THE STATE OF THE ENABLING ENVIRONMENT OF CIVIL SOCIETY IN AFGHANISTAN

September 2018

ABOUT AICS

The Afghanistan Institute for Civil Society (AICS) was established in 2014 to support a credible and competent civil society sector in Afghanistan by linking Civil Society Organizations (CSOs), donors, government and capacity building services through culturally appropriate certification schemes. AICS encourages the growth of a vibrant civil society, promoting pluralism and participatory, non-discriminatory development in Afghanistan. AICS' main objectives are to raise credibility of the civil society sector by certifying local organizations against locally defined and internationally recognized standards; systematize capacity building efforts of local organizations by coordinating initiatives against measurable performance indicators; strengthen the role of civil society in Afghanistan's development through collective efforts of policy dialogue and active engagement with government, donors, the private sector and the broader civil society sector; and provide a channel for resources for civil society by strengthening philanthropic and corporate social responsibility efforts.

ACKNOWLEDGEMENTS

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SUMMARY

SUMMARY

This is the third iteration of the State of the Enabling Environment of Civil Society in Afghanistan (SEECA) research produced by AICS. This year's report shows that there are reasons to be both concerned and hopeful for civil society. The report is published at a time of great upheaval as the country experienced the worst six months in terms of civilian casualties compared to the last ten years. It is also a time of increased hope as the unprecedented three-day ceasefire between the government and Taliban re-invigorated hope and efforts for peace from all parties to the conflict.

In this research, civil society is defined as a third "space" outside the state and market wherein actors and groups participate to advance common interests, which is less restraining than the conventional definition that focuses on organizations only. The definition for the enabling environment of civil society used in the report emphasizes the underlying conditions that make individuals "capable" of fulfilling their own needs and objectives. AICS applied a mixed-methods approach combining qualitative and quantitative tools with data collected from nine provinces across the country. The index scores – valued as restrictive, neutral or supportive – were calculated using statistical methods and triangulated with the qualitative data and secondary data for analysis.

In the last year, we have seen positive changes in the legal environment as a strong civil society-led campaign fought for positive amendments to the Law on Associations where organizations like unions, councils and foundations are registered. It is encouraging to see that recommendations from civil society are signed into law. But there was also a Presidential Decree for a new Law on Gatherings, Strikes and Demonstrations that was heavily criticized by civil society and Members of Parliament for being a threat to the freedom of assembly. The lack of progress made in implementing the Access to Information Law has equally been disappointing with 66% of the CSO respondents finding it difficult to access government information. This affected the overall index score of the legal environment which is neither restrictive nor supportive.

The most remarkable and hopeful development in the last year has been the Helmand Peace March, which is part of the socio-cultural environment and has a supportive index score. The movement inspired sit-ins, protests and solidarity actions across the country irrespective of ethnicity, thereby transgressing the traditional North-South divide between Pashtuns and Non-Pashtuns. It was also an important reminder that social movements are quintessential for a vibrant and resilient civil society, which is sometimes forgotten as civil society is often equated with Non-Governmental Organizations (NGOs). Concerns over donor dependency and a lack of political independence persisted as NGOs in particular rely on external funds, thereby effecting their ability to design projects based on community needs instead of donor objectives.

The issue of financial sustainability, falling under the operational environment, has been a recurring theme in the SEECA report as 55% of the CSO respondents stated to not have sufficient funds to operate. However, government data suggests that the financial sustainability of NGOs specifically has not changed dramatically as total expenditures have stabilized over the last three years. The overrepresentation of expenditures for Kabul province and the expansion of NGO portfolios in Kabul city might suggest a bias towards Kabul-based NGOs although this could not be verified. This overrepresentation can also partially be attributed to misreporting of the Ministry of Economy (MoEc) by not showing expenses proportionally across the provinces where NGOs work. The index of the operational environment stays neutral.

The governance environment for civil society has been consistent with a neutral index score, but progress in redressing corruption has been very slow. The government announced the much anticipated Anti-Corruption Strategy late last year, which was welcomed by civil society as a step in the right direction. The main criticism, however, is that the government is unwilling to establish a permanent and fully independent anti-corruption organization in charge of oversight, coordination and implementation of anti-corruption initiatives in line with the United Nations Convention Against Corruption (UNCAC). Although rarely discussed, corruption within civil society is also a concern as 54% of the CSO respondents felt that the civil society sector is corrupt.

Security remains fragile as the latest figures from the United Nations Assistance Mission in Afghanistan (UNAMA) show record high casualties rates among the civilian population. It is very worrying that casualties from attacks by armed opposition groups that deliberately target civilians increased as well as civil casualties from suicide and complex attacks. 32% of the CSO respondents indicated that they faced threats in the last year. Simultaneously, the temporary ceasefire between the government and Taliban revealed a deep yearning for peace and a willingness among the government, Taliban and international forces to make compromises. The security index score remains neutral despite the deteriorating situation.

These issues facing civil society are concerning. It is even more concerning that many problems are protracted because they are not adequately addressed by the government and other stakeholders. Based on the research findings, AICS formulated actionable recommendations for the government, donors and civil society. Most of these recommendations, however, are not novel ideas but a reiteration of suggestions put forward by other civil society actors. The challenge is not the lack of ideas or effective measures but the political will and capacity to implement them. These are the key recommendations – the complete list can be found in the final chapter:
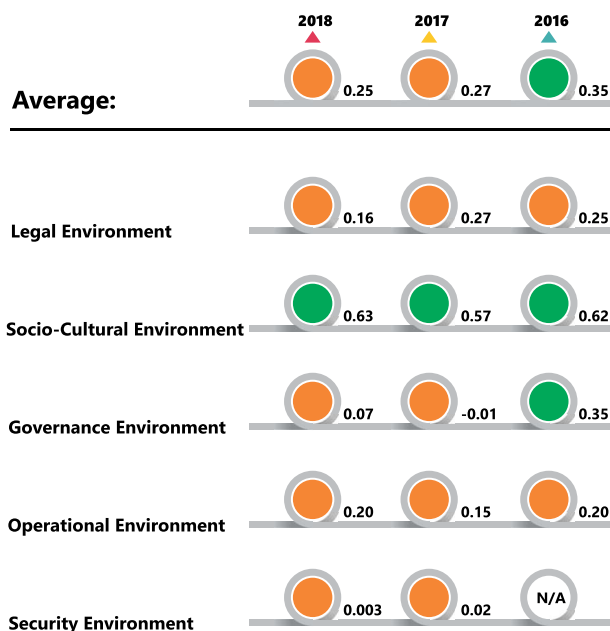
	2018	2017	2016
Average:	0.25	0.27	0.35
Legal Environment	0.16	0.27	0.25
Socio-Cultural Environment	0.63	0.57	0.62
Governance Environment	0.07	-0.01	0.35
Operational Environment	0.20	0.15	0.20
Security Environment	0.003	0.02	N/A

KEY RECOMMENDATIONS

GOVERNMENT
ADMINISTRATIVE OFFICE OF THE PRESIDENT

- Prioritize and allocate sufficient resources for implementation of the 2017-2020 national strategy developed by the Oversight Commission on Access to Information;
- Establish a fully independent anti-corruption organization in charge of oversight, coordination and implementation of anti-corruption initiatives in line with the UN Convention Against Corruption and Jakarta Principles for Anti-Corruption Agencies;
- Improve protection of the freedom of expression and freedom of assembly by taking appropriate disciplinary or legal action against government employees for misconduct as highlighted by organizations such as the Afghan Journalists Safety Committee;

MINISTRY OF ECONOMY

- Expedite the revision process of the NGO Law and the accompanying implementation mechanism to streamline coordination with NGOs;

MINISTRY OF JUSTICE

- Amend the Law on Gatherings, Strikes and Demonstrations that was passed by Presidential Decree in consultation with civil society to address concerns over restrictions on the freedom of assembly;

MINISTRY OF FINANCE

- Consider a partial or total amnesty for the back-log of CSOs' taxes covering the fiscal years 2002-2017 since they do not have sufficient funds to pay for this due to the nature of donor funding;

CIVIL SOCIETY
CSO COORDINATION NETWORKS

- Formulate an action plan to support CSOs with developing income generating activities to diversify sources of income and reduce donor dependency;
- Cooperate with the government and international donors to establish a permanent secretariat for the Civil Society Joint Working Group to improve their effectiveness;

CIVIL SOCIETY ORGANIZATIONS

- Develop income generating activities to diversify sources of income and reduce donor dependency in cooperation with CSO coordination networks;
- Build alliances with unconventional civil society partners such as social movements and traditional civil society going beyond the "community buy-in" approach to improve representation and legitimacy;

INTERNATIONAL DONORS

- Increase funding modalities that are multi-year and not solely project-based such asthe National Solidarity Program to fund programs centered on community needs instead of donor objectives alone;
- Pro-actively consult civil society during the development of multi-year strategies and programs to better reflect on-the-ground realities and prioritize needs like the European Union Delegation has done with its Roadmap for Engagement with Civil Society;
- Pressurize the government to prevent national security interests from threatening civic space rights, especially the freedom of expression and freedom of assembly.

INTRODUCTION

1.INTRODUCTION

On all fronts, Afghanistan is currently facing turmoil as the security situation is deteriorating, the economy is stagnant and political instability is widespread. It is in this difficult context that civil society has to operate and try to advance common interests in a variety of ways. This research takes stock of the enabling environment of Afghan civil society to assess the progress made, or lack thereof, over time by looking at the legal, socio-cultural, governance, operational and security environment. This year's report represents the third iteration of the State of the Enabling Environment of Civil Society in Afghanistan (SEECA) research.

This first chapter discusses the methodology and the report's limitations and challenges, which is followed by a background chapter that provides a much-needed overview of civil society theory and its applicability in Afghanistan. The chapters thereafter, three to seven, present the findings of the SEECA index in relation to the primary data and the secondary data collected for this report. The final chapter provides a list with specific and actionable recommendations for the government, donors and civil society.

1.1. METHODOLOGY

The theoretical underpinnings of the SEECA research have not been explored in-depth in the previous iterations of the report. Understanding the assumptions underlying the research's analytical framework is essential for improving the report's focus and structure. It is therefore important to clearly define the key concepts of "civil society" and "enabling environment" in the context of the literature, which the background chapter will elaborate on in more detail.

DEFINITIONS

AICS defines civil society as a space instead of a set organization only, in order to appreciate the diversity and complexity of civic action. In previous years AICS used a civil society definition that was not that dissimilar from the spatial definition,[1] but the research tools and analysis focused almost exclusively on CSOs registered with the government.

AICS uses three broad categories for Afghan civil society that do not constitute a rigid typology but rather a fluid framework. Civic action undertaken by individuals or groups that advance common interests (e.g. independent media)[2] but do not neatly fit into one of these categories are therefore still included in the analysis.

- Traditional civil society is embedded in local communities and well-placed to resolve disputes and build consensus, taking various forms such as community councils or places of worship.

- Social movements are forms of collective action undertaken by groups that often engage in contentious politics challenging the status quo.

- Civil Society Organizations are national organizations that are either registered with the Ministry of Economy (MoEc) or Ministry of Justice (MoJ) as NGOs and associations respectively.[3]

For the enabling environment of civil society AICS uses a slightly adjusted version of CIVICUS' definition: "A set of conditions that impact on the capacity of people (whether individually or in an organized fashion) to participate and engage in the Afghan civil society space in a sustained and

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[1] "Overview Paper. Prepared for the Enabling Environment Conference," !ga Khan Development Network, accessed July 25, 2018, http://www.akdn.org/sites/akdn/files/media/documents/enabling_environment/2007_eec_overview_paper_eng.pdf .
[2] Independent media is defined as being free of influence from government, corporate or political interests.
[3] International NGOs are also registered with the MoEc but they are not considered civil society in this report. They support, and contribute to, Afghan civil society but they do not represent it.

voluntary manner."[4] AICS made two small changes: "arena" is replaced with "space" as it considered a more fitting term, and "citizens" is replaced with "people" in order to make participation in civil society not conditional on citizenship.

ANALYTICAL FRAMEWORK

AICS revised the analytical framework for measuring the enabling environment of civil society used in the previous two years to improve the framework's logic and structure. Indicators and sub -indicators have been revised, removed, replaced or merged with other indicators. There is an annex with a note on methodology that explains the changes in detail.

INDICATORS	DESCRIPTION	SUB-INDICATOR	DESCRIPTION
Legal Environment	The extent to which the constitution and applicable laws guarantee, protect and promote the civic space rights of everyone	*Freedom of Expression*	The extent to which everyone is free to share, discuss, and promote their views and ideas, support the ideas of others, or express dissent
		Freedom of Association & Assembly	The extent to which everyone is free to form, join, or support organizations to advance common causes in a peaceful manner
			The extent to which everyone is free to peacefully come together with others to pursue common goals and aspirations
		Freedom of Information	The extent to which everyone has easy and timely access to all public information[5]
Socio-Cultural Environment	The extent to which beliefs, customs, practices and behavior are supportive of civil society	*Community Relations*	The extent to which civil society is perceived by communities as an autonomous third sphere that activates and channels community interests and demands
		Civil Society Coordination	The extent to which civil society coordination for individual or joint civic actions is effective and cohesive and based on mutual respect and accountability
Governance Environment	The extent to which government services, structures and ways of working are supportive of civil society	*Access to Services*	The extent to which civil society can access essential services that are vital for conducting civil society activities
		Corruption	The extent to which corruption is not an impediment for civil society activities
		Coordination with Government	The extent to which civil society is involved in aid coordination and overall government decision-making
Operational Environment	The extent to which civil society has the financial and organizational means to implement activities	*Financial Sustainability*	The extent to which civil society's core activities can sustain without external funding
		Organizational Capacity	The extent to which civil society has the organizational capabilities to ensure they are effective, transparent and accountable
Security Environment	The extent to which the security context is supportive of civil society	*Risks for Implementation*	The extent to which civil society can access areas and work on sensitive topics free from danger or threats

[4] "Methodological Note on the CIVICUS' Civil Society Enabling Environment Index," CIVICUS, accessed July 25, 2018, https://www.civicus.org/downloads/Methodological%20note%20on%20the%20CIVICUS%20Civil%20Society%20Enabling%20Environment%20Index.pdf.

[5] The descriptions of civic space rights are based on the descriptions from the Civic Charter website: http://civiccharter.org/full -charter-text/.

For the report's index, each indicator and sub-indicator is assigned a score between -1 and 1 from restrictive to supportive, with -0.3 and +0.3 representing the neutral zone. The below figure shows the index scoring scheme and the table outlines the different values assigned to each score.

	Restrictive	Neutral	Supportive
	-0.3 till -1	0.3 till -0.3	1 till 0.3
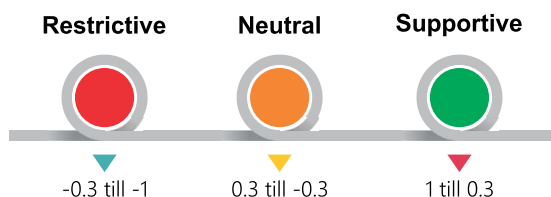
Score	Value
-1	Totally restrictive of the enabling environment for CSOs
-0.3	Somewhat restrictive of the enabling environment for CSOs
0	Neither supportive nor restrictive of the enabling environment for CSOs
0.3	Somewhat supportive of the enabling environment for CSOs
1	Totally supportive of the enabling environment for CSOs

RESEARCH METHODS AND PROCESS

This year's research used the same mixed-methods approach as the previous two years, combining qualitative and quantitative tools. The methods included a literature review; an open-ended and close-ended survey for CSO members, beneficiaries and government officials; Focus Groups Discussions (FGDs) with CSO Members; and Key Informant Interviews (KIIs) with senior members of the government, civil society and international community. The provinces of Badakhshan, Bamyan, Herat, Kabul, Kandahar, Nangarhar, Samangan, Balkh and Paktia were selected for data collection based on the concentration of CSOs and geographical representation.

The CSOs were selected by AICS from a list provided by the MoJ, MoEc, Ministry of Women's Affairs, Ministry of Information and Culture and Ministry of Hajj and Religious Affairs. The number of open-ended interviews and FGDs was determined based on an equal distribution across the nine provinces, and interviewees were randomly selected using the lottery method. The

selection of FGD participants was purposive to identify civil society activists in each province. Respondent selection for the closed-ended surveys was based on representative sampling. Representation was based on the total number of CSOs found within each province, a confidence level of 95%, and a margin of error of 5%.

