



Islamic Republic of Afghanistan

Ministry of Justice

Office of the Spokesperson

**Full Report on the Performances of Ministry of Justice
in 2020 Fiscal Year**

February 4th, 2021

Conference on the Government's Accountability to the Public

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The Ministry of Justice of Islamic Republic of Afghanistan is one of the most important and key ministries of the government which functions all over the country in close coordination with the executive and legislative branches so as to administer the nationwide justice and rule of law.

The strategic objectives of the Ministry of Justice encompass strengthening the justice system and providing quality legal- judicial services to the people all over the country in a balanced manner. This ministry pursues its strategic objectives in accordance with the “Regulation on Ministry of Justice Duties”, sound leadership of the relating administration, structural and legislative reforms, developing legal awareness, drafting- scrutinizing- and processing legislative documents, defending from the public properties before the courts, proceeding the citizens’ legal litigations before referring them to the courts, dealing with the affairs relating to the acquisition and renunciation of citizenship, providing free legal aid, registering and supervising the political parties- social associations and real estate agencies, bringing about the coordination and making liaisons amongst administrations in order to combat against human and immigrants’ trafficking, advocating the human rights in state administrations and ensuring the constant transparency and accountability.

Therefore, in today’s conference, I will briefly express the activities of 2020 fiscal year of this ministry relevant to afore mentioned strategic goals.

1. in the Field of Legislation and Academic- Legal Researches

One of the main objectives of the Ministry of Justice is to ensure the rule of law through drafting, scrutinizing and processing all legislative documents. This ministry as per its legislative working plan being ratified by the cabinet of the Islamic Republic of Afghanistan in accordance with the 2020 fiscal year, should have processed 60 legislative documents; but by considering the state’s necessities and its international undertakings, this ministry has processed 123 legislative documents only during the first nine months of the 2020 and has send them to the national assembly to be ratified. These legislative documents encompass 20 laws, 24 cases of amendments- addition- deletion and annexation to laws, 31 regulations, 2 procedures, 7 cases of amendments- addition and annexations to these regulations and statutes and 39 statutes.

Amongst the above mentioned legislative documents, 18 of them have been sent to the Committee of Law in order to be processed. These 18 legislative documents include Family Draft Law, Inspector Office Draft Law, Insurance Draft Law, Draft Law on Attainment of Remaining, Draft Regulation on Services of Blood Transmission and Its Immunity, Draft Regulation on Municipalities' Properties Lease and other documents.

Likewise, 54 legislative documents have been sent to the cabinet of Islamic Republic of Afghanistan to be approved. These 54 legislative documents encompass Draft Law on Adjusting Parliamentary Relations, Draft Regulation on Civilian Aviation Security, Draft Law on Pasture, Draft Law on Regulating Road Transport, Draft Law on Protecting Wild Animals and Regulating Hunting, Draft Regulation on Students' Dormitories, Draft Law on National Archive, Draft Regulation on Ministry of Culture and Information Duties and Draft Statute of State Owned Central Silo Corporation and other documents.

The ministry of justice has submitted 20 other legislative documents to the National Assembly after being approved by the Cabinet of Islamic Republic of Afghanistan to be ratified. These twenty documents include draft law on regulating the prisons' affairs, draft law on Audit High Office, draft law on mass media, draft law on labor and draft law on regulating chemical and organic fertilizers.

However, 16 legislative documents, after having been approved by the cabinet of Islamic republic of Afghanistan and endorsed by the president, have been sent back to the Ministry of Justice and promulgated in its official gazette. These legislative documents encompass draft regulation on medical ethics, draft regulation on restoration of unlawful properties obtained through administrative corruption crimes, draft regulation on bachelor level education, draft regulation on cases management system, draft regulation on nurses and midwives council and draft regulation on beneficiary ownership.

Meanwhile, 15 legislative documents after being approved by the cabinet and endorsed by the president of Islamic Republic of Afghanistan have been submitted to the Ministry of Justice in order to be published its official gazette five of which namely titled as law on the manner of obtaining rights, law on railroad, annex no (3) to law on commercial procedure, law on electronic transactions and signature and the president's decree on the establishment of technical and professional office have been already promulgated in the official gazette and other ten remaining of them are being promulgated soon.

Considering the fact that Afghanistan is a member of open- government partnership, over the course of scrutinizing all above mentioned legislative

documents, in addition to the considering the views of representatives of state ministries and administrations, the perspectives of relevant civil institutions, academicians and other experts have been considered as well.

Besides these cases, the ministry of justice has issued more than 178 legal advices to the state ministries and administrations and it has expressed its legal and legislative views on 192 cases relating to agreements- statutes and contracts.

Ministry of Justice through its legislative stage training program has convened legislative training programs for 110 people graduated from law and Islamic Jurisprudence fields including 36 women and 74 men, whose commencement ceremony will be held soon. It is worth mentioning that, from amongst 110 legislative state graduates, 60 of them, who are legal consultants and employees of other ministries and administrations relating to legislation being introduced by their respective administrations into this program and other remaining 50 people have succeeded through free examination contest.

This ministry has signed an internship contract with those 2020 legislative stage, stagers who have completed their lessons successfully. Furthermore, the ministry has attracted the financial aids of respected (GIZ) organization in order to pay 30 female stagers' transportation fare for nine months.

