



**Economic and Social  
Council**

Distr.  
GENERAL

E/C.12/AFG/2-4  
9 July 2009

Original: ENGLISH

---

Substantive session of 2010

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Second to fourth periodic reports submitted by States parties  
under articles 16 and 17 of the Covenant**

**AFGHANISTAN\***

[6 August 2007]

---

\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

## CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
List of abbreviations .....		6
I. INTRODUCTION .....	1 - 4	8
II. GENERAL COMMENTS .....	5 - 9	8
III. REPORT ON GENERAL PROVISIONS OF THE COVENANT .....	10 - 22	9
IV. REPORT ON EACH ARTICLE OF THE COVENANT .....	23 - 205	12
Article 6 .....	23 - 37	12
Article 7 .....	38 - 47	17
Article 8 .....	48 - 50	20
Article 9 .....	51 - 57	21
Article 10 .....	58 - 70	24
Article 11 .....	71 - 99	27
Article 12 .....	100 - 167	36
Article 13 .....	168 - 200	63
Article 14 .....	201	83
Article 15 .....	202 - 213	83

### List of tables

1. List of ILO Conventions ratified by Afghanistan .....	13
2. Number of male and female trainees in 2005-2007 .....	15
3. Monthly salary for public construction workers .....	18
4. Number of trade unions and number of female and male members (approx.) .....	20
5. Number of persons/families with martyrs and persons with disabilities by province .....	22
6. GDP and per capita income 2002-2006 .....	28

**CONTENTS (*continued*)**

	<i>Page</i>
7. GDP composition by sector (per cent) .....	29
8. Consumption, savings, and investment 1381-1383 (2002/2003-2004/2005) (per cent of GDP) .....	29
9. Number/type of completed cases related to land disputes in recent years .....	35
10. Information on some key indicators .....	37
11. Number of health facilities by province .....	39
12. Independent study on mental health situation .....	41
13. Summary of the status of mental health services (per 100,000 inhabitants) .....	42
14. Public spending on health .....	42
15. Main donors and funds for basic package of health services .....	43
16. Definition of safe and unsafe water .....	44
17. Households with access to safe drinking water .....	44
18. Availability of toilet facilities in households .....	45
19. Access to sanitary toilets .....	45
20. Percentage of children aged 12-23 months who received specific vaccinations at any time before the survey and percentage of children with a health card, by wealth index and time to facility .....	47
21. Life expectancy at birth .....	48
22. Access to health-care facilities in rural areas .....	48
23. Percentage of health-care facilities with at least one female doctor/nurse/midwife .....	49
24. Proportion of women using skilled antenatal care, skilled birth attendance and institutional deliveries by background characteristics .....	49
25. Proportion of geographic areas covered by non-State providers based on the contracting-out initiative .....	54

**CONTENTS (*continued*)**

	<i>Page</i>
26. Expected results by 2013 for the maintenance and extension of the Primary Health-Care (PHC) programme .....	56
27. Target results for the prevention of communicable diseases and malnutrition by 2013 .....	58
28. Target results for hospital services by 2013 .....	60
29. Male and female personnel in the capital and provinces .....	61
30. Number of general schools by province .....	67
31. General education schools by number of shifts .....	68
32. Number of Islamic schools and students by province .....	68
33. Number of male and female primary and secondary schools for general education by province .....	69
34. Gross enrolment ratio .....	72
35. Net enrolment ratio .....	72
36. Number of male and female teachers by province .....	78
37. Summary of male and female teachers in the Ministry of Foreign Affairs, general education, Islamic education, teacher training, and technical and vocational training .....	79
38. Number of male teachers and administrative staff by level of education .....	80
39. Number of female teachers and administrative staff by level of education .....	80
40. Number of teachers vocational education trainings and students by province .....	81
41. Number of teacher training centres and students by province .....	82
42. Private secondary schools registered at the Ministry of Education .....	83
43. Number of publications in Kabul and provinces .....	84

**CONTENTS (*continued*)**

	<i>Page</i>
<b>List of figures</b>	
1. Source of care for people sick in the last month by income quintile .....	40
2. Trends in under-five mortality rate from 1960 to 2003 .....	43
3. Proportion of prenatal care coverage according to walking distance to health-care facilities .....	51
4. Outpatient visits per capita per year in the most secure province (Sar-e-Pol) and insecure province (Helmand) from January 2004 (1383) to March 2006 (1385) ..	52
5. Ministry of Public Health budget status .....	62
6. General education student population by grade and gender .....	71
7. Islamic education student population by grade and gender .....	71