In total, 935 civil society members (414 associations, 297 NGOs, 224 other), 199 civil society beneficiaries and 29 government officials were surveyed; 143 civil society members participated in the 18 FGDs organized in each province; and eight KIIs were conducted with three senior civil society members, three senior government officials and two senior members of the international community in Kabul.

The survey data was imported into the KoBo Toolbox, a free open-source tool for mobile data collection, which allowed researchers to collect data in the field using mobile devices. Audio recorders or notebooks were used for the open-ended questions. The KIIs and FGDs were recorded, transcribed and translated into English. The index scores were calculated using statistical methods in

Excel and triangulated with the qualitative data and secondary data for analysis.

1.2. LIMITATIONS AND CHALLENGES

RESPONSE BIAS IN INDEX

The index is based on the self-evaluation and perceptions of CSO members with the survey data from beneficiaries and government officials used to corroborate findings. There is a potential for response bias in self-reporting, which has not been addressed yet despite being raised as a limitation in both the 2016 and 2017 report. The author was taken on board after data collection, so it was not possible to address the issue for the 2018 report. It is therefore recommended that the researchers responsible for the next iteration of the report broaden the index to include and equally weigh perceptions of non-CSO members.

FOCUS ON CSO MEMBERS

The data collected in the last two years focused primarily on CSO members and lacked data on other civil society actors and groups as well as beneficiaries and government officials. The sample size for beneficiaries and government officials was small; the survey questions were focused mostly on CSOs; and the analysis did not include other civil society actors and groups sufficiently. The author was able to revise the analytical framework this year and re-interpret the 2018 dataset with a more inclusive definition of civil society. However, the sample size and survey questionnaires were developed before the author started at AICS. It is therefore recommended that the researchers responsible for the next iteration of the report expand data collection.

LIMITED ADDED VALUE OF ANNUAL RESEARCH

There are ways to improve the report by making the database more comprehensive and reducing the response bias in the index. But the index results and the key findings from the report have not changed drastically over the last three years. This is not surprising considering that making progress in the enabling environment takes time and requires sustained advocacy. It is therefore recommended to have a bi-annual or preferably a tri-annual research and prioritize investing time and resources in following up on recommendations and potentially developing in-depth case studies on specific issues. AICS has recently decided to move in this direction.

DISCREPANCIES BETWEEN INDEX AND OTHER DATA

There are some discrepancies between the index and the qualitative and secondary data. For example, the security environment is still neutral despite the fact that civilian casualties keep rising. The questions that make up the index mostly inquire if security is an issue in areas where CSOs already operate. This skews the index for security. Similarly, the index for freedom of expression is supportive while the FGD data and secondary data contradict this. It is therefore recommended that the researchers responsible for the next iteration of the report review the survey questions that constitute the indexes. The author was not able to make such revisions since he joined AICS after data collection.

INDEX SCORING SCHEME REVIEW

The scoring scheme for the index has not been revised in the last three years. The values for restrictive, neutral and supportive are very clear, but the values that fall in between are less clear. The author made a small change to the value table to align it with the scoring scheme, but a thorough review was not possible as he joined later on in the research process. It is therefore recommended that the researchers responsible for the next iteration of the report review and consider revising the values assigned to each index score.

BACKROUND

2. BACKROUND

2.1. CIVIL SOCIETY THEORY

Civil society as an idea has become an integral part of the logic of liberal democracy and its dissemination by means of aid and globalization. Yet research on civil society theory has been limited to a handful of academic publications. This is especially surprising considering the amount of funds that are invested in strengthening civil society through foreign aid in countries like Afghanistan. Research reports on civil society space or the enabling environment that reference the origins of civil society often do not examine the theoretical underpinnings – including the previous iterations of this report. Originally a European idea, questions around the applicability and relevance of civil society as a concept in non-European contexts are important for both civil society activists and policy-makers. This chapter therefore attempts to briefly outline some of the discussions in the literature around civil society theory and how this applies to Afghanistan.

THE HISTORY OF AN IDEA

The history of civil society as an idea is generally traced back to Greek political philosophy when the meaning was synonymous with the *polis* or city-state.[6] As such, civil society was not considered to be separate from the state as common interests were believed to be represented by it. It was not until the European Enlightenment that the state-society dichotomy became prominent and changed the meaning of civil society. Hegel gave rise to this idea with his writing, followed by Tocqueville and Marx. In the early 20th century, the

definition of civil society was further refined by Gramsci by separating civil society from the state and economics.[7] Another important contribution of Gramsci was the conception of civil society as a contested terrain,[8] which is relevant for our contemporary understanding of civil society. He wrote that civil society can build consensus with the state but also confront it.

Gramsci introduced this "confrontational" approach into the civil society lexicon, which is an approach that has been widely implemented by non-state individuals and groups throughout history. The anti-junta and anti-communist movements in Latin America and Eastern Europe in the late 20th century are well-known examples. However, this approach has often been understood within the domain of social movements instead of civil society. In the literature, civil society is generally analyzed separate from social movements. I argue that this distinction is artificial and that social movements are actually part of civil society. Where social movements generally adopt the confrontational approach, NGOs and traditional civil society often utilize what can be called the "participatory" approach with an emphasis on consent.[9] Both approaches can have a positive impact and should therefore not be considered as mutually exclusive. Note that associations often uses both approaches depending on the context.

CIVIL SOCIETY DEFINITIONS

The confrontational and participatory approach can be understood as different *modus operandi* adopted by actors and groups within civil society. Beyond these models, the concept of civil society can be defined in three different ways.[10] First, civil

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[6] Krishan Kumar, "Civil Society. !n Inquiry into the Usefulness of an Historical Term," *The British Journal of Sociology* 44, no. 3 (September 1993): 376.
[7] It should be noted that Gramsci's ideas were complex and often contradictory/ He understood civil society in close connection to – not completely separate from – the state as it provided the consent for the ruling class.
[8] Alvarez et al., *Beyond Civil Society*, 7.
[9] Alvarez et al., *Beyond Civil Society*, 3.
[10] Edwards et al., *The Oxford Handbook of Civil Society*, 7.

society can be defined as the associational life in a society where people are organized in voluntary groups. This is the "organizational" definition of civil society, which was introduced by Tocqueville in his writing. It is widely used in civil society research, policy-making and program development as it is the most pragmatic and straightforward way to understand and strengthen civil society. Through this lens, organizations registered with a government entity are seen as representatives of civil society. There are shortcomings to the organizational approach since it necessarily excludes civic action of individuals and more informal groups. It also discards the idea of civil society as a public sphere and a normative ideal, which are two other definitions of civil society.

The second definition of civil society is the "space" or "public sphere" where actors and groups engage with one another and with institutions of the state and market. This definition of civil society as a space can be traced back to the highly acclaimed philosopher Habermas. It moves away from understanding civil society as consisting of only organizations by looking at civil society as a space for participation where actors and groups advance common interests. As such, civil society is interpreted as a third space that exists outside the state and market.

The third definition of civil society represents the "normative" aspirations within a society including norms, values and achievements. It raises questions around who belongs in civil society and what does civil society represent. Scholars, policy-makers, donors and activists often assume that civil society is inherently virtuous instead of a space for contestation where ideas clash. If not assumed, the prevalence of discussions around "civil" and "uncivil" society reflect a desire to project ideas onto civil society.

2.2. CIVIL SOCIETY IN AFGHANISTAN

The history of civil society in Afghanistan is under-researched and publications available in the English language are limited. Most research on Afghan civil society starts after the removal of the Taliban, which marked the beginning of a drastically different civil society landscape informed to a large extent by foreign interpretations. The absence of a rich literature can be explained by the fact that the concept of civil society is not wholly indigenous to the country since there is no equivalent of the civil society concept except for a direct translation from English into Dari.[11] Nevertheless, based on the analysis above, Afghan civil society can be categorized into traditional civil society, social movements and CSOs. CSOs have existed since the 1960s and mushroomed after 2001, while social movements and traditional civil society are centuries old.

TRADITIONAL CIVIL SOCIETY

Traditional civil society structures operate at the community level and are generally organized along geographical, tribal or religious lines. They include but are not limited to community councils, committees for managing natural resources, literary groups and places of worship. Some of them are formally registered with the government

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[11] Elizabeth Winter, "Civil Society Development in !fghanistan", LSE Centre for Civil Society, June, 2010, 18/

but the majority are not.[12] The arguably most influential forms of traditional civil society in Afghanistan – in terms of collective decision-making and dispute resolution – are the *jirga* and *shura*.

Jirga is a Pashto word referring historically to an all-male traditional assembly of Pashtun leaders that make decisions by consensus based on their code of conduct called *Pashtunwali*.[13] *Jirgas* were used to settle local issues and elect leaders as far back as the 18th century.[14] The concept of a *jirga* has changed over time and can now be found at different levels of society with the *Wolesi Jirga* (Lower House of Parliament) and *Meshrano Jirga* (Upper House of Parliament) as the prime examples. The *shura* is another prominent form of traditional civil society. An Arabic word, meaning consultation, it has found currency in Afghanistan since the late 1970s when they were set up by local communities and military commanders. They would serve humanitarian needs when set up by local communities. The commanders, on the other hand, established them primarily for military operations, but sometimes would expand into governance and service delivery.[15]

After 2001, the *shura* was used as a model for community development programs with the National Solidarity Program (NSP), and its successor Citizen Charter, as the flagship program. NSP was a World Bank-funded program administered by the Ministry of Rural Rehabilitation and Development and implemented by mostly international NGOs. The aim was to establish Community Development Councils (CDCs) that would serve the needs of local communities and involve them in the decision-making process. CDCs are different from the traditional *shuras* in several fundamental ways: members are democratically elected; women are eligible for membership; CDCs receive funds to finance small projects in the community; CDCs are a permanent feature of the social infrastructure; and CDCs have not grown organically from communities. A CDC can be considered quasi-traditional, which highlights the complexity of the civil society landscape and the limitations of typologies.

SOCIAL MOVEMENTS

Social movements can be defined as "strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective action".[16] In Afghanistan, social movements have a long history that is not very well-known. The Young Afghans are an example of such a movement. They were inspired by the revolutionary events in the Ottoman Empire as well as the intellectual Mahmoud Tarzi who established the country's first newspaper. Tarzi was an influential figure who spearheaded the movement for democratization in Afghanistan that gave rise to the Young Afghans. He envisioned an Islamic model of modernization that would combine the spirit of Islam with social, political and economic development, and together with the Young Afghans defined Afghan nationalism for the first time.[17]

Tarzi and the Young Afghans made a lasting impact. King Amanullah Khan integrated some of

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[12] Kamran Parwana, "State of the Enabling Environment for CSOs in !fghanistan", *Afghanistan Institute for Civil Society*, September, 2016, 3.

[13] Lynn Carter, "! Preliminary Investigation of Contemporary !fghan Councils," *Agency Coordinating Body for Afghan Relief and Development*, April 1, 1989, 7.

[14] Thomas Barfield, *Afghanistan – A Cultural and Political History* (New Jersey: Princeton University Press, 2010), 98.

[15] Thania Paffenholz, *Civil Society and Peacebuilding: A Critical Assessment* (Boulder: Lynne Rienner Publishers, 2010), 241.

[16] Doug McAdam et al., *Comparative Perspective on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (Cambridge: Cambridge University Press, 1996), 6.

[17] Thomas Ruttig, "!fghanistan's Early Reformists," *Afghanistan Analysts Network*, April 27, 2011, https://www.afghanistan-analysts.org/publication/aan-papers/afghanistans-early-reformists-mahmud-tarzis-ideas-and-their-influence-on-the-wesh-zalmian-movement-2/.

the movement's activists – including Tarzi himself – and their ideas during his rule with the 1923 constitution as one of the movement's main legacies.[18] Amanullah's drive for modernization was left unfinished when he was forced into exile after mismanaging the reform process and alienating large parts of the country.[19] Later movements like the Awakened Youth, who were active in the 1940s and 1950s, drew inspiration from the Young Afghans' political philosophy. Although more ethno-nationalist, the Awakened Youth continued the legacy of Tarzi and the movement by pushing for political reform to democratize the country.[20] The push for democratization would continue with particular fervor during the last decade under King Zahir Shah, the end of President Najibullah and the post-Taliban period.

CIVIL SOCIETY ORGANIZATIONS

NGOs and associations, collectively referred to as CSOs in this report, are a relatively modern phenomenon in Afghanistan. Associations are registered with the MoJ and can be traced back to the early 1960s at the time when trade unions emerged in parallel with strong social movements. Unions exist in various sectors across the country, but are not very active or organized as the country does not have a large constituency of workers due to limited industrialization.[21] Associations can take other forms such as federations, confederations, councils, assemblies and foundations and are run on a voluntarily basis. Most associations are based at the community level and generate income from membership fees.

NGOs are registered with the MoEc and appeared in the early 1980s to deliver humanitarian assistance to Afghan refugees and internally displaced persons. After the US-led invasion in 2001, the "state-building" agenda of international donors was accompanied by "civil society building" efforts as shown by the inclusion of civil society at the Bonn Conference in the same year.[22] NGOs, and to a lesser extent associations, thereby became an integral part of the development paradigm in Afghanistan. NGOs mostly have paid staff and are involved in a wide range of activities such as aid coordination, research, advocacy, service delivery, media, livelihoods and humanitarian assistance.

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[18] Ibid.
[19] Ibid.
[20] Ibid.
[21] Thomas Ruttig, "May Day on Workers Street. Trade Unions and The Status of Labour in !fghanistan," *Afghanistan Analysts Network*, May 4, 2018, https://www.afghanistan-analysts.org/may-day-on-workers-street-trade-unions-and-the-status-of-labour-in-afghanistan/.
[22] Winter, "Civil Society Development in !fghanistan," 17/

LEGAL ENVIRONMENT

3. LEGAL ENVIRONMENT


| 0.23 | 0.27 | 0.25 |
| 2018 | 2017 | 2016 |
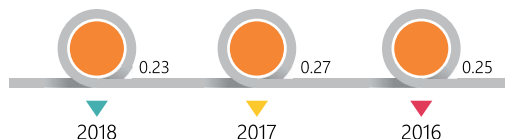
The previous chapter provided context to the report's theoretical foundation and understanding of Afghan civil society. The following chapter represents the first chapter that analyses the state of the enabling environment of civil society in Afghanistan as of 2018. The analysis shows the real life impact of changes in the enabling environment over the last year starting with the legal environment. The index is used to give an indication of the progress made in each area and is accompanied by in-depth analysis of the primary and secondary data.

The legal environment for civil society remains neutral primarily because of the very low score for freedom of information. Positive changes were made to the Law on Associations after a successful civil society campaign fought back against restricted amendments put forward by the government. Some NGOs are also involved in revising the draft NGO law but the amendment process has not yet been completed. A revised Law on Gatherings, Strikes and Demonstrations was passed by Presidential Decree and heavily criticized by civil society and Members of Parliament as the revisions place restrictions on the freedom of assembly. Another troubling development is the deterioration of the freedom of expression. This freedom is protected by law but it has become more difficult for civil society to exercise their right to express themselves freely. The freedom of

information has also not improved due to the lack of operationalizing the Access to Information Law.

3.1. FREEDOM OF EXPRESSION

| 0.80 | 0.80 | 0.87 |
| 2018 | 2017 | 2016 |
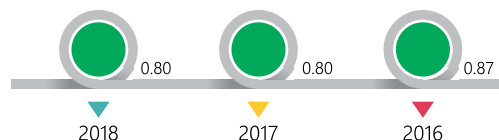
The freedom of expression index has deteriorated compared to the previous two years but is still supportive. The Afghan constitution acknowledges the freedom of expression by stating that "every Afghan shall have the right to express thoughts through speech, writing, illustrations".[23] This right is also enshrined in the Mass Media Law to prohibit censorship of journalists and prevent any interference in their affairs.[24] However, provisions in the law refer to the obligations to observe the principles of Islam, thereby allowing room for censorship based on the government's interpretation of what they consider offensive. Despite the relatively strong legal protections and supportive index value, freedom of expression has become precarious as armed opposition groups, security forces, politicians and government officials continue to violate this right.

Are your female colleagues able to speak freely and publically about the subjects on which you work?

| Yes | No | bad | Don't Know |
| 78% | 4% | 12% | 6% |
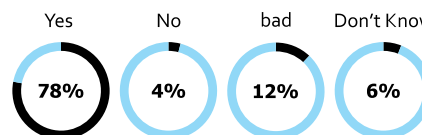
In the survey, 78%[25] of CSOs responded positively when questioned if they feel that women are able to speak freely and publically and 12% felt that women are somewhat able to do so. In line with the

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[23] "Constitution of !fghanistan," Constitute Project, accessed July 25, 2004, https://www.constituteproject.org/constitution/Afghanistan_2004.pdf?lang=en .