Moreover, ministry of justice has convened six round other training program under the title of "Explication of Laws and Prevention from Numerous Amendments of Legislative Documents" for 41 state administrations thereby, law on processing legislative documents, law on the protection of child, law on access to information, law on prohibiting women and children's harassment, law on the rights and privileges of the survivors of martyrs and disappeared persons and other laws have been constructed and explained.

In our perspective, the legislation process and its contour in the country requires to be modernized and fundamentally reformed and the process of legislation should be carried out in a modernized and enhanced manners like other modern and developed countries so that, it is able to meet the country's needs and requirements both in national and international levels.

The ministry's serious plan is to share any phases and steps of legislation process with people and relating experts and receive their views for the furtherance and enrichment of laws. This effort will pave the ground for the better implementation of laws in our society and owing to their active and personal participation in legislation processes, they will take part in the implementation of laws as well.

Due to the fact that, the legislative working plan of Afghanistan is prepared in accordance with solar calendar, the present performance report contains only nine months of the year, the remaining months will be presented until the end of this year.

2. in Field of Legislative Documents Translation and Notarization of Translated Official Documents

In the 2020 fiscal year, ministry of justice has translated 122 important documents into different languages; these documents include legislative documents and strategies. Amongst the translated documents, 34 documents have been either translated from national languages into English or the translated texts have been rectified which encompass law on access to information, law on nuclear energy, regulation on psychological health, criminal procedure, commercial procedural law, law on prohibition of money laundering, law on state cases and other important legislative documents. These legislative documents have been translated into English in order to share the contents of them with our international partners and receive their professional feedbacks and remarks to identify the legislative documents flaws and deficiencies.

Likewise, in 2020 fiscal year, 10 foreign legislative documents have been translated from Arabic language into national languages which include law on immovable properties mortgage of Egypt, civil procedural law of Egypt, Egypt's civil law (part of mortgage), and law on the protection of historical monuments of Egypt, section of personal affairs of Iraq's civil law, law on civil and civilization works of Jordan, law on electronic transactions of Jordan, law on historical monuments of Iraq and regulation on historical monuments of Egypt. These legislative documents have been translated from Arabic language into national languages so as to be applied to our country's laws and result in the enrichment of our legislative documents.

A number of other internal legislative documents have been translated from Pashto into Dari and vice versa in order to be promulgated in the official gazette of this ministry.

Ministry of Justice has notarized 125 thousands and 11 translated official documents in Kabul, Balkh, Herat, Kandahar and Konduz provinces.

From the sum of these documents, approximately 47 per cents of them are national identity cards (Tazkira), 18 per cents of them are birth certificates, 8 per cents of them are marriage certificates, and 27 per cents of them are other miscellaneous documents. The correct translation of these documents are

notarized by the Ministry of Justice so as to be affirmed by other countries and embassies of foreign countries.

Ministry of Justice has also convened 29 rounds of examination for translation offices in the center and other provinces such as Balkh, Nangarhar, Kandahar, Konduz, Bamyan, Baghlan and Jawzjan in order to enhance the quality of official documents translation and prevent from the misconducts in this area this year. At these examinations, 136 translators from the translation offices have participated 108 of them could successfully pass their exams and accordingly received their translation licenses.

This ministry has issued translation licenses to 67 translation offices during a year and other remaining licenses are being processed. It is worth mentioning that, the majority of license applicants refer to this ministry, while they do not have a bachelor degree which according to law on translation has been stipulated as a requirements, therefore, most of them are considered as disqualified.

3. in the field of printing and promulgating the legislative documents

In 2020 fiscal year, ministry of justice has published 54 titled legislative documents after being processed in 20 serial numbers of official gazette with a two thousands and three hundred seven circulations and distributed them amongst the central and provincial organs. These documents encompass eight laws, sixteen regulations, fourteen cases of amendments and additions, two statutes, three decrees, three annexations and nine international agreements.

Law on regulating the prison's affairs, law on railroad, law on the manner of obtaining rights, law on electronic transactions and signature, regulation on mining, regulation on government and media joint committee, regulation on restitution of unlawful properties obtained through administrative corruption crimes, regulation on bachelor level education and regulation on administrative affairs are amongst those important legislative documents being promulgated in the official gazette and made available to the people and entities this year. These documents are amongst those documents being processed in the year 2020 and the year before.

In this year, 2400 volumes of commercial trade and advertisement marks have been published and distributed as well.

4. in field of defending the state's rights and benefits

In order to protect the public properties, prevent the usurpation of state's properties and retribute the usurped properties and take them out from the

clutches of usurpers, the ministry of justice has devised many programs and taken corresponding measures to implement them.

Towards this goal, in 2020 fiscal year, an aggregate of 2 thousands and 113 state cases have been registered in this ministry and accordingly being proceeded. Through proceedings of cases and defending the state's properties before the courts of law, 6660 Jeribs of land, 71 houses, 69 stores, approximately 787 million Afghanis and more than five and half million dollars have been prevented from being usurped or unlawfully expropriated.

Amongst them, 414 decisions and final verdicts of the courts all over the country have issued in favor of the state; in other words, the state has been the winner party thereof. These rulings and decisions encompass 5 thousands and 809 jeribs of land, 71 houses, 69 stores, 766 million and 741 thousands and 285 Afghanis and a sum of five million and five hundred and sixty thousand and 201 hundred American dollars.

