



Islamic Republic of Afghanistan
Administrative Office of President
Deputy Office on Oversight of Laws
Special Secretariat to Combat Admin Corruption

Reporting Breakdown on Ministry of Justice Performances to Combat Administrative Corruption in Fiscal Year 1399

No.	Name of Ministry/Institution	Activity	Number of Instances	Execution Date	Result	Remarks
1	Ministry of Justice	Approval of Ombudsperson Office Law	One Instance	22/12/2019 to 20/12/2020	The mentioned draft has been dispatched by the Institute of Legislative Affairs to the Esteemed Administrative Office of the President via letter no. 1224 on 23/07/2020 to be presented to the Cabinet of Islamic Republic of Afghanistan	
2		Amendment to Law on Organizational Structure and Jurisdiction of Attorney General Office	//	//	The Institute of Legislative Affairs has dispatched to the Esteemed Administrative Office of the President via letter no. (206) on 06/05/2020 and the Legislative Committee in its ratification no. (2) dated 17/05/2020 has issued such instruction “the draft law on Organizational Structure and Jurisdiction of the Attorney Office has not been discussed by the Legislation Committee due to request of Attorney General Office that this document needs to be revised once again. The Attorney General Office has been assigned to correct and finalize the intended draft and present it to the Legislation Committee through the Ministry of Justice”. According to decision no. (2) of the Legislation Committee, the esteemed Attorney General Office has dispatched the reviewed draft law via its letter	

					no. (719) on 13/09/2020 to this Ministry. The mentioned draft is under the scrutiny of the Institute of Legislative Affairs.	
3		Amendment to Penal Code	//	//	According to ratification no. (17) dated 17/08/2020 of the cabinet of Islamic Republic of Afghanistan, has been ratified as a legislative decree and signed via letter no. (74) dated 29/08/2020 by the President of Islamic Republic of Afghanistan and dispatched via letter no. (2705) dated 27/09/2020 of the Documents and Relation Sub-Directorate of Institute of Legislative Affairs to the Ministry of State for Parliamentary Affairs for approval of the National Assembly.	
4		Amendment to the Law on Supreme Audit Office	//	//	The law on Supreme Audit Office has been published in official Gazette no. (1375) year 2020.	
5	Ministry of Justice	Ratification of Law on Endowments and Endowed Properties	//	//	The law on Endowments and Endowed Properties has been scrutinized by the Institute of Legislative Affairs and after approval of the Legislative Committee discussed at the session no. (13) dated on 04/03/2020 of the cabinet of Islamic Republic of Afghanistan and such a decision has been made “ the Draft Law regulating the affairs of endowed Properties due to a number of procedural and substantive problems has been ratified; the Ministry of Haj and Religious Affairs is responsible to review the draft after study and assessment of legitimate and historical Endowment Letters; with cooperation of Ministry of Justice and other relevant entities taking into account the standards of other Islamic countries, non-exchange of State Lands to Endowed Lands; identification of especial Endowment and lack of explanation of condition of each provisions; determining competencies and	

					responsibilities and their compliance with the enforced laws of the country; after re-discussion in the Legislative Committee to be presented to next cabinet meeting.”	
6		Amendment to Law on Declaration and Registration of Assets	//	//	Is under scrutinization at the Institute of Legislative Affairs	
7		Processing of Regulation on Recovery of Illicit Properties	//	//	Published in the official Gazette no. (1375) 2020	
8		Processing of Law or Regulation on Case Management System	//	//	Published in the official Gazette no. (1390) 2020	
9		Ratification of Regulation on the Public Investment Management	//	//	Published in the official Gazette no. (1390) 2020	
10	Ministry of Justice	Holding a consultative meeting with involved sides of administrative anti-corruption to review laws	//	//	Holding a consultative meeting with involved administrative anti- corruption sides in order to review laws to identify any probable gap which creates legal immunity for the coercers; Regarding the issue, the meeting was held with the participation of delegates of Supreme Court of Islamic Republic of Afghanistan; Attorney General Office and Secretariat of Anti-Administrative Corruption at the Institute of Legal Affairs and the issue has been dispatched via letter no. (7537) on 11/03/2020 by Sub-Department of Documents and Liaison of the Institute of Legislative Affairs and Academic-Legal Research to the Special Secretariat	