[24] "Mass Media Law," Pajhwok, accessed July 25, 2009, http://elections.pajhwok.com/affiles/pdfs/12-Mass%20Media%20Law/12-Mass%20Media%20Law-English.pdf.

[25] Note that it was not possible to calculate the percentage for men in the 2018 index due to an ODK software error encountered during data collection.

data from previous years, Kandahar province is an outlier as only 24% responded positively, which can perhaps be explained by the prevalence of patriarchal norms and influence of the Taliban in the province.[26] The FGD data present a grimmer picture compared to the survey data. From journalists to civil servants, many FGD participants received direct or indirect threats when speaking out against the establishment or armed opposition groups. For example, one civil servant in Kandahar lost his job when highlighting corruption within the government, while some activists in Paktia said they face threats from groups like the Taliban when speaking out. For women, harassment, censorship, shaming, threats and stigmatization continue to be common experiences when exercising their freedom of expression.[27] The act of women speaking in public or simply going outside without a *mahram* (family escort) is still considered to be inappropriate and shameful in many parts of the country.[28] This quote from a woman in Samangan underscores the problem:

"One person said he recorded our conversation and threatened to use it against me. I said to him to "do whatever you want" because I haven't said anything bad to be blamed for. Someone else said to me that he will hack my Facebook account."

Journalists' freedom of expression is particularly fragile. The latest report of the Afghan Journalists Safety Committee covering 2017 shows a 67% increase of threats and violence committed against journalists compared to the year before. This includes assault, imprisonment, verbal abuse,

killings and threats. The majority of the incidents (51%) are caused by armed opposition groups, but a large number of the incidents (34%) were attributed to security forces and government officials. Most cases were documented in Kabul and the central region with the remaining incidents quite evenly distributed in the rest of the country.[29] The report states that the three main causes for the deteriorating situation are the targeted attacks against journalists by armed opposition groups, a culture of impunity within the government, and the overall instability in the country. A number of steps have been taken by the government to protect journalists and hold government officials accountable for their actions. But progress has been slow and crimes committed by people within and outside of the government often go unpunished.[30]

The deadliest attack on journalists took place in early May 2018, which represented the single deadliest day for Afghan journalists ever recorded. Ten journalists were killed in a twin bombing in Kabul by a suicide bomber who pretended to be a photojournalist, which was claimed by the Islamic State.[31] Among the killed were a veteran chief photographer for Agence France-Presse. The attack shocked the nation because of the sheer number of casualties among journalists and the tactics used in the attack as photojournalists as well as emergency workers were directly targeted. A second attack by the Islamic State occurred in November 2017 targeting Shamshad TV in Kabul, where one staff member and twenty others were

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[26] "'I Want to Empower Afghan Women.' Female Prosecutor on a Lonely Mission," Guardian, accessed on July 31, 2018, https://www.theguardian.com/global-development/2018/feb/21/afghanistan-female-prosecutor-lonely-mission.
[27] This was mentioned in the FGDs of Badakhshan, Samangan, Herat and Paktia.
[28] This was mentioned in the FGDs of Paktia and Herat.
[29] "Six Month Report Jul-Dec 2017," Afghan Journalists Safety Committee, accessed July 25, 2018, http://ajsc.af/wp-content/uploads/2018/01/Six-Month-Report-July-Dec-2017-AJSC-English.pdf.
[30] Ibid.
[31] James Mackenzie, "Deadliest Day for Afghan Journalists. 10 Killed in Two Attacks," *Reuters*, April 30, 2018, https://www.reuters.com/article/us-afghanistan-blast-media/deadliest-day-for-afghan-journalists-10-killed-in-two-attacks-idUSKBN1I117V.
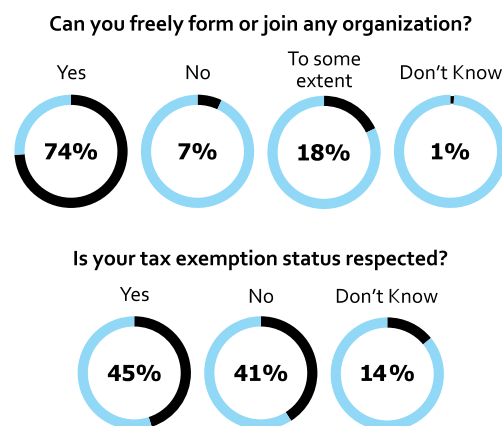
wounded. [32] These incidents underscore why Afghanistan remains one the most dangerous countries for journalists.[33] This trend is very concerning as the remarkable progress made by Afghan media since the fall of the Taliban – with dozens of TV stations, more than a hundred radio stations and hundreds of print media outlets[34] – is under threat.

Another concerning development with regard to freedom of expression is the government's response to security threats. In November 2017, the government made an unprecedented move by ordering Internet Service Providers to ban the phone messaging services WhatsApp and Telegram. The Ministry of Communications and Information Technology published a letter calling for an immediate 20-day ban but it failed to provide a reason for such action. Ministry officials eventually told the media that the decision was made for "security reasons".[35] The ban was lifted in just a few days after mounting pressure from rights groups and the general public. Social media such as WhatsApp has become a powerful tool for journalists, activists as well as armed opposition groups[36] to express themselves and share information. It is concerning that the government might feel that security concerns trump freedom of expression.

3.2. FREEDOM OF ASSOCIATION & ASSEMBLY

| 0.46 | 0.47 | 0.40 |
| 2018 | 2017 | 2016 |
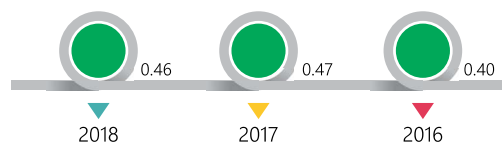
The freedom of association and assembly[37] index remains supportive despite certain concerning developments. In addition to constitutional protection, the freedom of association is protected by the NGO Law and the Law on Associations and the freedom of assembly is enshrined in the Law on Gatherings, Strikes and Demonstrations. The vast majority of the CSOs surveyed, 74%, thought that the freedom of association is protected as they felt free to join any organization while 18% thought it is protected to some extent. Kandahar province is an exception with a score of just 51%.

Can you freely form or join any organization?

| Yes | No | To some extent | Don't Know |
| 74% | 7% | 18% | 1% |

Is your tax exemption status respected?

| Yes | No | Don't Know |
| 45% | 41% | 14% |

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[32] "!fghan Television Channel Shamshad TV Back on !ir !fter !ttack," *British Broadcasting Corporation*, accessed July 7, 2018, https://www.bbc.com/news/world-asia-41898011.

[33] "!fghanistan," *Reporters without Borders*, accessed July 6, 2018, https://rsf.org/en/afg hanistan.

[34] "!fghanistan's Media Is a Success Story. Two !ttacks Show It Must be Protected," *Time*, accessed July 7, 2018, http://time.com/5260614/afghanistan-journalists-media-bombing-afp-bbc/.

[35] "Outcry as !fghanistan Move to Ban Whatsapp and Telegram," *British Broadcasting Corporation*, accessed July 6, 2018, https://www.bbc.com/news/world-asia-41868978.

[36] "Taliban Commanders Orders Closure of Opium Labs in Towns and Cities," *Guardian*, accessed July 6, 2018, https://www.theguardian. com/world/2018/may/28/taliban-commander-orders-closure-of-opium-labs-in-towns-and-cities.

[37] The freedom of assembly is essential for civic space rights and was therefore included here by the author as it is related to the freedom of association. However, the survey data did not include specific questions for the freedom of assembly so the index is not wholly representative.

In early 2017, the government proposed several restrictive amendments to the Law on Associations without any consultation with civil society[38] and was approved by the *Wolesi Jirga*. In May 2017, the CSO-Government Working Group convened at the request of ICNL and other CSOs to discuss the amendments and express civil society's concerns. The civil society campaign was successful as in December 2017 the MoJ published the amended law including fifteen of the eighteen recommendations submitted by the working group. Positive changes were made to ease registration and reporting requirements, introduce new categories that broaden the scope of associational life such as unions and foundations, and remove the provision on taxing property of registered associations.[39]

MONITORING
Government amended law which was adopted by Parliament
- February 2017 -

RESULT
Government incorporated 15 out of 18 recommendations

IDENTIFICATION
Civil society identified problems

SOLUTION
Civil society formulated 18 recommendations

ENGAGEMENT
Civil society organized meetings with government and
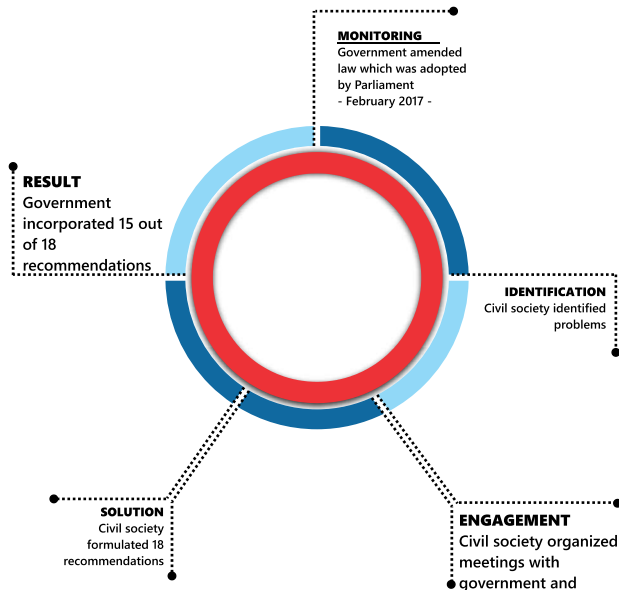
It is important that these changes in the Law on Associations are accompanied with adequate resources since the MoJ still does not have sufficient operational capacity for registration. Unlike the MoEc, data from the FGDs highlight the absence of an electronic and publically available database for registered associations to smoothen the registration process. The MoJ leadership expressed an interest in such a database but said the Ministry lacked donor funding to develop it.[40] The issue came up several times during the FGDs[41] as the MoJ often requested new associations to change their names.[42] In one case, the Minister of Justice got involved in discussions about the specific name of a new association in Kabul. This case is an example of the MoJ's centralized management structure that further inhibits the Ministry's efficiency as the Deputy Minister or Minister needs to sign off on decisions made by the MoJ Registration Department.[43] The FGD data also showed that the MoJ does not have written reporting guidelines for associations,[44] which was corroborated by a senior civil society member.[45] In general, the MoJ is not very keen on sharing information with outsiders as experienced by the author and others within civil society.[46]

The NGO Law for national and international NGOs is also currently being revised. This process started in the spring of 2016 after ICNL submitted a set of recommendations to the MoEc. These recommendations were based on input received from NGOs during a conference organized by ICNL in 2015. The MoEc subsequently set up the NGO Law Amendment Committee to discuss these recommendations, which was coordinated by the MoEc with ICNL as the technical lead. The other committee members were ACBAR, ICNL, Afghan NGOs Coordination Bureau and Afghan Women's Network. This committee made many

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[38] The MoJ mentioned in the interview in Kabul in July 2018 that they regret not having involved CSOs in the initial process.
[39] "Civic Freedom Monitor !fghanistan," International Center for Not -for-Profit Law, accessed July 25, 2018, http://www.icnl.org/research/monitor/afghanistan.html .
[40] Interview with senior government official of the MoJ, July 2018.
[41] This was mentioned in the FGDs of Paktia, Kabul and Samangan.
[42] This was mentioned in the FGDs of Paktia, Kabul, Balkh and Badakhshan.
[43] Interview with a senior member of civil society in Kabul, June 2018.
[44] This was mentioned in the FGDs of Samangan and Badakhshan.
[45] Interview with a senior member of civil society in Kabul, June 2018.
[46] Interview with a senior member of civil society in Kabul, June 2018.

recommendations to revise the law, and after a lot of back-and-forth the revised law was sent to the MoJ in February 2017. As of June 2018, the law is still with the MoJ as it is responsible to assess the law's legality. The delay can be explained by a high turnover of staff within the MoJ and a lack of prioritization in the MoJ's planning.[47]

Some of the proposed changes to the draft NGO law could have a positive impact such as the streamlining of registration through the MoEc and the ability of NGOs to re-register after termination. The MoEc registration process for NGOs is currently still an overly bureaucratic process that requires submitting applications at both the provincial and national level reviewed by the Technical Commission and High Evaluation Commission.[48] This was mentioned in every iteration of the SEECA report including this year as 30% of the CSOs found the process difficult – this includes associations' perceptions of the MoJ. The MoEc has promised taking measures to make reporting more streamlined and tackle corruption within the registration process. The online portal for registration and submission of reports is an example of such a planned measure,[49] but it has been pending since an USAID-funded project established it in 2013. The extremely slow process could be explained by a lack of funding and technical staff within the Ministry.[50]

The Law on Gatherings, Strikes and Demonstrations that protects the freedom of assembly has been replaced and enacted by Presidential Decree last December. The new law was heavily criticized by civil society[51] and rejected by MPs within the Wolesi Jirga before it was forwarded to the Meshrano Jirga.[52] Civil society was not involved in the developing the new law due to MoJ's internal restrictions.[53] According to an article of the Afghanistan Analysts Network, the new law curtails the freedom of assembly by introducing several restrictions. It confines the right to protest to those who have "reform objectives"; limits the time and venue of protests by banning protests in the vicinity of public buildings, main roads and military facilities; and bans the participation of "influential people" from "politically intervening" in any kind of protest without defining the meaning of the term.[54] The article also explains that the law was renewed for several reasons: the government wanted to provide better protection to demonstrators in mass protests, limit the negative impact of large scale protests on cities, curb the growth in protests that challenge the legitimacy and effectiveness of the government, and fill gaps in the old law.[55]

CSOs registered with the MoJ or MoEc are still tax exempt except for withholding tax on salaries, rent and contractor services according to the Income Tax Law. Tax exemption is not automatically given and CSOs have to apply for tax exemption, which is a lengthy and complicated process.[56] 41% of CSOs, up from 18% last year, mentioned that their tax exemption status is not respected by the government, which is an indication that the situation is not improving. An issue that the government tried to address this year was the back-log of taxes that CSOs and private companies are required to pay including penalties. The

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[47] Interview with a senior member of civil society in Kabul, June 2018.

[48] "Civic Freedom Monitor/"

[49] Interview with a senior government official of the MoEc in Kabul, June 2018.

[50] Interview with a senior member of civil society in Kabul, June 2018.

[51] "!fg hanistan. Events of 2017," Human Rights Watch, accessed July 25, 2018, https://www.hrw.org/world-report/2018/country-chapters/afghanistan.

[52] "MPs Reject Ghani's Decree on Public Protests, Strikes," Pajhwok, accessed July 15, 2018, https://www.pajhwok.com/en/2018/01/15/mps-reject-ghani%E2%80%99s-decree-public-protests-strikes.

[53] Interview with a senior government official of the MoJ in Kabul, July 2018.

[54] "!fghanistan New Law on Freedom of !ssembly. Limiting the Space to Demonstrate," !fghanistan !nalysts Network, accessed July 15, 2018, https://www.afghanistan-analysts.org/afghanistans-new-law-on-freedom-of-assembly-limiting-the-space-to-demonstrate/.

[55] Ibid.

[56] Parwana, The State of the Enabling Environment for CSOs in Afghanistan, 31.

Ministry of Finance (MoF) announced a Tax Penalty Amnesty Program for the fiscal years 2002-2017 in January 2018 to reduce the tax burden. The program promises to waive 95% of the tax penalties if CSOs pay their unpaid taxes and 5% of the penalties before October 2018.[57] Although the program was generally positively received,[58] ACBAR and other NGO coordination bodies – associations seem not to be as affected – have asked for a total amnesty for the entire period as CSOs do not have the funds to pay the back-log of taxes due to the nature of funding being mostly project-based.[59]

3.3. FREEDOM OF INFORMATION

-0.57 2018
-0.47 2017
-0.52 2016

The freedom of information index is still restrictive as very little progress has been made with the implementation of the Access to Information Law. This law and the constitution of Afghanistan guarantee citizens the right to access government information. The law allows citizens to request information from all government entities and receive the requested information within a specified timeframe. It also outlines the legal procedures, complaint mechanism and commission responsible for monitoring the law's implementation.[60]

Is it difficult to receive/ access information from the government?