Pursuant to article (414) of Law on Principles of Civil Procedure and article (36) of Law on Establishment and Jurisdiction of the Judiciary, the ministry of justice has appealed against final ruling and decisions of courts in 17 cases, amongst all, three cases of them were proceeded and finally the decisions were taken in favor of the state. These three cases include 706 jeribs of land in Nangarhar, 19 hectares of land (95 jeribs) in Konduz and 11 Biswas (11 hundred meters of land) in Baghlan province.

In addition to that, this ministry, after checking the cases has issued 721 writs of restitution which encompass more than 23254 jeribs of land, 99 houses, 30 stores, 4 garages and a sum of 97 million, 561 thousand and 637 hundred Afghanis. These writs of land and properties restitution have been issued in favor of State, in Takhar, Badakhshan, Konduz, Baghlan, Herat, Bamyán, Parwan and Nangarhar provinces.

Furthermore, ministry of justice has dealt with 45 cases relating to the State's properties amongst state's entities and issued dispute resolution ruling on 37 cases and reconciliation ruling on other 8 cases thereof.

The ministry of justice plead every citizen and state's administration to report any cases of State's properties usurpation to the Department of State Cases of ministry of justice in case they should be aware of them and request from all respected state's entities to assist the ministry of justice in the process of defending the public properties through introducing their authoritative representatives along with the relating documents.

5. in the field of proceeding legal litigations and executing final decisions of courts

In 2020 fiscal year, the Ministry of Justice has registered and proceeded more than 77 thousand legal suits including petitions and dossiers all over the country. From amongst all petitions being registered, 19811 of them have been cases of real properties, 13430 cases of debts, 8124 cases of family disputes. Meanwhile, from amongst 36 thousand dossiers submitted to Hoquq department of Ministry of Justice, 18545 cases of them belonged to real properties, 9498 cases of them belonged to debts and 7969 cases belonged to family disputes.

Majority of legal action cases within this period of time, have been registered in Kabul province which amounts to 17280 cases. Likewise, 7220 cases have been registered in Herat province, 6676 cases in Balkh province, 5512 cases in Badakhshan province, 4218 cases in Takhar province, 3218 cases in Bamyan province and other remaining cases have been registered in other provinces.

More than 16 thousand legal dossiers registered all over the country have been family dispute cases which constitute approximately 21% of all registered dossiers. These family cases embrace split, divorce, conjugal portion, child custody and other family subjects. In the same manner, more than 38 thousand dossiers belonged to real properties and about 23 thousand cases fall into cases of debts.

From amongst entire cases registered in ministry of justice, 2546 cases of them have been resolved through reconciliatory and mediatory means without referring them to the courts. Likewise, 21309 other cases have been referred to the courts of law and as a consequence, the courts have issued their final and absolute ruling on them.

Ministry of Justice has been able to execute the courts' judgments and rulings on 2274 thousand cases and the remaining decisions and rulings owing to the noncooperation of respective entities, deficiency in the execution of courts' decisions and creation of obstacles by powerful people have not been executed yet. It is worth mentioning that, from amongst the enforced cases, 442 cases belonged to public law and 1823 cases belonged to civil disputes.

Likewise, from amongst all cases, more than 8500 cases have been submitted to the respective administrations so as to be processed. More than 27 thousand cases, due to no proceeding by the respective parties have been preserved by the ministry of justice and more than 13 thousand cases are being processed and proceeding of which will be taken within the current fiscal year. The number of registered cases in ministry of justice in 2020 fiscal year have been increased

comparing to 2019 fiscal year. Last year, all registered cases in Department of Hoquq were more than 52341 thousand cases, while this year's registered cases amount to more than 76925 thousand cases.

We believe that, the Directorate of Hoquq of Ministry of Justice functions as a corridor toward the courtrooms and all legal litigations are referred to the courts through this channel. As result, improvement of this part prevent the majority of cases from being referred to the courts.

On the other hand, from the perspective of organizational structures and facilities, this directorate has a very basic level of facilities, as a result, it is not capable of executing the courts' decisions promptly. The Ministry of Justice is dedicated to more professionalize this part through enhancing their organizational structures and working mechanism in current year and make it more accountable to proceed an enormous volume of legal dossiers.

Ministry of Justice also plead all relating entities including police to cooperate with this department in the field of executing the courts' decisions and rulings as per the provisions of law.

6. in the field of free legal aid

Ministry of Justice has defended the rights of 10682 thousand underprivileged suspects and defendants embracing 8537 thousand men, 1300 thousand women and 845 thousand children, before the courts of law in 2020 fiscal year. As a consequence of legal defenses carried out by the ministry of justice legal aid providers, 1307 thousand persons including 943 men, 330 women and 94 children have been exonerated and 6200 persons have been convicted in primary and appellate courts.

In addition to the previously mentioned dossiers, 1887 cases of all cases are under legal proceeding process and 1280 thousand dossiers are under the investigatory process in attorney offices.

Ministry of Justice, in 2020 fiscal year, has provided free legal aid to 3421 thousand legal aid applicants. 2800 cases of legal consultations in criminal cases and 621 legal consultations in civil cases have been granted to 1555 men, 1490 women and 381 children.

