further processing of the considered cases.
- 4-Collaboration with the intelligence institutions if needed.
- 5-Monitoring the crimes scene and participating in inspection and checking of people and places in order to find and collect supporting documents.
- 6-Implementation and enforcement of final decisions of the courts
- 7-Obtaining cash fine

Assigning prosecutors to investigate cases based on their abilities

Ensuring Justice and implementing rule of Law

Ensuring Justice and implementing the Law

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

All accused of Corruptions

- 1-Preparation for completing the investigation on the referred corruptions, and preparing the charge sheet for the accused in accordance with the enforced laws of Afghanistan.
- 2-Preparing the law suit and indictment against the corruptions before the competent courts.
- 3-Monitoring the issued decisions by competent courts and adoption of decision in primary and appellate stages in accordance with the enforced laws of Afghanistan/country (objection or acceptance about the decisions of primary and appellate courts) and further processing of the considered cases.
- 4-To summon the accused fugitive cases of corruption of those who live outside the country through the International Police, specifying the property and wealth of the present and the fugitive accused.
- 5-Implementation and enforcement of final decisions of the courts.

Assigning prosecutors to investigate cases based on their abilities

Fighting Corruption

Ensuring justice and fighting against Corruption

Prosecution Directorate of Fighting Against Corruption

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

100%

The Accused of committing crimes against internal and external security across the country

- 1-Preparation for completing the prosecution of the referred cases of human trafficking, kidnapping, organized crimes like banditry, crimes against internal and external security and preparing the cases and charge sheet about the specific crimes as mentioned in law.
- 2-Preparing the indictment against the accused of mentioned cases before the competent court.
- 3-Monitoring the consideration of legality of the issued decisions by competent courts and adoption of decision about it in accordance with the enforced laws of the country (objection or acceptance about the decisions of primary and supreme courts) and further processing of the cases.
- 4-Collaboration with the intelligence institutions if needed.
- 5-Implementation and enforcement of final decisions of the courts
- 6-Continued monitoring of detention centers.

Assigning prosecutors to investigate cases based on their abilities

Correction of Criminals, Ensuring Justice and implementing rule of Law

Ensuring Justice and implementation of law

General Directorate of Prosecution of Crimes against Internal and external security and the sub-offices.

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

100%

Accusation of military officials who are accused of committing military crimes across the country

- 1-Preparation for completing the prosecution of the referred petty crimes against public security and military officials' corruption, and preparing the charge sheet for the cases in specific time as mentioned in relevant law.
- 2-Preparing the indictment before the courts, relating to the ordinary cases against the public security and corruptions.
- 3-Monitoring the legality of issued decisions by competent courts and adoption of monitory decision in accordance with the enforced laws of the country (objection or acceptance about the decisions of primary and appellate courts) and further processing of the referred cases.
- 4-Collaboration with the intelligence institutions if needed.
- 5-Implementation and enforcement of final decisions of the courts.
- 6-Observing the conditions of detainees in accordance with the enforced laws of the country.
- 7-Timely releasing of the convicts those who have spent the term of the punishments in prison

Assigning prosecutors to investigate cases based on their abilities

Ensuring Justice, implementing and consolidation of legality

Ensuring Justice and implementation of law

Attorney General's Office Deputy in military affairs and related departments

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

All cases of petty crimes and crimes against public security across the country are separated by the primary, appellate and supreme courts after legal processing

1. Objection on final decisions of courts and appealing to review in accordance with enforced laws of the country.
2. Finalizing the issued primary court decisions, if they are proportioned and have been issued with consideration of the criminal in accordance with the enforced law to avoid bureaucracy with the enforced laws of the country

Avoid errors in interpretation and enforcement of law

Monitoring the decisions of the three-tiered judicial courts

Implementing equal justice

Monitoring decisions of the courts

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

100%

The accused of committing Intoxicants and Narcotics Crimes

- 1-Preparation for completing the prosecution of the referred cases of intoxicants and Narcotics trafficking, preparing the cases and charge sheet about the specific considered crimes mentioned in law.
- 2-Preparing and claiming the lawsuit before the competent court against the accused of the cases to be discussed.
- 3-Monitoring the legality of issued decisions by competent courts and adoption decisions in accordance with the enforced laws of the country (objection or acceptance about the decisions of primary and higher courts) and further processing of the referred cases.
- 4-Collaboration with the intelligence institutions, specially while arresting the drug traffickers and assigning the competent prosecutors for checking the places, houses and people.
- 5-Implementation and enforcement of final decisions of the courts