### List of Abbreviations

AHS	Afghan Household Survey
AIHRC	Afghan Independent Human Rights Commission
ANDS	Afghan National Development Strategy
BHS	Basic Health Centres
BPHS	Basic Package of Health Services
CBHC	Community-Based Health Care
CHC	Comprehensive Health Centres
CSO	Central Statistics Office
DDR	Disarmament, Demobilization and Reintegration
DH	District Hospitals
EC	European Commission
EPHS	Essential Package of Hospital Services
EPI	Expanded Programme Immunization
ESC	Employment Service Centre
EU	European Union
FAO	Food and Agriculture Organization
GCMU	Grant and Contract Management Unit
HMIS	Health Management Information System
HP	Health Posts
IARCSC	Independent Administrative Reform and Civil Service Commission
ICOMOS	International Council on Monuments and Sites
ILO	International Labour Organization
IMF	International Monetary Fund
JHU	John Hopkins University
MAIL	Ministry of Agriculture, Irrigation and Livestock
MICS	Multi Indicator Cluster Survey
MICT	Ministry of Information, Culture and Tourism
MoE	Ministry of Education
MoHE	Ministry of High Education
MoLSAMD	Ministry of Labor and Social Affairs, Martyrs and Disabled
MoPH	Ministry of Public Health
MOWA	Ministry of Women Affairs
MUDH	Ministry of Urban Development and Housing
NHP	National Health Policy
NHS	National Health Strategy
NRVA	National Risk and Vulnerability Assessment
NSDP	National Skills Development Programme
NSP	National Solidarity Programme
SAARC	South Asian Association for Regional Cooperation
STI	Sexually Transmitted Infections
TTC	Teacher Training Centres

TVET	Teachers' Vocational Education Training
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNIDROIT	The International Institute for the Unification of Private Law
UNMACA	United Nations Mine Action Centre for Afghanistan
VTC	Vocational Training Centre
WFP	World Food Programme
WHO	World Health Organization

## I. INTRODUCTION

1. The Islamic Republic of Afghanistan ratified the International Covenant on Economic, Social and Cultural Rights in 1983. Its initial report concerning articles 1 to 15 was submitted to the Committee on Economic, Social and Cultural Rights in 1990, pursuant to articles 16 and 17 of the Covenant. The Committee on Economic, Social, and Cultural Rights considered the initial report of Afghanistan on the implementation of the International Covenant at its 2nd, 4th to 6th and 8th meetings, held from 25 to 28 November 1991 (E/C.12/1991/SR.2, 4-6, and 8). The submission of the second periodic report was delayed until now due to the long turmoil, political struggles, and security instability suffered by Afghanistan.

2. The present report was prepared by the Office of Human Rights and Women's International Affairs of the Ministry of Foreign Affairs of the Republic of Afghanistan in consultation with various line ministries.

3. The present report contains the months and years according to the solar calendar used in Afghanistan. The Afghan New Year began on 1 Hamal, which is the equivalent of 21 March in the western calendar. For example, 1 Hamal 1386 is 21 March 2007.

4. Due to the situation in the country, data, statistics, and numbers presented in this report are sometimes not accurate. For example, census was not conducted for more than three decades in Afghanistan. Certain statistical information indicated in the present report is the best estimate by the Government. It should also be mentioned that "urban" is defined as the capitals of 34 provinces in addition to Kabul, versus to "rural" meaning the rest of the country, unless specifically indicated in the same paragraph.

## II. GENERAL COMMENTS

5. In 2001, through Decree No. 66, Afghanistan abolished all regulations, decrees, and laws contrary to Bonn Agreement. The Constitution of Afghanistan was proclaimed in 2004. In its preamble, it obliges the people of Afghanistan observe the United Nations Charter as well as the Universal Declaration of Human Rights. It also ensures the formation of a civil society without oppression, atrocity, discrimination or violence, based on the rule of law, social justice, protection of integrity and human rights, and attaining freedom and fundamental rights among people.