In addition, the ministry of justice most significant activities in the field of legal aid in 2020 fiscal year have been the convention of "Legal Aid High Commission" sessions. In three sessions of this commission in 2020 and its fourth session held just a few weeks before, it was decided that a Legal Aid Supporting Monetary Fund be established and financial aid and cooperation from the national and

international entities be attracted and legal aid services be expanded to districts levels through cooperative organizations.

Likewise, the above mentioned commission strengthens the coordination and liaisons amongst the state's administrations and civil entities in the field of legal aid provision. The ministry of justice is determined to expand the state legal aid to districts level throughout the country in 2021.

During the 2020 fiscal year, Ministry of Justice has convened 729 hundred legal advertisement programs for 32 thousand people all over the country. 152 programs with approximately 600 participants in the center and 589 programs with 26392 participants in provinces have been held by the ministry of justice.

At this programs, women's rights, women's rights for labor, violence against women, prohibition of women and children's harassment, women's financial rights, citizens' rights and responsibilities, child's rights and custody, the accused and suspects' rights, wedding ceremony and child's rights and other civil and criminal subjects have been publicized.

7. in the field of registration of political parties, social associations and real estate agencies

In the 2020 fiscal year, ministry of justice has issued license of activities to 1157 thousand social associations including 826 newly established associations and the licenses of 131 other entities have been renewed and licenses of 300 associations are being processed.

A number of social associations have been fined because they had not renewed their licenses in their due date, in accordance with the law and the sum amounting to 9 million and 21 thousand Afghanis received as fines have been deposited in the state's treasury.

In this year, three new political parties including "Wahdat-e Nawin Political Party", "National Islamic Harkat Political Party (Hezb-e Harakt-e Eslami-e Meli)" and "Tawhid-e Mardom Political Party" have received their activity licenses from Ministry of Justice. Likewise, another political party has received its duplicate license, three other political parties have renewed their licenses and licenses of other seven political parties are being processed.

In 2020 fiscal year, Ministry of Justice has issued license of activity for 586 real estate agency offices which embrace 256 new licenses and 330 cases of license renewal. In this year, 70 thousand real estate agency offices in Kabul have been blocked and their license have been repealed by the ministry of justice, because they did not renew their licenses and perpetrated other wrongs. This ministry in

2020 fiscal year, has issued new petition writing licenses to 39 petition writers and renewed the licenses of other 162 petition writers.

In 2020 fiscal year, we revised the law on political parties and law on social associations by consulting with political parties' responsible persons and social entities. Moreover, we have drafted the law on financing political parties and elections campaigns. The objective of revising and drafting these important legislative documents have been to pay more attention identification of the political parties' financial sources and the modality of state support of them, their organization and to emphasize on the quality of political parties. These outlines will be processed after being finalized.

The today's circumstances and conditions necessitate to revise the activities of 72 registered political parties in accordance with the respective law and the effort be taken to make these parties more organized, nationalized and their activities be more and more high quality. Furthermore, it is needed that, the political willingness for negotiation, participation and coalition of political parties be created so that, the political parties find out their common ground through negotiations and dialogue and finally be amalgamated. The current existing number of political parties indicate a large figure and this figure is needed to be lowered by the amalgamation and coalition of these parties and in return, more attention be paid on their activities and efficiency.

8. in the field of publicity, accountability and open- governance

Ministry of justice, by the observation of the principle of freedom of speech and open- governance and pursuant to the provisions of law on access to information, has had approximately 1117 thousand cases of publicity including 3 cases of press conferences, 42 cases of interviews with media, 436 cases of presenting information to the applicants through telephone connections, emails and other social media, 620 cases of notification via Facebook, Tweeter and website both in our official languages and English and 3 press announcements and answering to 13 forms of information applicants.

Ministry of Justice is committed to delivering transparent and precise information to the applicants of information. This ministry established its "Online Section of Information Request" in 2020 fiscal year and works on the enhancement and improvement of its database and accountability to the people.

In this year, ministry of justice has received 4685 thousand petitions from clients and dealt with all cases thereof. The majority of these petitions have been legal issues relating to real properties and other legal petitions related to family debts which after the issuance of rulings have been sent to the relevant authorities.

On the other hand, for the purpose of discharging its duties based on the open-government partnership programs, the ministry of justice has taken some measures and has prepared its action plan as well.

Open- justice is a part of open government towards the fulfillment of which the ministry of justice has discharged its duty beside other judicial justice entities.

This ministry, in accordance with open- government national action plan has revised the law on processing legislative documents as a successful commitment for the public participation and in second national action plan, the establishment of electronic system of processing legislative documents and utilization of technology for the participation of people according to its working plan is carried out in order to enable the civil society and private sector to share their views as to the legislative documents being processed.

9. in the field of financial, accounting, procurement and planning

In 2020 fiscal year, ministry of justice has had a sum of one million and 158 thousand and 345 hundred Afghanis ordinary budget and 82 million, 945 thousand Afghanis developmental budget, of which the ministry has been able to expend 821 million, 430 thousand and 675 hundred Afghanis equivalent to 82 % of its ordinary and 54 million, 745 thousand and 494 hundred Afghanis equivalent to 84% of its developmental budget.

This amount of budget has been expended through considering more than 81 million Afghanis surplus and more than 37 million Afghanis cut in ordinary budget as a result of mid-year assessment. Likewise, in developmental budget of the ministry after the mid- year assessment of budget, 8 million Afghanis surplus, 4 million Afghanis cut and 24 million Afghanis deficit has been conducted.