Yes	No	Neutral	Don't Know
66%	10%	22%	2%
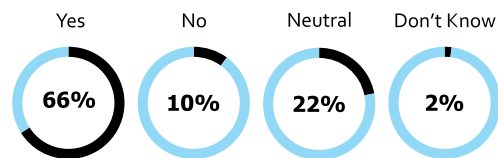
The Access to Information Law has been criticized by civil society groups and led to requests to amend the law.[61] Some of these concerns were addressed in the revised Access to Information Law that was enacted by Presidential decree in March 2018. The government recognized the need to establish an independent commission with a dedicated budget whose members are selected by a committed and approved by the President. The amended law also protects whistle blowers.[62] It remains to be seen, however, if there will be effective enforcement of the revised law. 66% of the CSOs surveyed still express finding it difficult to access government information compared to 57% in 2017, with no major differences across the surveyed provinces. The FGD data corroborated this as government officials are often not able or willing to give information,[63] which is explained by the lack of government's capacity,[64] sensitivity of information[65] or the connections an individual or organization has.[66]

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[57] "In FY-1397 National Budget Document Tax Penalty Exemption Was !pproved," Ministry of Finance, accessed July 9, 2018, http://mof.gov.af/en/news/in -fy-1397-national-budget-document-tax-penalty-exemption-was-approved.

[58] "Tax !mnesty Program. Technical and Legal !ssistance for NGOs by Citizens Forum !gainst Corruption (CF!C)," !fghanistan Public Policy Research Organization, accessed July 9, 2018, http://appro.org.af/2018/04/05/tax -amnesty-program-technical-and-legal-assistance-for-ngos-by-citizens-forum-against-corruption-cfac/.

[59] Interview with a senior member of civil society in Kabul, June 2018.

[60] "!ccess to Information Law," Integrity Watch !fghanistan, accessed July 9, 2018,   http://www.refworld.org/pdfid/5b165b2b4.pdf .

[61] "!ccess to Information in !fghanistan   – ! Preliminary Review," Integrity Watch !fghanistan, accessed July 9, 2018, https://iwaweb.org/wp-content/uploads/2016/05/ATI -report-English-for-screen.pdf.

[62] "!fghanistan's Fight !gainst Corruption. From Strategies to Implementation," United Nations !ssistance Mission to !fghanistan, accessed July 9, 2018, https://unama.unmissions.org/sites/default/files/afghanistans_fight_against_c orruption_from_strategies_to_implementation-14_may_2018.pdf.

[63] This was mentioned in the FGDs of Samangan, Balkh, Bamyan, Kabul and Nangarhar.

[64] This was mentioned in the FGDs of Balkh and Kabul.

[65] This was mentioned in the FGDs of Samangan and Kabul.

[66] This was mentioned in the FGDs of Samangan, Balkh and Bamyan.

The Oversight Commission on Access to Information (OCAI) developed a national strategy for 2017-2020 to improve implementation of the Access to Information law. The strategy's implementation plan includes recommendations that addresses some of civil society's concerns. It includes assigning Public Information Officers and dedicated spaces within government departments to strengthen capacity; sharing information pro-actively and organizing awareness raising activities; and publishing information on the website and social media to improve transparency.[67] In late 2017, Integrity Watch Afghanistan (IWA) published a research report reiterating the need for raising awareness on the access to information mechanism and to build the capacity of civil servants in line with the OCAI strategy. It also called for the process of requesting information to be simplified and made more user-friendly and to remove the fee for information requests.[68]

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[67] "!fghan National !ccess to Information Strategy 2017 -2020," Oversight Commission on !ccess to Information, accessed on July 10, 2018, http://ocai.af/en/wp-content/uploads/sites/3/2017/08/OCAI_ National-Strategy-on-ATI_ English_ web.pdf.

[68] Toby Mendel, "National !fghans' ! ccess to Information Survey 2017. !nalysis of a Comprehensive Baseline Survey," *Integrity Watch Afghanistan*, August, 2017, 4.

SOCIO-CULTURAL ENVIRONMENT

4. SOCIO-CULTURAL ENVIRONMENT

| 0.64 | 0.57 | 0.62 |
| 2018 | 2017 | 2016 |
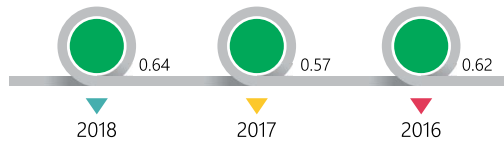
The socio-cultural environment for civil society continues to be supportive. The Helmand Peace March represented an improvement in relations between communities and civil society. This movement has been embraced by people across the country and inspired similar actions by a range of people from different ethnic and tribal backgrounds. It also instilled a renewed sense of urgency among all parties to the conflict as shown by the temporary ceasefire between the government and Taliban and recent steps towards peace talks. Community relations with CSOs are stable but concerns over donor dependency, political independence and financial self-interest persist – particularly regarding NGOs. Civil society coordination is gradually improving through various networks. But there is also still criticism over a lack of coordination caused by the competition between NGOs over funds and representation as well as a trust deficit between national and international NGOs.

4.1. COMMUNITY RELATIONS

| 0.80 | 0.72 | 0.82 |
| 2018 | 2017 | 2016 |
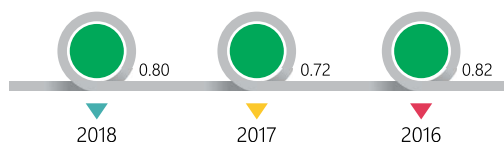
The community relations index remains very supportive, although there are concerns that need to be addressed.[69] Relations between communities and civil society are complex, especially when you consider the differences between traditional civil society, social movements and CSOs. These relations are defined by the question of "legitimacy" as civil society portrays itself as an autonomous third sphere – outside the state and market – that aims to activate and channel communities' interests and demands.[70] The legitimacy of civil society is often based on communities' feelings over representation, public value, ethical conduct, political independence and community involvement. This also applies to the context in Afghanistan.

Do you involve the community you work with in your decision-making process?

| Yes | No | Sometimes | Don't know |
| 67% | 4% | 29% | 0% |
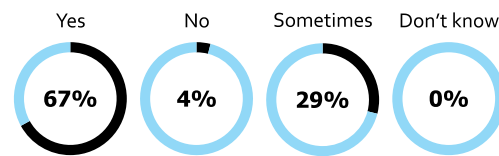
Relations between communities and CSOs are positive according to the surveyed beneficiaries as 72% felt CSOs represent their interests. 63% of the beneficiaries also mentioned that CSOs involve them regularly in decision-making, which aligns with the perception of CSOs themselves as 67% said they involve communities regularly. In addition, 42% of the beneficiaries said that they are willing to financially support a CSO to achieve its objectives. The survey data shows that there are substantial differences per province, which illustrates how the level of community involvement is very much context-dependent. The FGD data corroborates the survey findings to a large extent as CSOs. There are some encouraging examples of CSOs working together with communities and receiving financial or non-financial assistance to

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[69] Note that there is also a bias since the index is based on the perception of CSO Members.
[70] Saskia Brechenmacher and Thomas Carothers, "Examining Civil Society Legitimacy," *Carnegie Endowment for International Peace*, May 2, 2018, 34-38.

fundraise for school furniture,[71] displaced community members,[72] school programs,[73] or collect shoes for poor children.[74] However, participants of the FGDs also mentioned that the legitimacy of civil society – particularly of NGOs – was affected by several factors.[75] This includes concerns over CSOs' political independence due to affiliations with current or former government officials and politicians;[76] the financial self-interest of CSOs and corruption;[77] and CSOs' donor dependency that has resulted in project-based activities which are not needs-based.[78]

Firstly, the concern over CSOs' political independence is not surprising as it is not unusual for executive directors of CSOs – primarily NGOs – to leave civil society and join the government or to have close ties with senior officials. This does not have to affect the CSOs' independence per se as connections are needed for effective advocacy, but it can blur the lines between political and community interests. The issue of the "revolving door", although generally applied to politicians joining the private sector, is therefore an understandable concern and requires greater scrutiny.

Secondly, the perception of CSOs as being primarily interested in personal financial gain is most likely related to the inflated salaries of NGOs – not so much associations – relative to the government and widespread corruption in the country. The influx of foreign aid has financed the disproportionately high salaries of primarily Kabul-based NGOs vis-a-vis the public sector. The Special Inspector General for Afghanistan Reconstruction (SIGAR) also concluded in a 2016 report that this

influx of money created vast opportunities for rent-seeking among NGOs and contractors.[79] NGOs were incentivized to spend money quickly to meet their so-called "burn rate" (i.e. spending rate). A FGD participant from Herat explained how this has created unrealistic expectations among communities:

"The donors paid extra amounts for cash for food, cash for work, cash for transport and cash for education so people became accustomed to this. When we [now] invite someone for a training or program, they will first ask about the cash for transport, per diem, lunch, etc."

Lastly, the issue of corruption and the concern of donor dependency that came up in the FGD data will be discussed in detail later on in the report.

Relations between communities and traditional civil society are generally positive as they are strongly embedded within communities. The volunteerism that exists in Afghanistan mostly happens within the realm of traditional civil society in the form of religious duty (e.g. *zakat*) or community service. The success of the CDCs set up by the NSP program, and further strengthened by the Citizen Charter program, is a clear example of the legitimacy enjoyed by traditional civil society – although CDCs are quasi-traditional. NSP was able to mobilize people and resources from communities to match government funds for small-scale development projects based on the needs of local constituents. The majority of funds were used to finance projects instead of salaries or overhead, which is not standard practice with

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[71] This was mentioned in the FGD of Herat.
[72] This was mentioned in the FGD of Nangarhar.
[73] Ibid.
[74] This was mentioned in the FGD of Herat.
[75] This was mentioned in the FGDs of Paktia, Kabul, Balkh, Samangan and Badakhshan.
[76] This was mentioned in the FGDs of Paktia, Kabul and Samangan.
[77] This was mentioned in the FGDs of Balkh, Badakhshan, Samangan, Bamyan.
[78] This was mentioned in the FGDs of Nangarhar, Kabul and Balkh.
[79] "Corruption in Conflict. Lessons from the US Experience in !fghanistan," Special Inspector General for !fghanistan Reconstruc   tion, accessed July 20, 2018, https://www.sigar.mil/pdf/lessonslearned/sigar -16-58-ll.pdf.

regular development projects.[80] Preliminary research has suggested positive effects of the NSP program on democratization, gender equality and service delivery.[81]

Relations between communities and social movements tend to be strong as they often emerge from the grass-roots addressing localized concerns; however, not all social movements are equally supported by each section of society. In recent years, social movements have re-emerged across the country to address particular or widely shared concerns. In 2016, the Enlightening Movement emerged, largely led by Hazaras, in protest against the routing of an energy project and allegations of discrimination. The protestors made international headlines when several supporters of the movements interrupted President Ghani during a speech in London.[82] In mid-2017, the Uprising for Change movement was set up in response to a bloody attack in Kabul and subsequent police brutality used against peaceful protestors.[83] Both movements did not last very long, but the movement that emerged in early 2018 did. The Helmand Peace March movement emerged after a suicide attack hit the provincial capital and set off a 700 kilometer march to Kabul through both government- and Taliban-controlled land.[84]

The Helmand Peace March movement started as a small peace initiative without any funding or political backing, but eventually inspired an unprecedented temporary ceasefire between the government and Taliban and renewed efforts for peace talks. This movement is the most remarkable movement that emerged over the last few years for several important reasons. First, the peace marchers represented men of all ages – from 17 to 65 – and a wide range of professional backgrounds including day laborers, farmers, retired army officers, a poet and a body-building champion.[85] Women were involved in the initial protests in Helmand but did not join the march. Second, the marchers inspired solidarity sit-ins in at least sixteen provinces across the country, thereby transcending the traditional North-South divide between Pashtuns and non-Pashtuns and ushering in a countrywide movement for peace.

Third, Helmand is often described as the "heartland of the Taliban", but it is precisely this province that created a nationwide movement. It is also the first time that communities in southern Afghanistan have publically, and over an extended period of time, criticized the Taliban.[86] Fourth, the movement demanded compromises from all parties to the conflict, whereas most CSOs – especially NGOs – generally refrain from criticizing the international community. The marchers demanded an extension of the ceasefire between the government and Taliban, peace talks between the two sides, implementation of a law agreed upon by both sides, and the withdrawal of foreign troops.[87]

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[80] "Afghanistan's National Solidarity Program Has Reached Thousands of Afghanistan Communities, But Faces Challenges That Could Limit Outcomes," Special Inspector General for Afghanistan Reconstruction, accessed July 16, 2018, http://www.dtic.mil/dtic/tr/fulltext/u2/a549504.pdf.

[81] Andrew Beath et al/, "The National Solidarity Programme. Assessing the Effects of Community-Driven Development in Afghanistan", *Journal of International Peacekeeping* 22, no. 4 (August 2015): 302-320.

[82] Thomas Ruttig, "Power to the People. The TUTAP Protests," *Afghanistan Analysts Network*, May 16, 2016, https://www.afghanistan-analysts.org/power-to-the-people-2-the-tutap-protests/.

[83] Gulabuddin Ghubar, "Uprising for Change Accuses Govt of Monopolizing Power," *Tolonews*, July 27, 2018, https://www.tolonews.com/afghanistan/uprising-change-accuses-govt-monopolizing-power.

[84] "Peace Convoy Arrives in Kabul after 700-Kilometer March," Radio Free Europe Radio Liberty, accessed June 18, 2018, https://www.rferl.org/a/peace-convoy-arrives-in-kabul-after-700-kilometer-march/29294431.html.

[85] Mujib Mashal, "A Grass-Roots Afghan Peace Movement Grows, Step by Step," *New York Times*, June 15, 2018, https://www.nytimes.com/2018/06/15/world/asia/afghanistan-peace-march-.html.

[86] Ali Sabawoon, "Going Nationwide. The Helmand Peace March Initiative," *Afghanistan Analysts Network*, April 23, 2018, https://www.afghanistan-analysts.org/going-nationwide-the-helmand-peace-march-initiative/.

[87] Ali Latifi, "Afghans Who Marched Hundreds of Miles for Peace Arrive in Kabul," *CNN*, June 18, 2018, https://edition.cnn.com/2018/06/18/asia/afghanistan-peace-march-intl/index.html.

4.2. CIVIL SOCIETY COORDINATION

0.47 2018   0.42 2017   0.41 2016
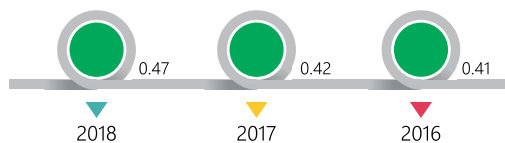
The index for civil society coordination is still supportive, but there is room for improvement in terms of its effectiveness. Civil society coordination for humanitarian assistance or development programs can be defined in different ways as there is no agreed definition. A widely used definition describes coordination as the systemic utilization of instruments to deliver assistance in a cohesive and effective manner. These instruments can include strategic planning, data collection and information management, resource mobilization, accountability assurance, government engagement, agreements on the division of labor and the coordination of implementation.[88] At its simplest, coordination can be interpreted as minimizing gaps and duplications in providing humanitarian assistance or implementing development programs while promoting principles and good practice.[89] Since 2001, a variety of networks have been set up to coordinate civil society's efforts with NGOs being in the lead – coordination with the government specifically will be discussed in the next chapter.