Assigning prosecutors to prosecute cases in terms of the inability and capacity

Ensuring Justice and implementation of law

Elimination of narcotics cultivation, trafficking, and using across the country

Prosecution and pursuing the cases of Narcotics trafficking

General Directorate of Prosecution of Crimes against Drugs

100-Day Work Plan

September 27, 2015 to January 5, 2016

Continued

100%

Detention centers, prisons and Juvenile Rehabilitation Centers across the country

- 1- Observing the implementation and enforcement of final decisions of the courts, including the main, supplementary and complementary punishments.
- 2- Implementation of Presidential issued decrees on religious occasions and national days regarding the amnesty and mitigation of punishment for convicts.
- 3- Observing the elimination of intoxicants and narcotics
- 4- Monitoring deprivation of liberty, including detention centers, custody centers, prisons and juvenile rehabilitation centers in the country to review the legality of people those who live in the mentioned places in a state of deprivation of liberty. Listening and proceeding their objections, recognizing and identifying of convicts and adopting decisions legally.
- 5- Reviewing and installing of complaints boxes in detentions centers in coordination with the Ministry of Interior that has not been created and installed yet.
- 6- Timely releasing of prisoners, detainees after completion of a specified term of sentence mentioned in court decisions.

Assigning and sending of relevant prosecutors to detention centers.

Creating of discipline in detention centers and correction of convicts.

Avoid surveillance, detention, imprisonment and the inability of the illegal confinement of people in the areas that have been established in accordance with the enforced laws of the country.

Observing the status of the people in detention centers

Prosecution Offices for monitoring of enforcement of decision in detention centers including civilians, military, fighting against drug trafficking and national security across the country.

100-Day Work Plan

September 27, 2015 to January 5, 2016

25%

Qualified prosecutors, newly hired prosecutors in the country and the people who are newly hired at Attorney General's Office

- 1-Conducting training programs for at least 500 prosecutors of prosecution department, judicial proceeding, monitoring the enforcement of decisions and detention centers of civil departments, military, fighting against drug, internal and external security, elimination of violence against women and the prosecutors of juvenile and conflict.
- 2-Appointing prosecutors for short and med-term scholarship programs to countries like India which has constantly cooperated in improving the capacity of Attorney General's Office prosecutors.
- 3-Preparing, organizing and registering the qualified applicants for the Attorney General's Office Stage Program for the next stage to enroll for entry exam.
- 4-Publishing the performance of Attorney General's Office officers.
- 5-Proceeding and adoption of decisions on prisoners suffering from incurable diseases according to the procedures of the Ministry of Public Health and enforced laws.
- 6-Correction of case management forms to simplify and create better and clear accountability.
- 7-Contact authorities of the World Bank to provide the necessary facilities to solve the necessary demands and office equipment and fund fundamental projects.
- 8-Accommodation of prosecutors (at least 20 people if needed).
- 9-Equipping the prosecution offices of violence elimination.

Awareness of Prosecutors from the enforced substantive and procedural law

Capacity Building

Directorates of Human Resources, Policy and Planning, Information and Public Relations, Administrative and Finance and Monitoring of detention centers

Challenges:

- 1- Lack of ensuring security of prosecutors in the capital and in provinces.
- 2- Lack of enough offices for prosecutors in capital and in provinces.
- 3- Low salaries of prosecutors.
- 4- Lack of conformity of structure (Tashkeel) in comparison to crimes and the necessities of the society.
- 5- Lack of budget.

Solutions:

Creating and approving special detachment for ensuring prosecutors security; Ministry of Finance agreement regarding the execution of prosecutor's privileges and increasing salary rate like increasing Judges Salaries.

The issues that mostly cause delay in prosecution completion and pursuing criminal cases are as follow:

- 1- Delay in collection of criminal technique report.
- 2- Lack of drug testing laboratories in most provinces.
- 3- Lack of Health Service Centers in most provinces and load of cases in Central Judicial Health Services.
- 4- Delay in summoning suspects of criminal cases by police officers.

As above stated, the Attorney General's Office second 100-day plan is presented to the Respected Presidential Office for reviewing and approval after endorsement of Attorney General's Office Higher Council.

Regards

Saranpo Noor Habib "Jalal"

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