From the total ordinary budget of the ministry of justice in 2020 fiscal year, more than 677 million Afghanis of which have been expended on the employees' salary payment, approximately 83 million of which have been expended on the preparation of materials and services, about 20 million Afghanis have been expended on food, approximately 13 million of them have been expended on the maintenance and repair to the ministry of justice and the remaining has been expended on public services and purchasing moveable and immovable properties.

Furthermore, the development budget of this ministry had been allotted to four projects including 22 million Afghanis to the construction projects of buildings for the ministry of justice provincial directorates, 20 million Afghanis for the construction of the children' correction and nurturing centers of Badakhshan and Bamyan provinces, 20 million and 945 thousand Afghanis for the site and green

areas of the ministry and 20 million Afghanis for law drafting project. In this year, the work of three projects were completed from 78 to 88 percent and the construction project of justice directorate building of Faryab province has not been completed yet. This project had been transferred from the 2019 and some parts of which had remained which due to the termination of its contract between ministry of justice and corresponding corporation did not have any tangible progress in 2020 as well.

The ministry of justice has collected a sum of 66 million, 835 thousand and 710 hundred Afghanis revenue and deposited in the state's treasury during these years. 23 million, 296 thousand and 99 Afghanis of the above mentioned revenues have been collected from the registration of political parties- social associations - real estate agency offices and petition writers. Likewise, 21 million and 359 thousand Afghanis have been collected from the notarization of official translated documents and granting licenses to the translation offices, 12 million, 257 thousand and 892 hundred Afghanis from the sale of official gazettes and other publications, more than 13 million Afghanis from courts' decision tax, more than 750 thousand Afghanis from the one tenth 1/10 of Hoquq and approximately half a million Afghanis from registration fees of petitions have been collected. Approximately three million Afghanis have been collected from fines, returns from the last year and the sale of securities.

10. Plans and Strategies:

In 2020 fiscal year, Ministry of Justice has implemented four annual plans and a quinquennial national strategy. The implemented strategies in this year include the result based plan, counter administrative corruption plan, national action plan for justice and judicial reforms and action plan on the improvement of detection and prosecution of dossiers relating to administrative corruption.

These plans have been implemented in order to enhance public awareness regarding the issues relating to the legal, justice and judicial affairs, drafting and scrutinizing legislative documents, their processing and promulgation on time, capacity building of the employees, administering administrative services and bringing about the required reforms concerning counter administrative corruption measures.

These plans have brought about better implementation of laws, acceleration in the processes of resolutions to legal disputes and attracting the satisfaction of citizens and finally ensuring the principle of transparency and accountability.

The quinquennial national strategy of Ministry of Justice under the title of (Justice and Law) was created in 2019 and is to be implemented until 2023. The

objective of this strategy is to strengthen the justice system, provide more legal and judicial quality services, bring more amendment and reforms to laws, make the process of legislation more efficient, cause more people to have access to justice, transparency, solidify the infrastructures, internal and international coordination being implemented all over the country.

In 2020 fiscal year, Ministry of justice has signed an aggregate of 8 collaboration agreements with nongovernmental administrations and organizations regarding the technical cooperation in the codification of laws and regulations relating to financial and public expenditure affairs, strategic collaboration for observing the implementation of resolution no 1325 of national action plan, dealing with cultural, psychological, professional and entertainment programs in order to re-nurture and rehabilitate delinquent children, legal aid, public awareness, awareness as to the law and legal litigation, supporting the process of Afghan children's protection and rehabilitation, good governance for citizens and legal advertisements.

11. in the field of human resources

In 2020 fiscal year, Ministry of Justice had in total 2354 thousand permanent employees and 95 contract based employees have also worked in this ministry.

From amongst the all employees mentioned above, 746 of them work in Kabul and other remaining 1608 employees work in provinces amongst which 841 employees of center, 139 employees of provinces and other 4 temporary contracted employees are women. Likewise, from the total number of employees, 258 employees have baccalaureate educational decree, 100 employees have upper- baccalaureate educational decree, and 1267 thousand employees have bachelor degrees, 104 employees have masters' degrees, and one employee has a Ph.D. decree.

In 2020 fiscal year, Ministry of Justice has announced its seventy professional and administrative positions with the cooperation of Independent Commission of Administrative Reforms and Public Services in order to recruit professional and individuals with higher educations. This is a part of our important reforms toward professionalization of this ministry.

In these 70 positions being announced in the center, 4300 thousand applicants had applied, amongst which 791 applicants through considering their qualifications, have been eligible to this positions and being shortlisted and 26 persons have been appointed to these positions after passing competitive examination successfully.

Likewise, more than 421 applicants owing to no completion of their documents, dissimilarity between their educations and relevant positions and other terms of employment were not recognized as eligible applicants to the announced positions. The remaining vacancies are being processed and the competitive examinations of other 44 positions are to be taken soon.

Beside this, during the 2020 fiscal year, Ministry of Justice has introduced approximately 1594 employees of this ministry including 262 female to capacity building programs and 187 employees to national and international educational institutes for the completion of their bachelor, masters and Ph.D. degrees.

Amongst the above mentioned employees, 135 employees have been introduced to the national educational institutes for master's degree, 30 of whom including two women have been able to be accepted by passing the competitive examination successfully.