Coordination between CSOs in Afghanistan can be divided into the United Nations (UN) clusters and the CSO coordination networks. The UN cluster system aims to strengthen system-wide preparedness and technical capacity to respond to humanitarian crises worldwide and provide clear leadership and accountability at both the field and global levels. The clusters coordinate on planning, implementation, strategic decision-making, monitoring and evaluation, and advocacy.[90] There are ten clusters in Afghanistan for humanitarian assistance coordinated by different UN agencies with specific specializations and facilitated by the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). The level and effectiveness of coordination is dependent on the quality and consistency of the cluster and the fundraising capacity of UNOCHA and the Humanitarian Coordinator.[91] UNAMA is also a supporter of CSO coordination although it does not have a dedicated office or program. It supports coordination primarily through organizing multi-stakeholder dialogues in Kabul and ensuring representation at international conferences. UNAMA is now downsizing so it remains to be seen what their future role will be.[92]

In addition to the UN agencies there are CSO coordination networks. These networks can be categorized as general coordinating networks, thematic coordinating networks, regional coordinating networks, international coordinating networks and a meta-coordinating network.[93] ACBAR is one of the leading networks for NGOs and is a general coordinating network. It was the most mentioned network in the FGDs[94] and is considered a very influential network. Their core activities revolve around facilitating information sharing, coordination, advocacy, capacity building and promoting transparency and accountability

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[88] Larry Minear et al/, "UN Coordination of the International Humanitarian Response to the Gulf Crisis 1990-1992," *Watson Institute for International Studies*, July, 1992, 6.
[89] "! Basic Coordination Guide," International Council of Voluntary !gencies, accessed July 19, 2018, https://www.icvanetwork.org/syst em/files/versions/%20ICVA%20NGO%20Coordination%20Guide%20Version%201.01.pdf .
[90] "Cluster !pproach," United Nations High Commissioner for Refugees, accessed July 18, 2018, https://emergency.unhcr.org/entry/61190/cluster -approach-iasc.
[91] Marine Durand, "Panorama of CSOs in !fghanistan," *Agency Coordinating Body for Afghan Relief and Development*, January, 2015, 27-28.
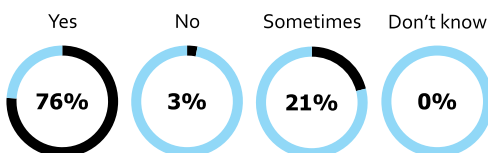[92] Interview with senior UNAMA official in Kabul, June 2018.
[93] Durand, "Panorama of CSOs in !fghanistan"/
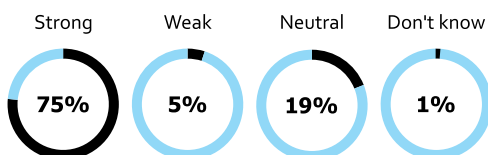[94] They were mentioned in the FGDs of Herat and Balkh.

among NGOs.[95] ACBAR only represents NGOs but it links up regularly with other civil society networks to promote collective action.

Another key CSO coordination network is the informal Civil Society Joint Working Group (CSJWG), which was set up to function as a meta-coordinating network. It was established in 2012 to have a joint platform that brings all CSO coordination networks and CSOs (registered or non-registered) together under one banner. The aim is to share information, formulate joint positions on critical issues and represent civil society at the national and international level.[96] The Administrative Office of the President (AOP) is currently in the process of renewing the government's Memorandum of Understanding (MoU) with the CSJWG to further improve coordination between civil society and the government.[97] One of the CSJWG members also recently called for a national civil society strategy at the Framework for Cooperation Conference in May, which illustrates the potential leading role of the CSJWG.[98] However, the CSJWG's voluntary nature and absence of a permanent secretariat are considered limitations.[99]

Do you have coordination meetings with CSO working on similar areas?

Yes	No	Sometimes	Don't know
76%	3%	21%	0%

How is your relationship with other

Strong	Weak	Neutral	Don't know
75%	5%	19%	1%

Do you think coordination with other CSOs is important?

Yes	Neutral	No
95%	5%	0%

Is your organization a member of a CSO network?

Yes	No	Don't know
59%	37%	4%

Do you feel your organization is treated as an equal in discussions with international

Yes	No	Somewhat	Don't know
24%	29%	22%	25%
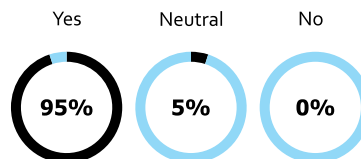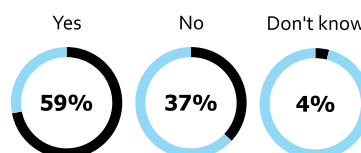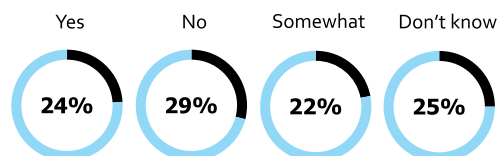
The survey findings of all three years show that coordination with other CSOs is considered an imperative by almost all CSOs. 95% of the CSOs surveyed found coordination important and 75% said their relationship with other CSOs is strong, while 76% mentioned having regular coordination meetings. CSOs in Herat had the most regular meetings and strong relationships according to the survey, which could be a reflection of the province's vibrant civil society culture. In addition, the network membership percentage of CSOs was 59%, slightly up from last year, underscoring the value of coordination through dedicated coordinating

[95] "Background," !gency Coordinating Body for !fghan Relief and Development, accessed July 18, 2018, http://www.acbar.org/page/3.jsp?title=background .
[96] Durand, "Panorama of CSOs in !fghanistan," 53/
[97] Interview with senior government official of the AOP via conference call, July 2018.
[98] "!fghan Government, Civil Society and Media to Strengthen Bo nds at Framework for Cooperation Conference," US!ID, accessed July 19, 2018, https://www.usaid.gov/afghanistan/news -information/press-releases/May-9-2018-Framework-for-Cooperation-Conference.
[99] Durand, "Panorama of CSOs in !fghanistan," 55/

bodies. Despite its importance, and a plethora of coordination bodies, many participants in the FGDs said that coordination was lacking or not sufficient.[100] One of the reasons for this lack of CSO coordination according to the FGD participants was the competition between CSOs, especially NGOs, over donor funds.[101] There is not only competition between CSOs over funds but also representation. Disputes often emerge over who represents Afghan civil society at national and international meetings.[102] The statement of a FGD participant from Kabul reflected these concerns:

"A number of individuals are recognized as representatives of CSOs and invited for national or international conferences, but is not clear how they have been chosen, who selected them and through what mechanism."

International coordinating networks like the British & Irish Agencies Afghanistan Group (BAAG) have tried to address the issue of competition over representation by improving the selection process for international conferences. For the 2016 Brussels Conference, BAAG selected representatives based on an open and competitive process with a neutral Selection Committee and independent observers.[103] A similar approach was used to form a multi-stakeholder group for the Open Government Partnership initiative that seeks to improve governance. CSOs were selected through an open and competitive process, but the government was criticized for heavily influencing the process.[104]

Another factor that explains the lack of CSO coordination is the sometimes tense relationship between national CSOs and international NGOs. 29% of the people surveyed, 5% more than last year, felt that their organization is not treated as an equal in discussions with international organizations, which was an especially strong sentiment in Nangarhar province this year and last year. This can be explained as international NGOs receive the majority of donor funds – in 2016, they represented 66% of all NGO expenditures[105] – and have more capacity in terms of expertise and fundraising, thus giving them leverage over national CSOs. Most international NGOs work with national CSOs through a consortium, but national CSOs are generally not in the lead during the design or implementation phase.

This leverage also exists within coordinating bodies like ACBAR as almost half of their members are international NGOs, [106] while the ratio within the MoEc registry is one to ten.[107] Although membership is not restricted, except for a fee between 250 and 5,000 USD based on the NGO's budget, international NGOs are overrepresented which might affect the network's prioritization of issues. ACBAR's Steering Committee does have equal representation of international and national NGOs and is chaired by a national NGO.

Coordination between CSOs and traditional civil society and social movements is rarely discussed or researched. Most CSOs, associations in particular, work closely with CDCs in areas where they work or at minimum coordinate with them during the inception phase of projects. Some of the associations even prefer to work primarily with

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[100] This was mentioned in the FGDs of Badakhshan, Samangan, Balkh, Kabul, Kandahar and Paktia.
[101] This was mentioned in the FGDs of Badakhshan, Samangan and Bamyan.
[102] This was mentioned in the FGD of Kabul- Durand, "Panorama of CSOs in !fghanistan," 60/
[103] "!fghan Civil Society Delegates Selected for Brussels Conference," British & Irish !gencies !fghanistan Group, accessed July   18, 2018, https://www.baag.org.uk/news/afghan -civil-society-delegates-selected-brussels-conference.
[104] This is based on personal conversations of the author with a senior civil society member closely involved in the OGP initiative.
[105] Hakim Gul !hmadi, "NGO Operations in !fghanistan,"   *Ministry of Economy*, November 2017, 11.
[106] "Member List," !gency Coordinating Body for !fghan Relief and Development, accessed July 1 8, 2018, http://www.acbar.org/page/8.jsp?title=ACBAR -Member-List.
[107] "NGO Database," Ministry of Economy, accessed July 18, 2018, http://ngo.gov.af/ngo_list/english/list_nat.php .

CDCs and *shuras*.[108] The coordination with CDCs, for example, is considered essential for beneficiary selection and the transfer of cash or assets. This relationship is also important from a "do no harm" perspective, a crucial humanitarian principle, as CDCs mobilize community support for projects. The relationship between CSOs and social movements is more ad hoc. CSOs often express their support when social movements like the Helmand Peace March emerge[109] and are sometimes part of it. The Helmand Peace March, however, has reiterated a difference of opinion between CSOs and grass-roots movements over the presence of international troops which can be traced back years.[110] This shows that the interests of CSOs and social movements do not always align.

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[108] This was mentioned in the FGD of Balkh.
[109] !li, "Going Nationwide. The Helmand Peace March Initiative/"
[110] "!ny Delay Signing BS! Will be Damaging US and !fghanistan Civil Society," Tolonews,   accessed July 18, 2018, https://www.tolonews.com/afghanistan/any -delay-signing-bsa-will-be-damaging-us-and-afghanistan-civil-society.

GOVERNANCE ENVIRONMENT

5. GOVERNANCE ENVIRONMENT

0.08   -0.01   0.36[111]

2018   2017   2016
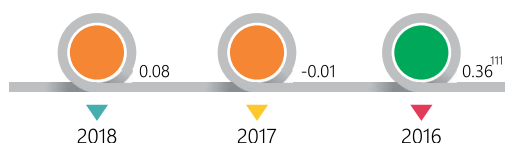
The governance environment index remains neutral but the corruption is still a major concern. Essential services for civil society such as electricity, mobile phone coverage and Internet are accessible for most NGOs but associations and more informal groups struggle. Coordination with government has also not improved as the involvement of civil society in aid coordination bodies and overall decision-making remains limited. Moreover, government corruption continues to be systemic and requires a concerted effort from the political establishment. A new Anti-Corruption Strategy has been welcomed by civil society and others, but the proposed strategy has several weaknesses and does not meet international standards.

5.1. ACCESS TO SERVICES

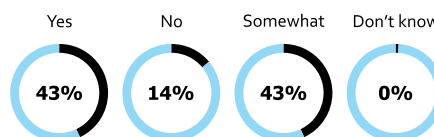0.43   0.32   0.71[112]

2018   2017   2016
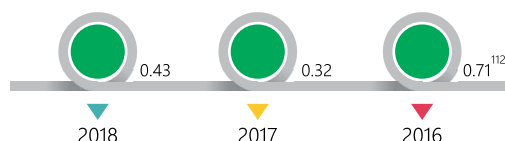
The access to services index is still supportive and has slightly increased from last year. The government invests heavily to improve access for the entire population with 89% having mobile phone coverage, 15% having access to Internet via mobile phone or broadband,[111] and 84% having access to electricity.[112] Mobile phone coverage has

spread widely and is the most accessible form of information technology.[113] If the data is accurate, the expansion of the electricity grid seems to be the most impressive as only around one third of the country had access in 2012.[114]. This data could, however, not be corroborated with another source, which is a reflection of the general problem with data availability and reliability in Afghanistan. Progress has been slow with expanding Internet access particularly in the rural areas as the government had a target to increase access to 80% by the end of 2018.[115] This can be explained by various factors such as insecurity, a low literacy rate, large populations living in rural areas, difficult access for network deployment, and a lack of Internet content available in Dari and Pashto.[116]

Do you have adequate physical infrastructure (office building, power, and telecommunication) to support the work of your organization?
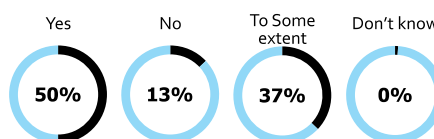
Yes	No	To Some extent	Don't know
50%	13%	37%	0%

Does the available resources facilitate the organization's process of conducting meetings, events etc.?

Yes	No	Somewhat	Don't know
43%	14%	43%	0%

How do lack of physical resources impact your work?

Positively	Negetively	Neutral	Don't know
15%	67%	17%	1%
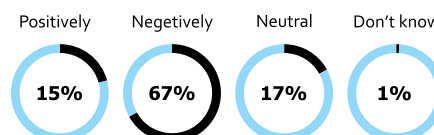
[111] "Telecom Statistics," !fghanistan Telecom Regulatory !uthority, accessed July 19, 2018,   http://atra.gov.af/en/page/telecom -statistics-2014.

[112] "!ccess to Electricity," World Bank, accesse d July 19, 2018, https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS .

[113] Based on personal experiences of the author working with Oxfam in Afghanistan until early 2018.

[114] !gnieszka Flak, " Electricity Reaches Only One in Three !fghans," Reuters, January 9, 2012, https://www.reuters.com/article/us -afghanistan-power/electricity-only-reaches-one-in-three-afghans-idUSTRE8080C920120109.

[115] "Most !fghans Will Have Internet !ccess in 2 Years. Officials," Tolonews, accessed July 19, 2018, https://www.tolonews.com/afghanistan/most -afghans-will-have-internet-access-2-years-officials.

[116] "Fostering Internet Usage in !fghanistan via Regulatory Measures," Internet Governance Forum, accessed on July 25, 2018, https://igf2017.sched.com/event/CTqw/fostering -internet-usage-in-afghanistan-via-regulatory-measures-of61.

The survey data of CSO members showed that 13% have no access to electricity, Internet or an office space and 37% have some access. 67% of the CSOs surveyed said that the lack of access to essential services had a negative impact on their work. CSOs from Kabul and Balkh had the best access to essential services, which is likely related to the relatively more developed infrastructure in these cities. The FGD data substantiated these findings as many participants mentioned that CSOs, especially associations and informal groups, do not have regular access to such services.[117] Depending on funding availability, CSOs rent an office, share an office, use their private home[118] or move into temporary office space offered by a community member[119] or business person.[120]

The cost of services like electricity, office space and Internet was mentioned as a barrier for accessing services.[121] Internet is considered to be relatively expensive compared to countries in the region,[122] whereas office space can be expensive in provincial capitals and electricity is generally seen as costly;[123] this is compounded by the increasing poverty in Afghanistan.[124] The lack of access to services has an impact on the functioning of CSOs and associations in particular. 14% of the interviewees stated to not have sufficient access to organize events and meetings, while 43% said to have somewhat sufficient access with no major differences between the surveyed provinces.

5.2. CORRUPTION
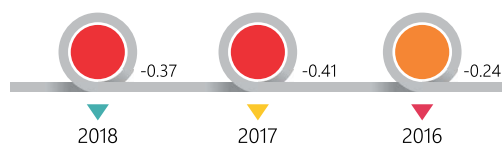
The corruption index is still restrictive as corruption remains entrenched within the government. There is no universally accepted definition of corruption. A common definition is "the abuse of entrusted power for private gain" formulated by Transparency International (TI).[125] A distinction is often made between so-called "grand" and "petty" corruption to distinguish between abuse at the highest level of government and everyday abuse of lower level public officials. Corruption is deemed to be "systemic" when it has become ingrained in an administrative system.[126] The various forms of corruption can be categorized as bribery, embezzlement and fraud/theft, extortion, abuse of function, favoritism and nepotism, improper political contributions, and creating or exploiting conflicting interests.[127] It is worth noting that while corruption is not considered to be exclusive to government affairs, the definitions used by anti-corruption agencies like TI and the UN explicitly refer to governments only and exclude other sectors.