					of Anti Admin Corruption to the Esteemed Office of the President of Islamic Republic of Afghanistan.	
11		Amendment of the Civil Code	//	//	has not received by the Institute of Legislative Affairs yet	
12		Processing of Law or Regulation on Beneficiary Ownership	//	//	The mentioned draft has been ratified based on ratification no. (21) Cabinet of Islamic Republic of Afghanistan and approved by President of Islamic Republic of Afghanistan via Order no. (2175) dated on 13/11/2020 and is under promulgation	
13		Processing the amendment of Law on Military Courts	//	//	has been published in Official Gazette no. (1386) 2020.	
14		Processing the Law on Interpreting the Constitution	//	//	Has been dispatched via letter no. (1237) dated 25/07/2020 by the Institute of Legislative Affairs to Administrative Office of President to be submitted to the Legislation Committee of Islamic Republic of Afghanistan and discussed at the meeting no. (17) dated 02/11/2020 of that Committee and the Committee has assigned one member of the Supreme Court of Islamic Republic of Afghanistan and one member of Independent Commission for Oversighting the Implementation of the Constitution under the supervision of the Minister of Justice to review and finalize the draft law.	
	Ministry of Justice	Amendment of Regulation on Code of Ethics of Civil Servants	//	//	Has been dispatched via letter no. (2514) dated 21/09/2020 by Institute of Legal Affairs to Administrative Office of the President to be presented to the Legislation Committee.	
16		Processing the Law on Revenue of Municipalities	//	//	Has been dispatched to unify the views of Kabul Municipality and Local Governance via letter no. (1082 and 1083) by Sub-Department of Documents and Liaison of Institute of Legislative affair to the	

					mentioned offices and has accordingly dispatched by the Local Governance via letter no. (559) on 16/07/2020 and is under process.	
17		Amendment of Law on Non-Governmental Organizations	//	//	Is under further review as per the instruction of meeting no. (12) dated 06/07/2020 of the cabinet and instruction of specific meeting of Legislation Committee on 12/082020 which has been received by this Directorate vial letter no. (4435) on 27/09/2020 from Directorate of Mobilization of Non-Governmental Organizations of Ministry of Economy.	
18		Amendment of Law on Taxation Management Affairs	//	//	Is under scrutinization at the Institute of Legislative Affairs	
19		Amendment of Law on Income Tax	//	//	Not received yet by Institute of Legislative Affairs	
20		Processing the proposal of Organizational Structural of Legislation Affairs and Academic-Legal Research Affairs Institute	//	//	As per the instruction of ratification no. (4) dated 23/05/2018 of the cabinet, the new Organizational Structure of General Directorate of Legislation Affairs and Academic-Legal Research Institute has been prepared and submitted to the Office of the President via request no. (8727) and the Institute has not yet received any approval.	
21		Amendment of the Statute of the Institute	//	//	Is under scrutinizing at the Institute of Legislation Affairs	
22	Ministry of Justice	Evaluation of capacity of the Professional Members of the Huqoq Department	Assessment of Professional Employee of Huqoq Directorate	//	Since the General Directorate of Huqoq has been administrated by Caretakers and due to lack of budget it has not been carried out.	

		in Kabul, Nangarhar, Herat, Kandahar and Bamyan provinces and launching in-service Legal Stage Programs for the Directors, Sub-Directors and Professional Members of Huqoq relevant offices according to article 59 of the law on procedure of obtaining rights				
23		Announcement of 400 non-professional positions and recruitment of qualified individuals under the supervision of Administrative Reforms Commission	Announcement of 400 positions	//	Out of 420 announced positions; 257 positions have been completed. 163 positions were re-announced for the following reasons: 1- In a number of positions qualified candidate has not been found and the position was re-announced. 2- A number of positions which have been shortlisted and are ready for the exam has been shared with the Independent Administrative Reforms and Civil Service Commission so that electronic exam is conducted in the zones.	
24		Standard registration of all cases referred to Huqoq and State Cases Directorates in Case Management	//		All referred cases have been registered in system	

		System which has not been registered yet in the system				
25	Ministry of Justice	Strengthen of registration system and pursue of civil cases and cases related to General Directorate of State Cases in a standard system which its credibility to be certified by an external source.	//		For the strengthening of registration system and pursue of civil cases; progress has been made; drafts and reform proposals have been provided to the partner Organization (JSSP) which is accepted by the mentioned organization but its practical work has not yet begun.	
26		Establishment of Joint Committee of Monitoring Political Parties (comprised of representatives of Ministry of Justice, Interior, Security and Attorney General Office)	Strengthening 1 System	//	The General Directorate of Huqoq has opened a reception office at the external gate of the Ministry tasking one person to collect applications and to then make take further action.	

As mentioned above, the report on measures taken to implement the action plan of Anti-Corruption of Ministry of Justice in 1399 fiscal year, is prepared and thus presented.

Regards;

Prepared By: Directorate of Policy and Planning of Ministry of Justice