Similarly, 41 employees being introduced to master's programs outside the country, 13 of them could pass the examination successfully and have been granted full scholarship. Another employee has been accepted in an online educational program course and other remaining 12 employees have not been notified by the ministry of higher education yet.

One employee has been introduced to Ph.D. programs abroad, but due to some problems in respective section in ministry of higher education, has not joined to educational program yet.

During this period of time, 139 employees have been either rewarded or disciplined.

In this year, two rounds legal stage program were convened in north and northeast zones, in order to expand the employees' capacities. In these 15 day course, 37 employees of ministry of justice participated in Balkh, Baghlan, Samangan and Jawzjan provinces and other 30 employees participated in Badakhshan, Kunduz and Takhar provinces.

On the other hand, in this period of time, efforts have been taken, through the provision of internship programs for women, the number of recruited female employees comparing to the previous years be increased. Right now, 21% of ministry of justice employees are female; but this number of female employees in the ministry of justice is not satisfactory for us and the percentages of female employees needed to be increased.

However, this should be noted that, this number of women have been recruited through competitive examination convened by the Independent Administrative

Reform and Civil Services Commission and by the observation of all legal articles and privileges stipulated in the laws.

Our intention is to employ at least one female employee being graduated from the faculty of law or Islamic jurisprudence to districts Hoquq management offices, where the duty of proceeding the legal disputes of the citizen and the execution of courts' final decisions and rulings with the coordination of collaborative entities are shouldered by them. Toward this aim, in 2020 fiscal year, five female employees have been recruited in Hoquq management offices of Shindand, Herat, Balkh, Khaja- Omari districts.

12. in the field of advocating human rights

Ministry of Justice in accordance with the regulation on advocating human rights in state administrations, has taken some measures toward human rights instruction, observation and pursuing the recommendations of human rights organizations and conventions in 2020.

These measures in sections relating to human rights instructions include the convention of 13 one day and two day- long training program for 355 male and female employees of civil aviation administration, ministry of labor and social affairs, general directorate of prisons and detention centers, ministry of national defense, general attorney office, employees from Kandahar province, ministry of transport, general directorate of national security, and other civil and military employees of Herat province.

In section relating to pursuing the recommendations of human rights entities, ministry of justice has also shared 235 recommendations of third round human rights global periodic evaluation with 31 representatives of state administrations.

Through sharing these recommendations and pursuing them, the job descriptions of human rights coordination and cohesions committee have been prepared at deputy level of ministries. The draft of advocating the human rights in state administrations have been completed as well.

Ministry of justice with the cooperation of United Nations Development Programs (UNDP), has commenced the preparatory works of establishing human rights database and the outline of draft law on advocating human rights has been initiated as well.

This ministry has also prepared a guideline on the prevention of pedophilia nefarious phenomenon as well and has shared with other responsible entities.

An adaptation plan for the recommendations of the International Human Rights Convention (SIDA) Supervisory Committee has also been prepared and these recommendations have been prioritized and indexed as well.

13. In the section of human and immigrants counter trafficking high commission

The Ministry of Justice is the head and secretary of the High Commission for Combating Human and Migrant Trafficking. This commission has had some accomplishments in the field of combatting against this phenomenon in detecting, prosecuting and interrogating the accused and the trial of human and migrants trafficking crime, propagating information concerning the human and migrants trafficking and illicit migration harms, and also of supporting the victims of human trafficking.

Member administrations of this commission which comprise security, judicial, human rights and other entities and ministries, have identified 34 human trafficking networks in 2020 fiscal year. Approximately, 60 people have been charged with human and migrants trafficking crime, by security agents in different provinces and been detained accordingly.

Some cases are under cooperative measures in order to arrest and present those being accused or suspected of having connection with human traffickers to the clutches of justice.

The human and migrants' dossiers after being investigated have been referred to the justice and judicial authorities amongst which the Attorney General has investigated 17 cases and then sent them to the courts. In this year, the courts have proceeded 30 dossiers on human and migrants trafficking and kidnapping and have issued exoneration or conviction verdicts for some defendants.

One man being charged with the perpetration of human trafficking crime and three men accused of committing migrant trafficking crime have been sentenced to medium imprisonment. Two cases of kidnapping and other two cases of human trafficking have been registered in city court and other six cases of abduction and two cases of human trafficking have been registered in the appellate court of Daikundi province. Four dossiers of kidnapping have been registered in Parwan province. Similarly, five cases of women's disappearance have been recorded in Samangan province and a person has been arrested with human trafficking charge in the mentioned province. Three men and a woman have also been acquitted from the accusation of committing migrants' trafficking.

Likewise, the relevant state and non- state member entities of this commission have been able to carry out two thousand cases of publicity for state employees

and other public through face to face dialogues, publication of relating subject matters through media, advertising via telephone, virtual pages and virtual message delivering apparatus. In personal and telephonic programs and replying to messages, at least 6500 people have been informed about the hazards deriving from human and migrants' trafficking and their negative consequences.

On the other hand, member administrations and cooperating organizations have supported more than 54 thousand expatriated immigrants and reintegrated them with their families. Amongst which, more than 300 children have been granted medical, legal, educational and psychological aid.