Government corruption in Afghanistan is widespread. Afghanistan is currently ranked the fourth most corrupt country in the world with a

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117 This was mentioned in the FGDs of Samangan, Balkh, Bamyan, Kandahar, Nangarhar and Paktia.
118 This was mentioned in the FGD of Balkh.
119 This was mentioned in the FGD of Balkh.
120 This was mentioned in the FGD of Kandahar.
121 This was mentioned in the FGDs of Badakhshan, Bamyan and Kabul.
122 "Combined Project Information Documents," World Bank, accessed July 19, 2018, http://documents.worldbank.org/curated/en/475531518927896475/pdf/PIDISDS-APR-Print-P156894-02-17-2018-1518927888187.pdf.
123 Lida Naizi, "Kabul Residents Complain over Increase of Electricity Cost," *Ariana News*, December 25, 2016, https://ariananews.af/kabul-residents-complain-over-increase-of-electricity-cost-2/.
124 Rupam Jain, "!fghanistan's Poverty Rate Rises as Economy Suffers," *Reuters*, May 7, 2018, https://www.reuters.com/article/us-afghanistan-economy/afghanistans-poverty-rate-rises-as-economy-suffers-idUSKBN1I818X.
125 "What is Corruption?," Transparency International, accessed, July 20, 2018, https://www.transparency.org/what-is-corruption.
126 Peter Langseth, "UN Handbook on Practical !nti-Corruption Measures for Prosecutors and Investigators," *United Nations Office on Drugs and Crime*, September, 2004, 23.
127 Langseth, "UN Handbook," 24-29.

score of 15 out of 100 according to TI.[128] Corruption happens at all levels of government and in every sector. Corruption allegations have been reported on in the security, education, extractives and customs departments among others. In 2016, it was reported that a government official estimated that a shocking 63% of enlisted soldiers are "ghost" soldiers.[129] But the government denied this claim and launched a new biometric registration system in July last year to confirm the number of soldiers.[130] Similarly, there was a lot outrage when the new Minister of Education stated that the figure of 11 million children enrolled in school was actually 6 million, which was later adjusted by Ministry of Education staff to 9.1 million in early 2017.[131]

Another government department beset by corruption allegations is the Ministry of Mines and Petroleum. Evidence strongly suggests that illegal extractions and mismanagement of mining contacts are commonplace. The rejection of a reform-minded Minister by the Parliament in December last year has stalled the limited progress that was being made.[132] Furthermore, SIGAR estimated in 2014 that the government is losing half of its customs revenue to corruption.[133] A government official recently stated in May of this year that reforming customs policies to bring them in compliance with the World Customs

Organization Arusha Declaration[134] actually might take years, thereby contradicting government targets.[135] These four examples of government corruption illustrate how entrenched and systemic corruption is within the country.

Over the years the government has made substantial commitments to fight corruption, which dates back to the first Anti-Corruption Strategy that was released in 2008.[136] The government announced their new Anti-Corruption Strategy late last year, which was welcomed by civil society. It has, however, several weaknesses and does not meet international standards and best practices according to a SIGAR report. SIGAR asked the government to consider revising the strategy to tie its goals to clearly defined benchmarks with realistic deadlines, and to incorporate ministry and civil society feedback in the process. It also recommended to establish a permanent and fully independent anti-corruption organization in charge of oversight, coordination and implementation of anti-corruption initiatives in line with the UNCAC. The government agreed with all of SIGAR's recommendations except for establishing an independent anti-corruption entity.[137] Instead, the government decided to provide the Attorney General's Office, Administrative Reform and Civil Service

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[128] "!fghanistan," Transparency International, accessed July 20, 2018, https://www.transparency.org/c ountry/AFG.

[129] Lynne O'donnell and Mirwais Khan, "!fghan Forces Struggle as Ranks Thinned by 'Ghost' Soldiers," *Associated Press*, January 10, 2018, http://www.businessinsider.com/ap -afghan-forces-struggle-as-ranks-thinned-by-ghost-soldiers-2016-1?international=true&r=US&IR=T.

[130] Tamim Hamid, "Security Forces Use New Biometric Forces to Log Troops," *Tolonews*, July 8, 2018, https://www.tolonews.com/afghanistan/security -forces-using-new-biometric-program-log-troops.

[131] "Global Initiative on Out of School Children. !fghanistan Country Study," United Nation Children's Fund, accessed July 20, 20 18, https://reliefweb.int/sites/ reliefweb.int/files/resources/afg -report-oocs2018.pdf.

[132] "Parliament's Rejection of !cting Minister for Mines Prolongs the Theft of !fghanistan's Natural Resources," Global witness, accessed July 20, 2018, https://www.globalwitness.org/en-gb/press-releases/integrity-watch-afghanistan-and-global-witness-parliaments-rejection-acting-minister-mines-prolongs-theft-afghanistans-natural-resources/.

[133] "U/S/ Programs Have Had Some Successes, But Challenges Will Limit Customs Revenue as a Sustainable Source of Income for !fghanistan," Special Inspector General fo r Afghanistan Reconstruction, accessed on July 20, 2018, https://www.sigar.mil/pdf/audits/SIGAR -14-47-AR.pdf.
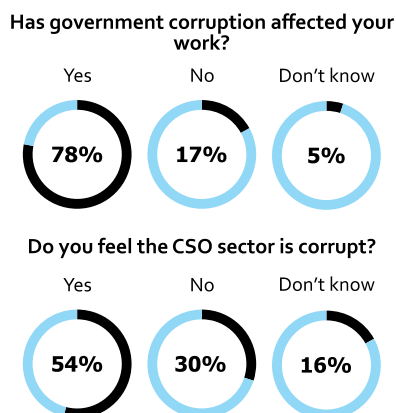
[134] This declaration of the World Customs Organization sets out rules concerni ng good governance and integrity in customs for its members.

[135] "!fghanistan's !nti -Corruption Efforts," Special Inspector General for !fghanistan Reconstruction, accessed on July 20, 2018, https://www.sigar.mil/pdf/audits/SIGAR -18-51-AR.pdf.

[136] Ibid.

[137] Ibid.

Commission and the High Council on Rule of Law and Anti-Corruption with the authority to respectively prosecute corruption, prevent corruption and coordinate anti-corruption efforts. However, none of these three agencies meet the UNCAC standards or UN Jakarta Principles for Anti-Corruption Agencies.[138]

Has government corruption affected your work?

Yes	No	Don't know
78%	17%	5%

Do you feel the CSO sector is corrupt?

| Yes	No	Don't know
54%	30%	16%

The survey's findings show that 78% of the CSOs feel that government corruption has affected their work with only small differences between the surveyed provinces. The FGD data corroborated this as different forms of corruption were mentioned by the participants. Bribery was often pointed out as something experienced by CSO members when dealing with government officials.[139] One participant from Balkh said the provincial Education department asked for 50,000 AFN when that person applied for a job, and a CSO member from Paktia shared that a government entity promised to give the CSO a large sum of money if they would not broadcast a report with sensitive information. Fraud cases were also cited by participants.[140] In one case a NGO representative from Samangan was invited by a government official who inquired if he could get a share of the money from the NGO's new project. In addition,

favoritism and nepotism was brought up many times by participants.[141] A case was shared of a government official putting his relatives on a beneficiary list for livelihood distribution by a NGO from Badakhshan. Another prevalent form of corruption is abuse of function as was highlighted by a NGO participant in Herat:

"I faced a problem with the Department of Economy head as he asked me to hire one of his colleagues. I told him that we don't need anyone at the moment. He responded by saying that this person will never physically be present in the office, you just need to add him to the [payroll] list."

In contrast with government corruption, civil society corruption is hardly reported on or investigated and is missing from the corruption literature. An astounding 54% of the CSO members surveyed – with no exception across the provinces – believed the civil society sector is corrupt. This perception has been a trend in the SEECA reports but it is difficult to substantiate as there is no information publicaly available on corruption within Afghan civil society. The FGD data only revealed one case where an employee of an international NGO asked a national NGO for a bribe of 35,000 USD in order to win a project which was rejected.[142]

5.3. COORDINATION WITH GOVERNMENT

2018	2017	2016
0.17	0.06	0.60
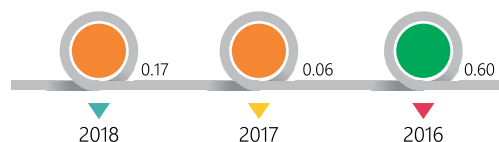
The coordination with government index remains neutral as little progress has been made since last

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[138] "NUG's Anti-Corruption Strategy: A Half-Hearted Attempt to Fight Corruption," Integrity Watch Afghanistan, accessed July 20, 2018, https://iwaweb.org/nugs-new-anti-corruption-strategy-a-half-hearted-attempt-to-fight-corruption/.
[139] This was mentioned in the FGDs of Samangan, Balkh, Bamyan, Kandahar and Paktia.
[140] This was mentioned in the FGDs of Bamyan, Samangan, Herat and Paktia.
[141] This was mentioned in the FGDs of Badakhshan, Balkh, Bamyan, Herat and Paktia.
[142] This was mentioned in the FGD of Bamyan.

year. Coordination with the government is complex as coordination can take many forms and also depends on the approaches used by civil society in their engagement with government entities. The confrontational and participatory approach, as explained in the background chapter, can be used in parallel or simultaneously by civil society and can be equally effective. The confrontational approach is often used by watchdogs like IWA and social movements such as the Helmand Peace March to make claims that *challenge* the government status quo. The participatory approach, on the other hand, is frequently used by civil society when in *compliance* with government policy. The analysis below will show that there are sometimes tensions between the two approaches, further complicating coordination with the government.

The government has taken initiatives to streamline coordination with civil society such as the establishment of a dedicated civil society focal point at the AOP two years ago.[143] Another potentially positive development is the recent MoEc-led initiative to develop a NGO Roadmap for 2019-2021, which should be finalized by September. The roadmap aims to better coordinate NGOs' efforts with the government. NGOs are part of the technical committee that develops the roadmap and the policy group that reviews and approves the roadmap together with government officials and major donors.[144] Despite these positive developments, strong coordination is still lacking as civil society networks continue to advocate with the MoEc, MoJ, AOP, MoF and the Office of the Chief Executive separately on specific issues.[145] There are also concerns within civil society

that the NGO roadmap will be used to assert more control over NGOs.[146] The rhetoric of President Ghani during the NGO conference in March acerbated these concerns by downplaying the contributions made by NGOs and calling for a unified budget for all NGOs.[147]

Coordination with the government in terms foreign aid is minimal. The three main government bodies for aid coordination are the Ministerial-level conferences, Senior Officials Meeting (SOM) and Joint Coordination and Monitoring Board (JCMB) in order of importance. For the last Ministerial-level conference in Brussels two years ago, a position paper was developed by Afghan civil society networks based on country-wide consultations to formulate recommendations. BAAG then hosted a side event for national and international CSOs to agree on a joint civil society statement before the start of the conference. A small group of ten Afghan civil society representatives presented this statement at the conference after being selected through an open competitive process facilitated by BAAG. There was also civil society participation in the latest SOM[148] and JCMB[149] meetings as representatives were invited to participate in discussions. For the last SOM, civil society also developed a position paper with recommendations.[150]

Do you feel your organization is treated as an equal in discussions with government bodies?

Yes	No	Neutral	Don't know
40%	24%	31%	5%

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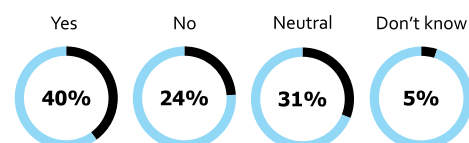
[143] Interview with senior member of the AOP via conference call, July 2018.
[144] Interview with senior government official of the MoEc in Kabul, June 2018.
[145] Interview with senior civil society member in Kabul, June 2018.
[146] Interview with senior civil society member in Kabul, June 2018.
[147] Zabihullah Jahanmal, "Ghani Says NGOs Will Have to Report to Govt," *Tolonews*, March 11, 2018, https://www.tolonews.com/business/ghani%C2%A0says -ngos-will-have-report-govt.
[148] "!fghanistan and International Community Host !nnual Development Meeting," United Nations !ssistance Mission in !fghanistan, accessed July 22, 2018, https://unama.unmissions.org/afghanistan-and-international-community-host-annual-development-meeting.
[149] "!fghan Government and Partners Review Development Progress and Challenges," United Nations !ssistance Mission in Afghanistan, accessed July 22, 2018, https://unama.unmissions.org/afghan-government-and-partners-review-development-progress-and-challenges.
[150] "Civil Society Position Paper on the Occasion of the Senior Officials Meeting," Integrity Watch !fghanistan, accessed July 22 , 2018, https://iwaweb.org/civil-society-position-paper-on-the-occasion-of-the-senior-officials-meeting/.

Are you satisfied with your relationship with the government?

Yes   Don't know

62%   **33%**   **5%**

Does the state facilitate the development of the civil society sector and its participation in policy-making

Yes   No   don't know

47%   **45%**   **8%**
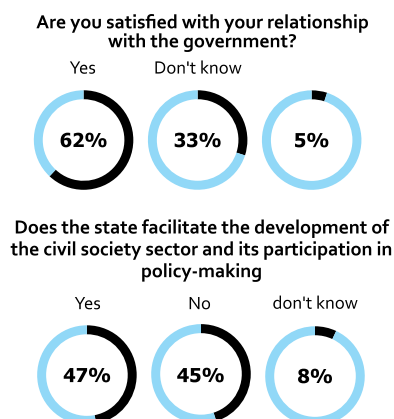
Beyond aid coordination, civil society involvement in government planning, budgeting, service delivery and oversight varies across Ministries and provinces. The survey data suggests that incremental progress is being made overall. 62% of CSOs surveyed were satisfied with their relationship with the government compared to 55% in 2017. 47% of the CSOs, an 11% increase, believed that the state facilitates civil society participation in policy-making, while 40% of the CSOs felt treated as equals in discussions with the government which is 5% more than last year. This aligns with the views of government officials as 35% feel an obligation to consider the opinion of civil society in decision-making. The FGD data, interviews with senior civil society members and secondary data also provide glimpses of progress, accompanied with signs of stagnation. The CSO participants in Kandahar province had the most negative view of relations with the government while CSOs from Nangarhar had the most positive view.

Civil society involvement in the planning and budgeting processes does not seem to have improved in the last year. A recent report concluded that there is still no mechanism to facilitate people's participation in the budget process as individual citizens nor civil society were consulted in selecting development projects.[151] It is not clear to what extent the Provincial Development Committees, a key mechanism for citizen engagement in the planning process, have opened up to regular civil society participation in their meetings. The government also lacks the legal framework to provide provincial departments the required authority to incorporate citizens' input,[152] and key policy documents such the Provincial Budgeting Policy and the Sub-National Governance Policy are either still in the pilot phase[153] or awaiting Presidential approval.[154]

In terms of service delivery and oversight, there is a level of coordination between government officials and civil society representatives at both the national and provincial level. The FGD data shows that meetings with the MoEc, MoJ, other departments and the Governor are organized, but are not always planned in a coherent[155] or ethical manner.[156] Many participants said that CSOs are not regularly invited to meetings without receiving a clear justification. Several CSOs in Paktia said you need connections to partake in meetings, while CSOs in Badakhshan and Samangan thought that CSOs are not invited if they criticize the government. This suggests that the so-called watchdog role of CSOs is not always appreciated by government entities. CSOs in Bamyan and Samangan also questioned whether their input to encourage positive changes was taken into consideration by government officials. These experiences from CSOs highlight the need for a more coherent, structured and transparent approach for consultations with civil society.

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[151] Sayed Ikram !fzali and Mohammad Naser Timory, "The Game of Numbers. !nalysis of the National Budget 2018," *Integrity Watch Afghanistan*, December, 2017, 19-20.

[152] Ibid.

[153] Ibid., 21-22.

[154] "Quarterly Report to the US Congress !pr 30 2018," Special Inspector General for !fghanistan Reconstruction, accessed on July 22, 2018, https://www.sigar.mil/ pdf/quarterlyreports/2018-04-30qr.pdf.
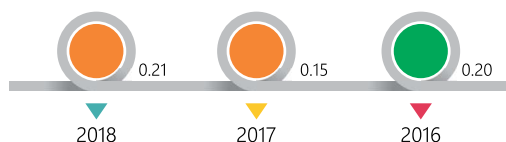
[155] This was mentioned in the FGDs of Badakhshan, Samangan, Balkh and Bamyan.

[156] This was mentioned in the FGDs of Badakhshan, Samangan, Balkh, Bamyan and Paktia.

OPERATIONAL ENVIRONMENT

6. OPERATIONAL ENVIRONMENT

0.21 2018
0.15 2017
0.20 2016

The operational environment index remains neutral this year because of persistent concerns over financial sustainability. Most CSOs felt that they do not have sufficient funds to operate and need to adjust their strategies to match donor requirements in order to access funding. This donor dependency was considered to be an issue by both CSOs and beneficiaries because it prevents projects from being completely needs-based. Despite these concerns, the MoEc data suggests that the overall financial situation for NGOs specifically has not changed dramatically over the last few years. The organizational capacity of CSOs remains supportive as CSOs generally believed that their capacity is sufficient. However, the AICS database and FGD data also showed that capacity gaps still need to be addressed.

6.1. FINANCIAL SUSTAINABILITY

-0.11 2018
-0.16 2017
0.06 2016
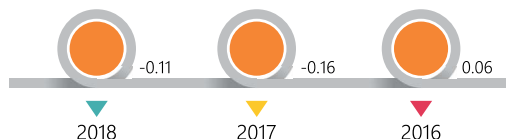
The financial sustainability index is again neutral this year, as CSOs were still concerned over their financial situation. There is no agreed definition of financial sustainability, but the expert NGO Mango uses the following simple definition: "an organization is financially sustainable if its core work will not collapse, even if external donor funding is withdrawn". According to Mango, the key indicators for financial sustainability are developing and maintaining strong stakeholder

relationships, diversifying funding sources including unrestricted funds, building financial reserves, and managing risks and overhead costs.[157] Achieving financial sustainability thus requires a multi-pronged approach.