It is worth mentioning that, this report contains only the activities of first nine months of the fiscal year of this commission member administrations. Although, ministry of justice has informed all member administrations of this commission that they did not submit their reports, the remaining reports of last three months have not been submitted to this ministry yet. The ministry of justice, in accordance with the law, requires all member administrations of high commission on combatting against human and migrants trafficking to submit their reports timely. Therefore, we request all member administrations to send their reports to this ministry on their due time. We ensure that, a complete report of high commission on combatting against human and migrants trafficking will specifically shared with you and other international entities at the end of this year.

14. in the field of acquisition and renunciation of citizenship

In 2020 fiscal year, nearly 327 cases of citizenship renunciation have been submitted to the ministry of justice and due to the acquisition of citizenship from other countries such as Iran, Austria, Holland, Russia, Uzbekistan, Ukraine, Bulgaria, Japan and Indonesia, the applicants requested to relinquish from their Afghan citizenship.

In this year, the citizenship renunciation cases of 319 applicants comprising of this year and previous years have been finalized. Right now, 320 dossiers are being processed and will be finalized soon. The reason for postponement of these citizenship renunciation cases is the rejection of these cases by respective administrations due to their non-criminal and tax liability reports and also the fact that the applicants have the Afghanistan citizenship. The national statistics and information administration, ministry of finance and national directorate of security are the administrations which process these cases and submit their results to the ministry of justice.

In 2020 fiscal year, 13 cases of citizenship acquisition have also been submitted to the ministry of justice amongst which, 8 cases have been finalized and approved. The people applied for the acquisition of Afghanistan citizenship, are the citizens of South Korea, Britain, Pakistan, Tajikistan, Iran, Turkmenistan and Yamane. The finalized cases belong to the applicants from Iran, Pakistan, Turkmenistan and Tajikistan.

Other remaining applications are being processed now. The reasons that these cases have not been completed yet is that, other relevant administrations being parts of citizenship acquisition process did not completed their reports yet.

15. Adopting Measures for combatting administrative corruption and bringing reforms

Ministry of justice by considering the strategy to combat the administrative corruption and national plan on judiciary reforms, has created the counter corruption action plan program and acted in compliance with it, which was explained previously in sections related to legislation, defense of public properties, execution of the courts' final decisions and human resources.

Evaluating the internal administrations' plan and their performances, constant and objective control of directorates of ministry of justice in center and other provinces, indirect control and supervision on the activities of justice directorates in the center and provinces and prevention from financial, accounting, administrative and professional violations are other duties that have been discussed.

The internal inspection office of the ministry of justice, through inspecting 29 administrations in the center and provinces of this ministry during 2020 fiscal year, has prevented from the violations in obtaining 77 million, 741 thousand and 611 hundred Afghanis and a sum of 87 thousand and 560 hundred Pakistani Rupees and one thousand American Dollar, courts' decisions tax, (one tenth), royalties and license renewal fee for real estate agencies and petition writers, a sum of 10 million, 781 thousand and 700 hundred Afghanis violation related to cash money. This inspection has been carried out in 26 provinces and three central departments of the ministry of justice. Likewise, 98 cases of violation relating to the existence of materials have been prevented.

During this period of time, the representatives of political parties being registered in the ministry of justice, have been observed in 26 provinces. 55 cases of inspection have also been carried out in accordance with extraordinary orders of this ministry regarding different cases.

In addition to these cases, through rectifying the ministry of justice employees' transportation fare and their travel expenses bill, a sum of 25657 thousand Afghanis have been restored.

Similarly during the inspections, 485 cases of administrative violations, 993 cases of professional violations, and 10 cases of violations in recruitment of contractual employees and 1 case of abuse of official competence have been divulged, as a result of which and in accordance with law on civil servants, 38 people have received official recommendation, 10 other employees have been given official warning, 407 employees have been guided and other 6 employees have been referred to judicial authorities.

During last year's inspections carried out by the inspectors, 3150 cases of faults and deficiencies had been discovered in the Ministry of Justice amongst them, 846 cases have been solved and remaining cases of deficiencies are being worked on.

In this year, some legislative measures have also been taken for the purposes of reforms and combatting against administrative corruption and the processing of some legislative documents relevant to national action plan on combatting administrative corruption has been commenced some of which are applicable now. Amongst the afore mentioned legislative documents being processed and finalized are regulation on restitution of unlawful properties, law on investigation high office, regulation on cases management system and regulation on public investment management. These legislative documents have been promulgated in the official gazette after being processed. Similarly, law or regulation on beneficiary ownership has been approved through the approval of the cabinet and after the endorsement of the president have been promulgated. In addition, the amendment to military courts has also been promulgated in the official gazette.

On the other hand, for the purpose of transparency, expedition of the process, precise supervision and coordination amongst justice and judicial entities, all cases referred to the General Directorate of State Cases and General Directorate of Hoquq have been recorded in cases management system.

Moreover, in order to prevent from the corruption of imaginary employees in 2020 fiscal year, the ministry of justice has activated the electronic attendance system in ministry level. This system allows the ministry to keep a record of all employees' presence and absence.

16. Challenges in the future programs

In 2020 fiscal year, the ministry of justice has had different challenges in its functioning areas. These challenges in general, include lack of fundamental

structural reforms, scarcity of human resource, lack of coordination among relevant administrations and lack of modern working systems.

In the areas of continuous and all inclusive overlooking of the activities of political parties, social associations and real estate agencies, providing free legal aid all over the country, furthering the affairs relating to the high commission on combatting against human and migrants trafficking and execution of all absolute and final decisions of the courts and some administrative sections, the ministry of justice is faced with human resource shortages and similarly, with the dearth of facilities. Observing the activities of all registered entities in the ministry of justice in a perpetual manner needs its required human resource both in the center and provinces.

This ministry can't attract and employ the professional and elites in its professional sections like other judicial authorities; while in other judicial authorities, these challenges have been responded. At the same time, the privileges of professional members of this ministry is trivial, not similar to other entities of the judiciary, owing to this reason, 30 professional, qualified and merited employees of this ministry abandoned their jobs last year and joined to the offices where they are given more financial benefits. This matter is also another part of challenges in the processes of professionalization in this ministry.

In the area of observing the political parties and other social associations, we are confronted with the shortage of observatory members. In this section, members of observation board of political parties and social associations observe them in center; but they do not have enough equipment including vehicle. Recently, the process of recruiting members of political parties and social association supervision have initiated and the observation is expected to be carried out by specified members.

In respect to the provision of legal aid, we are also confronted with the challenges of resources shortage. Although, in this section, some organizations collaborate with the ministry of justice and they have solved the problems somehow; the tiny organizational and staff structure of this section and lack of legal aid providers and defense attorneys in the country's districts in order to ensure the justice before the courts and defend the poor defendants and suspects' rights still remained a serious challenge in this section. We need to increase the accessibility to the free legal aid providers and defense lawyers proportionate to the volumes of cases throughout the country.

Beyond this, ministry of justice does not have any official employees in the areas of coordination with state administrations responsible for combatting against human and migrants' trafficking, while, this ministry is in charge of being the

head and secretary of high commission on combatting against human and migrants trafficking. The necessity of works in this part, by considering the volume of human and migrants trafficking, illicit migrations and discontinuation of foreign aid to the country is seriously felt.

Meanwhile, the execution of the courts' absolute and final decisions regarding the state cases in which the Department of State Cases representing the state is the winner, is another part of the challenge. Department of Hoquq of the ministry of justice is in charge of enforcing the courts' final decisions which are conducted through the coordination with police and municipality. However, the leverage exerted by the powerful individuals in the areas where the courts' decisions are supposed to be enforced, lack of police functions regarding the execution of decisions on their due time, insecurity in some parts of the country, lack of staff of enforcing authorities by considering the load of dossiers and the existence of some faults in some decisions of the courts, are amongst the key factors over the course of executing the courts' final decisions.

Lack of an effective mechanism and necessary apparatuses for the enforcement of the courts' final decisions and lack of coordination between the administrations being in charge, is another challenge in front of the execution of the courts' final decisions. Toward this aim, police and the event of necessity the municipality should in accordance with the law and an executive mechanism cooperate with the ministry of justice.

It is worth mentioning that, in this matter, we are confronted with mafias and the irresponsible coercers. It is utterly burdensome for an employee of Hoquq department, earning very basic salary, with the ordinary facilities to enforce the courts' final decisions containing millions of Afghanis or dollars' worth.

In section related to the state cases, the ministry of justice is faced with challenge of non-coordination amongst the relevant administrations and scarcity of professional member all over the country. These two challenges cause the cases to be prolonged in this ministry. Undoubtedly, dealing with these affairs more efficiently can't be done only through increasing the staff, however, the lack of staff is still one of the main elements of these challenges.

Legislation section has the same challenges and problems. Some legislative documents have been applicable for many years with being revised or updated. The legislation system is also outdated and intact; while it is needed to be modernized. Scholars, civil society and elites should be able to actively participate in the drafting and scrutinizing processes of legislation and their views and remarks ought to be taken. Laws should be the manifest of the society's will. We promise to pave the ground.

Due to these issues, we have prepared a comprehensive reformative plan comprising of 19 cases, and offered to the Rule of Law High Council and the presidential high office. Fortunately, this plan has been confirmed by the rule of law high council and the presidential high office has also approved it. The presidential high office, in addition to the ministry of justice has ordered some other administrations to pave the way for the implementation of this plan. We are willing and determined to reform the organizational structures and create necessary mechanisms in 2021 fiscal year. We will strive to meet all our challenges through the implementation of our all-embracing reformative plan.

Based on this plan, one- one legal aid provider in all district levels will be considered in the 2021 organizational structure of this ministry. We will also attract the attention of those law organizations functioning in this areas. These matters have been decided on over the course of meetings convened in the Legal Aid High Commission. In addition, we intend to create financial fund for supporting the provision of legal aid.

Beside this, methods of legal advertisement which is currently provided in its classic and face to face manner, needs to be modernized and today's standards should be utilized. Our plan is to establish different communicative channels for the providing legal information and increasing the people's levels of legal knowledge throughout cities and rural areas.

Lack of precision of some laws' texts which are mostly codified in accordance with religious and Islamic jurisprudential texts, exert more obstacles in people's conception of laws. In order to simplify the texts of our laws and other legislative documents, we have some specific programs and we will request from the country's writers and law scholars to help us in this matter.

Our fundamental strives will be to digitalize and modernize the working process of this ministry. We have discussed this subject matter with international authorities and have been able to attract their advocacy.

Only a summary of ministry of justice activities and accomplishments have been presented in this press conference to the honored people of Afghanistan and we would definitely be prepared to receive the constructive criticisms and informative remarks of our compatriots in order to provide legal and judicial services promptly and transparently.