Have you adjusted your strategy to match the requirements for accessing funding?
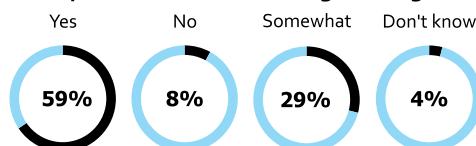
Yes	No	Somewhat	Don't know
59%	8%	29%	4%

Does your organization have sufficient fund to operate?

Yes	No	Don't know
43%	55%	2%

Does your organization have diversified source of income?

Yes	No	Don't know
27%	71%	2%

Does your organization face cash-flow issues?

Yes	No	Sometimes	Don't know
56%	12%	31%	1%
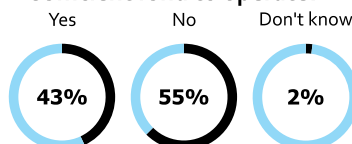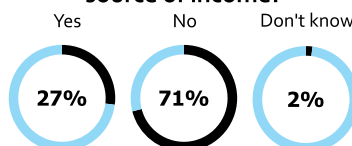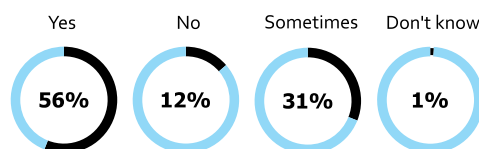
The survey findings – with no substantial differences between the provinces – highlight the financial precariousness that many CSOs experience with 55% of the CSOs stating to not have sufficient funds to operate. 71% of the CSOs mentioned that they do not have diverse sources of income, and 56% expressed having cash-flow

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[157] "Financial Sustainability," Mango, accessed July 23, 2 018, https://www.mango.org.uk/guide/financialsustainability.

issues. The majority of CSOs surveyed, 59%, felt they need to adjust their strategies to match donor requirements in order to access funding and 29% felt somewhat inclined to make adjustments. The survey data findings are corroborated by the FGD data as CSOs, NGOs in particular, felt that they are not financially sustainable.[158] Some FGD participants said that donor dependency makes it difficult for CSOs to ensure their activities are needs-based and aligned with their mission.[159] This can be explained by the preference of many donors for restricted funds that are allocated for specific projects based on donor objectives.

Unlike NGOs, members of associations shared that they mostly rely on membership fees and rarely apply for projects.[160] Some of them said that they cover expenses of the association's activities out of their own pocket.[161] A barrier for associations is that they are more restricted in diversifying their income compared to NGOs. Traditional civil society, with the exception of CDCs, and social movements tend to rely on community donations, in-kind contributions and volunteers rather than financial support. The Helmand Peace March is an example of this as they marched for more than 700 kilometers relying on the hospitality of local communities to provide shelter, food and first aid.[162] A CSO participant from Bamyan gave another example, demonstrating the community support for social movements:

"It can't be expected from people to donate to CSOs because Bamyan people are poor. However, in some instances, like the Enlightenment Movement, they have donated by providing food, transport vehicles and other expenditures."

According to the MoEc data, the overall financial situation of NGOs specifically has not changed dramatically in the last three years, which contradicts with the survey and FGD data. International and national NGOs spent 820 million USD in 2015,[163] 853 million USD in 2016[164] and the MoEc expects a similar amount for 2017 (the final report is yet to be completed).[165] In addition, the share of international NGOs in spending decreased from 71% in 2015 to 66% in 2016, and the MoEc does not anticipate a change in 2017.[166] NGO spending has been concentrated in Kabul province as it represented 35% and 34% of all expenditures from the 34 provinces in 2016 and 2015 respectively.[167] The number of registered NGOs has been stable as well: there were 1,869 national NGOs and 273 international NGOs in 2015[168] compared to 1,912 national NGOs and 178 international NGOs in July 2018.[169]

The consistency in NGO spending figures and registration numbers begs the question why CSO concerns over financial sustainability persist. One explanation could be that the donors' decreased tolerance for fiduciary risks[170] led to more funding going to larger, more well-established NGOs and consortia based in Kabul while smaller NGOs lost

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[158] This was mentioned in the FGDs of Badakhshan, Samangan, Balkh, Bamyan, Kabul and Paktia.

[159] This was mentioned in the FGD of Nangarhar.

[160] This was mentioned in the FGDs of Badakhshan, Bamyan, Kabul and Kandahar.

[161] This was mentioned in the FGDs of Nangarhar, Paktia, Balkh and Kandahar.

[162] "!fghanistan's March for Peace from Lashkar Gah to Kabul," *British Broadcasting Corporation*, accessed July 23, 2018, https://www.bbc.com/news/world-asia-44502443.

[163] Hakim Gul !hmadi, "!nnual !ctivities Report of Non -Governmental Organizations 1394," *Ministry of Economy*, 2016, 5.

[164] !hmadi, "NGO Operations in !fghanistan," 11/

[165] Interview with senior government official of MoEc in Kabul, June 2018.

[166] Interview with senior government official of MoEc in Kabul, June 2018.

[167] !hmadi, "NGO Operations in !fghanistan," 12/

[168] Ibid., 4.

[169] "NGO Database/"

[170] Based on conversations with the Australian Embassy and Dutch Embassy in 2018 and 2017 when the author worked for Oxfam in Afghanistan.

funding. The NGO data suggests that this explanation might be accurate as spending is heavily concentrated in Kabul province. This overrepresentation of NGO expenditures in Kabul can partially be attributed to misreporting of the MoEc by not showing expenses proportionally across the provinces where NGOs work.[171] Based on the available data, it is currently not possible to determine to what extent spending is concentrated in Kabul and if this is a new trend or has been a characteristic of foreign aid in Afghanistan for a longer period of time. A similar analysis could not be made for associations due to the lack of MoJ data.

6.2. ORGANIZATIONAL CAPACITY

0.52   0.46   0.35
2018   2017   2016
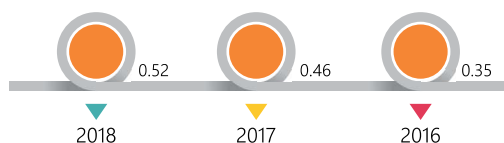
The organizational capacity index remains supportive as CSO members generally believed their capacity is sufficient. There are different ways to assess the organizational capacity of civil society depending on the specific laws and regulations. AICS developed an assessment tool for registered CSOs based on international best practice and the local Afghan context to identify capacity gaps. The five main criteria are: internal governance and strategic planning; project management and program delivery; financial management; external relations, communications and outreach; and human resources. Once the gaps are identified, AICS supports CSOs to address them including referral to capacity building providers. CSOs are then certified if they meet the minimum standards. AICS also developed a second assessment tool customized for smaller and more rural CSOs

registered with local authorities to address their specific needs.

In addition to AICS there are various capacity building initiatives for CSOs in the country. ACBAR has its own humanitarian Twinning program since 2015. This program aims to pair national NGOs with international NGOs to provide mentoring and guidance to their Afghan counterparts on institutional management, humanitarian practices and strategy.[172] Many international NGOs have their own due diligence assessments, which they use to manage risk and build the operational capacity of their core partners. Oxfam Novib, for example, uses a model called RAMON that is conducted on an annual basis and is followed up by a customized capacity building plan.[173] Most donors also have rigorous due diligence processes, but they focus more on assessing fiduciary risks before projects are awarded instead of building capacity.

Does your organization require technical assistance from outside in order to complete regular tasks?

Yes   No   Sometimes   Don't know
62%   14%   24%   0%

Do you have the professional (human resource, financial, logistic, and technical) capacity to achieve your objectives?

Yes   No   To some extent   Don't know
47%   11%   42%   0%
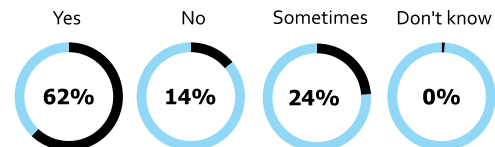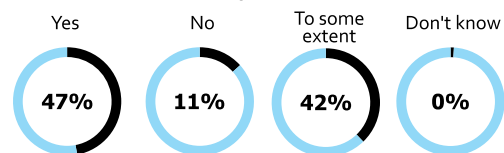
The survey findings – with no substantial differences between the provinces – show that 62% of CSOs felt they need technical assistance in order

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[171] Interview with senior civil society member in Kabul, June 2018.

[172] "Humanitarian Twinning Program," !gency Coordinating !fghan Relief and Development, accessed, July 24, 2018, http://www.acbar.org/page/7.jsp?title=Humanitarian -Twinning-Program.

[173] "How Does Oxfam Novib Ensure Integrity," Oxfam Novib, accessed July 24, 2018, https://www.oxfamnovib.nl/kenniscentrum/blog - kenniscentrum/how-does-oxfam-novib-ensure-integrity.

to complete regular tasks and 24% felt they need it sometimes. In addition, 47% of the surveyed CSOs believed they have the professional capacity to achieve their objectives and 42% believed they have it to some extent. The FGD data highlights some of the capacity gaps among CSOs. In line with previous years, many CSOs shared that the capacity of CSOs varies a lot with project design, fundraising, donor reporting, financial management, community outreach and project management identified as key gaps.[174] A CSO member from Balkh, for example, mentioned that some CSOs actually implement good activities but are not able to write strong proposals or produce high quality donor reports.

The AICS database contains information of 56 CSOs that have been assessed since 2016 and allows for identifying trends in the CSOs' capacity. The database is, however, too small at the moment to draw any conclusions that can be applied to CSOs in general. Many of the trends found in the database are not surprising considering the current CSO landscape in Afghanistan. First, the database shows that CSOs with more financial means pass the initial eligibility test more often. 73% of the assessed CSOs are considered "large" according to the AICS threshold. It can therefore be inferred that larger CSOs are more likely to meet minimum capacity standards. Second, 40% of the CSOs in the database are from Kabul province and other CSO hubs like Nangarhar, Herat, Balkh, and Kandahar have large representations as well. This can be explained by the concentration of CSOs in large cities. Nonetheless, CSOs from all 34 provinces have been assessed for certification with the lowest number being three.
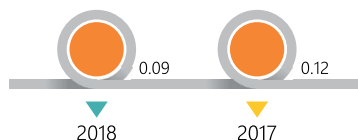
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[174] This was mentioned in the FGDs of Samangan, Balkh, Bamyan and Kabul.

SECURITY ENVIRONMENT

7. SECURITY ENVIRONMENT

7.1. RISKS FOR IMPLEMENTATION


0.09   0.12

2018   2017

The security environment index includes only one sub-indicator and was added to the SEECA report for the first time last year. The index remains neutral despite a deteriorating security situation. This can be explained by the index questions as they focus only on the areas where CSOs work and these are generally more secure. In Afghanistan, civil society has to mitigate against a number of security risks posed by a variety of groups and actors when implementing activities. These risks can affect the ability of civil society to access certain areas, work on issues considered sensitive, and ensure personal safety.

The security situation for civilians continues to deteriorate as the latest figures from UNAMA show record high casualties among the civilian population. In the first six months of 2018, the killing of civilians was higher than at any comparable time over the last ten years since keeping records. UNAMA attributed 67% of all civil casualties to armed opposition groups and 20% to pro-government forces, with the remainder being attributed to joint fighting and other groups. It is extremely concerning that casualties from attacks by armed opposition groups that deliberately target civilians increased by 28% compared to last year. There was also a 22% rise in civil casualties

from suicide and complex attacks compared to the same period last year. In addition, pro-government forces were responsible for a 52% increase in civilian casualties from aerial attacks.[175]

Despite the deteriorating security, an unprecedented temporary ceasefire between the government and Taliban in June this year lifted hopes for the cessation of fighting and the start of peace talks. It showed a deep yearning among all Afghans for peace, a willingness among the government, Taliban and international forces to make compromises, and an ability of all sides to discipline their rank and file.[176] The ceasefire coincided with the remarkable Helmand Peace Initiative that inspired a nationwide movement as earlier discussed. The continuing sit-ins of Helmand Peace marchers at Embassies in Kabul are proof of the determination of this new movement for peace.[177]

How would you rate the security of your local environment for the CSOs' activities?
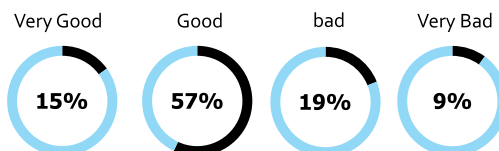
Very Good	Good	bad	Very Bad
15%	57%	19%	9%

Does the security situation restricts your access to different geographical location/ areas?

Yes	No	somewhat	Don't know
45%	14%	40%	1%

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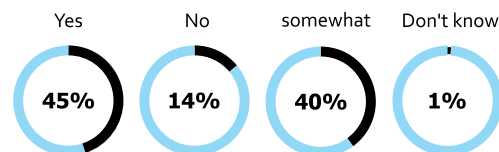
[175] "Mid Year Update on the Protection of Civilians in !rmed Conflict," United Nations !ssistance Mission in Afghanistan, accessed on July 24, 2018, https://unama.unmissions.org/sites/default/files/unama_poc_midyear_update_2018_15_july_english.pdf.

[176] "Building on !fghanistan's Fleeting Cease fire," International Crisis Group, accessed on July 25, 2018, https://www.crisisgroup.org/asia/south-asia/afghanistan/298-building-afghanistans-fleeting-ceasefire.

[177] Nabila !shrafi, "Peace !ctivists to Send 'Bloodstained' Letter to UN," *Tolonews*, July 24, 2018, https://www.tolonews.com/afghanistan/peace-activists-send-%E2%80%98bloodstained%E2%80%99-letter-un.

Does your organization face any level of threat in the past year?

Yes	No	Don't know
32%	66%	2%

Is the environment secure for CSO staff and members?

Yes	No	Don't know
68%	29%	3%
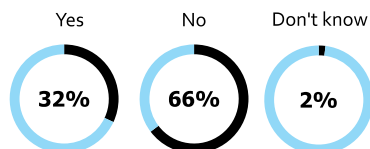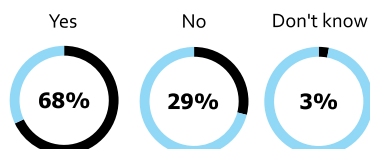
The survey data shows that security in areas where CSOs currently work is described as very good (15%) and good (57%) by the respondents with 68% stating it is safe for staff. But 45% of the CSOs felt restricted, while 40% felt somewhat restricted, to work in other areas due to security concerns; 32% of CSOs also indicated that they faced threats in the last year. Bamyan was the only province where security was generally perceived as very good or good. The FGD data corroborated the survey findings. Many CSOs shared that they consider districts less safe than the provincial capitals where they mostly work – with the exception of Kabul city.[178] In addition, almost all CSO participants – women in particular[179] – mentioned to have received threats at some point in the last few years from insurgent groups, government officials, criminal gangs or religious leaders.[180]

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[178] This was mentioned in the FGDs of Badakhshan, Samangan, Balkh and Paktia.
[179] This was mentioned in the FGDs of Badakhshan, Bamyan and Kandahar.
[180] This was mentioned in the FGDs of Badakhshan, Balkh, Bamyan, Kabul, Herat and Paktia.

RECOMMENDATIONS

8. RECOMMENDATIONS

There is a consistency in the index results and the key issues addressed in all iterations of the SEECA report. In line with previous years, the lowest scoring sub-indicators were freedom of information (-0.56), corruption (-0.37) and financial sustainability (-0.11), while the highest scoring indicators were community relations (0.80), freedom of expression (0.57) and organizational capacity (0.52). This shows that many issues are protracted and require a concerted effort from the government, donors and civil society. AICS therefore formulated actionable recommendations for these stakeholders. Most of these recommendations, however, are not novel ideas but a reiteration of suggestions put forward by other civil society actors. The challenge is not the lack of ideas or effective measures but the political will and capacity to implement them. This is the complete list of recommendations:

GOVERNMENT
ADMINISTRATIVE OFFICE OF THE PRESIDENT

- Prioritize and allocate sufficient resources for implementation of the 2017-2020 national strategy developed by the Oversight Commission on Access to Information;
- Establish a fully independent anti-corruption organization in charge of oversight, coordination and implementation of anti-corruption initiatives in line with the UN Convention Against Corruption and Jakarta Principles for Anti-Corruption Agencies;
- Expand the authority of the Office's Civil Society Focal Point to improve government-wide coordination with different civil society coordination bodies;
- Create a coherent and transparent structure for coordination with civil society at the provincial level across Ministries and the Governors' Offices by reinforcing civil society participation in regular meetings such as the Provincial Development Committees;
- Streamline civil society involvement in government policy-making by growing civil society coordination networks' membership of key decision-making bodies such as the Ministerial Conferences, Senior Officials Meetings and Joint Coordination and Monitoring Board meetings;
- Improve protection of the freedom of expression and freedom of assembly by taking appropriate disciplinary or legal action against government employees for misconduct as highlighted by organizations such as the Afghan Journalists Safety Committee;

MINISTRY OF ECONOMY

- Expedite the revision process of the NGO Law and the accompanying implementation mechanism to streamline coordination with NGOs;
- Improve monitoring of NGOs and the online reporting mechanism to mitigate against corruption within the Ministry;
- Ensure that the new NGO Roadmap 2019-2021 is developed in the spirit of equal partnership instead of control over NGO resources and strategies;

MINISTRY OF JUSTICE

- Amend the Law on Gatherings, Strikes and Demonstrations that was passed by Presidential Decree in consultation with civil society to address concerns over restrictions on the freedom of assembly;
- Secure resources to develop an electronic and publically available database for the registration of associations to smoothen the registration and reporting process;
- Publish an annual report similar to the NGO Report with detailed information including the number of registered associations, a breakdown of expenditures per province and actions to address internal problems;

MINISTRY OF FINANCE

- Develop a comprehensive mechanism to facilitate participation of individual citizens and civil society in the budget process including selecting development projects at both the provincial and national level;
- Consider a partial or total amnesty for the back-log of CSOs' taxes covering the fiscal years 2002-2017 since they do not have sufficient funds to pay for this due to the nature of donor funding;

CIVIL SOCIETY
CSO COORDINATION NETWORKS

- Formulate an action plan to support CSOs with developing income generating activities to diversify sources of income and reduce donor dependency;
- Develop some form of self-regulatory mechanism to identify and tackle corruption within civil society which could be similar to the AICS certification model;

- Cooperate with the government and international donors to establish a permanent secretariat for the Civil Society Joint Working Group to improve their effectiveness;
- Advocate for growing the civil society coordination networks' membership of key government decision-making bodies such as the Ministerial Conferences, Senior Officials Meetings and Joint Coordination and Monitoring Board meetings;

CIVIL SOCIETY ORGANIZATIONS

- Develop income generating activities to diversify sources of income and reduce donor dependency in cooperation with CSO coordination networks;
- Re-define civil society as a *space* that includes traditional civil society and social movements instead of only organizations registered with the government.

INTERNATIONAL DONORS

- Increase funding modalities that are multi-year and not solely project-based such as the National Solidarity Program to fund programs centered on community needs instead of donor objectives alone;
- Considering funding the Civil Society Joint Working Group to empower them and make them more effective while not excluding other civil society coordination bodies;
- Pro-actively consult civil society during the development of multi-year strategies and programs to better reflect on-the-ground realities and prioritize needs like the European Union Delegation has done with its Roadmap for Engagement with Civil Society;
- Re-define civil society as a *space* that includes traditional civil society and social

movements instead of just organizations registered with the government;

- Support the "confrontational" approach used by civil society such as the Helmand Peace March that challenges the

government and international community on key issues;

- Pressurize the government to prevent national security interests from threatening civic space rights, especially the freedom of expression and freedom of assembly.

ACRONYMS

ACBAR	*Agency Coordinating Body for Afghan Relief and Development*
AFN	*Afghanis (currency)*
AICS	*Afghanistan Institute for Civil Society*
AOP	*Administrative Office of the President*
BAAG	*British & Irish Agencies Afghanistan Group*
CDC	*Community Development Council*
CSJWG	*Civil Society Joint Working Group*
CSO	*Civil Society Organization*
FGD	*Focus Group Discussion*
ICNL	*International Center for Not-for-Profit Law*
IWA	*Integrity Watch Afghanistan*
JCMB	*Joint Coordination and Monitoring Board*
KII	*Key Informant Interview*
MoEc	*Ministry of Economy*
MoF	*Ministry of Finance*
MoJ	*Ministry of Justice*
MoU	*Memorandum of Understanding*
NGO	*Non-Governmental Organization*
NSP	*National Solidarity Program*
OCAI	*Oversight Commission on Access to Information*
SEECA	*State of the Enabling Environment for Civil Society in Afghanistan*
SIGAR	*Special Inspector General for Afghanistan Reconstruction*
SOM	*Senior Officials Meeting*
TI	*Transparency International*
UN	*United Nations*
UNAMA	*United Nations Assistance Mission in Afghanistan*
UNCAC	*United Nations Convention Against Corruption*
UNOCHA	*United Nations Office for the Coordination of Humanitarian Affairs*
USAID	*United States Agency for International Development*
USD	*United States Dollar (currency)*

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ANNEX A: NOTE ON METHODOLOGY

The analytical framework for measuring the enabling environment of civil society was changed to improve its logic and structure.

Regarding the first indicator, legal environment, the word "framework" was replaced by "environment" to align it more with the other indicators. The sub-indicators "registration" and "taxation" were placed under "freedom of association & assembly" since registration and taxation are legal requirements for organizations registered with the government.

The socio-cultural environment indicator was quite drastically changed to make it more coherent. The sub-indicators "community support" and "representation" merged into the new sub-indicator "community relations" as that is a more fitting description. The sub-indicator "access to resources" was renamed "access to services" and put under the governance environment as it mostly relates to public services. The sub-indicators "professionalization" and "advocacy" became part of the new "organizational capacity" sub-indicator since they were more related to the organizational level. Some questions of the "professionalization" sub-indicator were used for the new sub-indicator "civil society coordination" since they were related to this topic.

The "service provision" and "facilitation" sub-indicators of the governance environment were put under the new sub-indicator "coordination with government" as they both constitute elements of coordination. The "corruption" sub-indicator now also includes parts of the "transparency" sub-indicator with the question on access to information being used for the legal environment.

The operational environment is a new indicator to analyze the operational issues. The new sub-indicator "financial sustainability" is a merger of the "funding process" and "financial independence" sub-indicators. The new sub-indicator "organizational capacity", as mentioned, include the sub-indicators "professionalization" and "advocacy" that were previously under the socio-cultural environment.

The security environment now has just one sub-indicator called "risks for implementation", which is a merger of the "geographical access", "implementation of the program/projects", "threats" and "personal safety" sub-indicators. There was a lot of overlap between these sub-indicators without substantial differences, hence the decision to merge them.

ANNEX B: SURVEY DATA

1. LEGAL ENVIRONMENT

Freedom of Expression

27. Are your female colleagues able to speak freely and publically about the subjects on which you work?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	83%	93%	94%	75%	24%	78%	84%	74%	74%
No	1%	2%	1%	15%	18%	7%	0%	2%	2%
Somewhat	15%	2%	5%	1%	27%	8%	10%	22%	22%
Don't know	1%	3%	0%	9%	31%	7%	6%	2%	2%

Freedom of Association & Assembly

28. Can you freely form or join any organization?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	71%	79%	81%	98%	51%	69%	65%	76%	82%
No	5%	12%	6%	1%	6%	19%	12%	2%	4%
To some extent	22%	6%	13%	1%	42%	12%	23%	22%	12%
Don't know	2%	3%	0%	0%	1%	0%	0%	0%	2%

35. Is your tax exemption status respected?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	46%	45%	27%	45%	87%	24%	35%	14%	49%
No	40%	43%	58%	51%	8%	39%	51%	60%	31%
Don't know	14%	12%	15%	4%	5%	37%	14%	26%	20%

Freedom of Information

72. Is it difficult to receive/ access information from the government?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	70%	76%	78%	50%	57%	70%	53%	64%	51%
No	9%	15%	4%	21%	10%	5%	12%	7%	8%
Neutral	20%	7%	17%	28%	33%	25%	33%	17%	37%
Don't know	1%	2%	1%	1%	0%	0%	2%	12%	4%

2. SOCIO-CULTURAL ENVIRONMENT

Community Relations

44. Do you involve the community you work with in your decision-making process?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	57%	81%	54%	90%	64%	85%	67%	55%	82%
No	3%	2%	6%	3%	9%	3%	8%	2%	2%
Sometimes	40%	16%	40%	7%	27%	12%	21%	43%	16%
Don't know	0%	1%	0%	0%	0%	0%	4%	0%	0%

Civil Society Coordination

50. Do you have coordination meetings with CSO working on similar areas?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	65%	93%	85%	98%	69%	85%	80%	64%	80%
No	4%	1%	7%	0%	2%	0%	0%	1%	4%
Sometimes	31%	6%	8%	2%	29%	13%	20%	33%	16%
Don't know	0%	1%	0%	0%	0%	2%	0%	0%	0%

51. How is your relationship with other CSOs?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Strong	69%	94%	67%	83%	67%	81%	78%	74%	84%
Weak	8%	2%	10%	0%	1%	2%	8%	7%	2%
Neutral	22%	3%	23%	17%	32%	17%	12%	17%	14%
Don't know	1%	1%	0%	0%	0%	0%	2%	2%	0%

52. Do you think coordination with other CSOs is important?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	92%	99%	98%	100%	97%	95%	100%	100%	100%
No	0%	0%	0%	0%	0%	2%	0%	0%	0%
Neutral	8%	1%	1%	0%	3%	3%	0%	0%	0%

53. Is your organization a member of a CSO network?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	44%	61%	52%	86%	84%	58%	58%	81%	61%
No	55%	35%	45%	8%	16%	37%	37%	7%	27%
Don't know	1%	4%	3%	6%	0%	5%	5%	12%	12%

56. Do you feel your organization is treated as an equal in discussions with international organizations?

	Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Yes	39%	27%	31%	16%	14%	20%	33%	7%	39%
No	10%	33%	37%	70%	45%	27%	18%	36%	10%
Somewhat	37%	8%	20%	12%	35%	21%	43%	19%	37%
Don't know	14%	32%	12%	2%	6%	32%	6%	38%	14%

		3. GOVERNANCE ENVIRONMENT								

					organization?					
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Access to Services	Yes	61%	64%	79%	44%	13%	22%	18%	43%	47%
	No	6%	16%	4%	26%	22%	8%	19%	19%	20%
	To Some extent	32%	20%	17%	30%	65%	70%	63%	38%	33%
	Don't know	1%	0%	0%	0%	0%	0%	0%	0%	0%
	37. Does the available resources facilitate the organization's process of conducting meetings, events etc.?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	50%	56%	54%	36%	19%	24%	24%	52%	35%
	No	9%	22%	9%	27%	12%	15%	25%	17%	10%
	Somewhat	41%	22%	37%	37%	69%	61%	51%	29%	53%
	Don't know	0%	0%	0%	0%	0%	0%	0%	2%	2%
	38. How do lack of physical resources impact your work?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Positively	2%	2%	3%	0%	1%	20%	68%	10%	2%
	Negatively	82%	93%	51%	94%	87%	78%	14%	52%	82%
	Neutral	16%	2%	45%	6%	12%	2%	16%	21%	16%
	Don't know	0%	3%	1%	0%	0%	0%	2%	17%	0%
	69. Has government corruption affected your work?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Corruption	Yes	82%	72%	82%	83%	76%	81%	65%	67%	70%
	No	16%	25%	13%	16%	13%	14%	25%	14%	16%
	Don't know	2%	3%	5%	1%	11%	5%	10%	19%	14%
	70. Do you feel the CSO sector is corrupt?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	58%	56%	66%	35%	36%	59%	47%	50%	61%
	No	26%	23%	22%	64%	53%	22%	22%	12%	18%
	Don't know	16%	21%	12%	1%	11%	19%	31%	38%	21%
	66. Do you feel your organization is treated as an equal in discussions with government bodies?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	36%	43%	47%	70%	7%	52%	47%	41%	51%
	No	25%	30%	23%	6%	50%	19%	16%	21%	6%
	Neutral	35%	16%	27%	24%	40%	29%	31%	19%	37%
	Don't know	4%	11%	3%	0%	3%	0%	6%	19%	6%
	67. Are you satisfied with your relationship with the government?									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Coordination with Government	Yes	78%	64%	76%	91%	49%	81%	78%	74%	74%
	No	16%	33%	23%	9%	40%	19%	16%	14%	16%
	Don't know	6%	3%	1%	0%	11%	0%	6%	12%	10%
	73. Does the state facilitate the development of the civil society sector and its participation in policy-making									
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	43%	28%	47%	94%	37%	46%	45%	29%	63%
	No	50%	65%	46%	6%	56%	46%	41%	31%	25%
	Don't know	7%	7%	7%	0%	7%	8%	14%	40%	12%

4. OPERATIONAL ENVIROMENT									
	81. Have you adjusted your strategy to match the requirements for accessing funding?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Financial Sustainability	Yes	53%	75%	73%	64%	54%	75%	33%	50%	69%
	No	9%	6%	9%	20%	5%	0%	6%	5%	2%
	Somewhat	36%	14%	13%	16%	38%	22%	45%	33%	25%
	Don't know	2%	5%	5%	0%	3%	3%	16%	12%	4%
	82. Does your organization have sufficient fund to operate?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	45%	41%	58%	37%	52%	29%	33%	19%	37%
	No	54%	55%	40%	63%	48%	69%	63%	67%	61%
	Don't know	1%	4%	2%	0%	0%	2%	4%	14%	2%
	83. Does your organization have diversified source of income?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	29%	27%	24%	40%	10%	20%	35%	14%	33%
	No	70%	71%	75%	60%	90%	80%	57%	72%	67%
	Don't know	1%	2%	1%	0%	0%	0%	8%	14%	0%
	85. Does your organization face cash-flow issues?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	60%	67%	35%	80%	35%	81%	39%	31%	59%
	No	9%	17%	12%	11%	17%	0%	10%	26%	14%
	Somewhat	31%	16%	52%	9%	48%	19%	49%	29%	27%
	Don't know	0%	0%	1%	0%	0%	0%	2%	14%	0%
Organizational Capacity	47. Does your organization require technical assistance from outside in order to complete regular tasks?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	60%	25%	71%	68%	40%	86%	59%	41%	84%
	No	9%	57%	7%	31%	23%	9%	8%	14%	4%
	Sometimes	30%	18%	21%	1%	37%	5%	31%	45%	12%
	Don't know	1%	0%	1%	0%	0%	0%	2%	0%	0%
	48. Do you have the professional (human resource, financial, logistic, and technical) capacity to achieve your objectives?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	49%	56%	61%	66%	11%	44%	16%	33%	71%
	No	6%	12%	3%	5%	38%	7%	17%	24%	2%
	To Some Extent	45%	32%	36%	29%	51%	49%	61%	41%	25%
	Don't know	0%	0%	0%	0%	0%	0%	6%	2%	2%

5. SECURITY ENVIROMENT									
	88. How would you rate the security of your local environment for the CSOs' activities?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
Risks for Implementation	Very Good	7%	9%	8%	44%	14%	10%	55%	2%	18%
	Good	43%	44%	80%	48%	83%	76%	43%	91%	70%
	Bad	35%	22%	12%	8%	3%	10%	2%	2%	2%
	Very Bad	15%	25%	0%	0%	0%	4%	0%	5%	8%
	89. Does the security situation restricts your access to different geographical location/ areas?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	50%	70%	55%	27%	11%	51%	29%	36%	51%
	No	8%	13%	18%	36%	15%	3%	49%	9%	2%
	Somewhat	42%	16%	27%	37%	74%	46%	22%	50%	47%
	Don't know	0%	1%	0%	0%	0%	0%	0%	5%	0%
	92. Does your organization face any level of threat in the past year?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	40%	31%	23%	29%	10%	47%	18%	22%	41%
	No	60%	68%	76%	70%	90%	53%	76%	52%	55%
	Don't know	0%	1%	1%	1%	0%	0%	0%	26%	4%
	93. Is the environment secure for CSO staff and members?								
		Kabul	Herat	Balkh	Nangarhar	Kandahar	Paktia	Bamyan	Samangan	Badakhshan
	Yes	50%	68%	72%	93%	94%	71%	96%	62%	72%
	No	49%	30%	28%	7%	6%	26%	2%	14%	16%
	Don't know	1%	2%	0%	0%	0%	3%	2%	24%	12%