6. Article 75 of the Constitution of Afghanistan stipulates that the Government has a duty to devise and implement social, cultural, economic, and technological development programmes. Since the London Conference in 2006, the Government has developed the Afghan National Development Strategy (ANDS) which consists of three broad pillars: (a) security, (b) governance, the rule of Law, and human rights, (c) Economic and Social Development. Under three pillars, there are five cross-cutting issues: gender, counter-narcotics, regional cooperation, anti-corruption, and the environment. Within the third pillar, there are six sectors relevant to the International Covenant on Economic, Social and Cultural Rights: (a) infrastructure and natural resources; (b) education; (c) health; (d) agriculture and rural development; (e) social protection; (f) economic governance and private sector development. It is important to mention that ANDS also addresses human rights treaty reporting, requiring the Government of Afghanistan to strengthen its capacity to comply with and report on its human rights treaty obligations by 2010.



7. The Government recognizes that grave poverty remains a great concern throughout the country and that poverty reduction is an urgent matter. The Government of Afghanistan signed the Millennium Declaration and defined the following nine Afghan Millennium Development Goals (MDGs) to be achieved by 2020:

Goal One:	Eradicate extreme poverty and hunger
Goal Two:	Achieve universal primary education
Goal Three:	Promote gender equality and empower women
Goal Four:	Reduce child mortality
Goal Five:	Improve maternal health
Goal Six:	Combat HIV/AIDS, malaria and other diseases
Goal Seven:	Ensure environmental sustainability
Goal Eight:	Develop a global partnership for development
Goal Nine:	Enhance security

8. The Government of Afghanistan is also committed to regional approaches to development. Since 2007, Afghanistan has been a member of the South Asian Association for Regional Cooperation (SAARC). Afghanistan is a signatory to the SAARC Social Charter. Through the Charter, Afghanistan has been committed itself to taking initiatives at national as well as regional levels for achieving the specific objectives contained in the Social Charter, including poverty eradication, population stabilization, empowerment of women, youth mobilization, human resource development, promotion of health and nutrition, and protection of children. Following the requirements of the Charter, the Government reviews the progress made in the country, and modifies the existing National Plan of Action in order to implement programmes and projects through a transparent and broad-based participatory process.

9. The Government of Afghanistan has also demonstrated its dedication to human rights through its signature, accession and ratification of human rights treaties and its commitment to fulfilling its reporting obligations under these treaties, thus making best efforts to be accountable for the human rights situation of its population. The level of implementation of economic, social, and cultural rights throughout the country indicated in this report demonstrates real progress achieved by the Government of Afghanistan since 2002 - in spite of extremely difficult circumstances facing the country. Afghanistan, and the Afghan people, continue to face great challenges to full realization of economic, social and cultural rights, not least among them the extremely difficult security situation in much of the country, but the Government of Afghanistan has made, and continues to make clear its deep commitment to continued progress in extending these rights to people in all parts of the country and all walks of life.

### **III. REPORT ON GENERAL PROVISIONS OF THE COVENANT**

#### **Right to self-determination**

10. Article 9 of the Afghan Constitution provides that, "Mines and other subterranean resources as well as historical relics shall be the property of the State. Protection, management and proper utilization of public properties as well as natural resources shall be regulated by law." The Afghan Parliament has also legislated the management of natural resources through the Law on Minerals of 2005, and Law on Petroleum and Gas of 2006.

11. These laws provide that ownership of minerals, petroleum and gas located within Afghanistan's territory belong to the Afghan Government, even including gas and petroleum fields discovered on private property. The Ministry of Mines and Industries authorizes issuance of license for development. Conditions of eligibility for obtaining a license exclude certain individuals, including members of Parliament, magistrates, senior government officials, especially officers of the Ministries of National Defence and Interior.

### **Status and rights of foreigners**

12. Article 57 of the Constitution guarantees the rights and liberties of foreign citizens in Afghanistan. Foreign citizens are obliged to respect Afghan law except as limited by international law. For foreign nationals, a limitation is imposed on the right of ownership of immovable property in Afghanistan. According to article 41 of the Constitution, foreign nationals do not possess the right of ownership of immovable property in Afghanistan, with exceptions only for the sale of estates to diplomatic missions of foreign countries or to international organizations of which Afghanistan is a member. Lease of immovable property for the purpose of capital investment can be permitted for foreigners in accordance with the Law on Foreign and Domestic Private Investment in Afghanistan of 2002, and the Law on Private Investment of 2005.

### **Provisions prohibiting discrimination in domestic law**

13. Article 22 of the Constitutions specifically prohibits any kind of discrimination and distinction between citizens of Afghanistan. The citizens of Afghanistan, men and women, have equal rights and duties before the law. Article 4 explains that the nation of Afghanistan is composed of all individuals who possess Afghan citizenship, including members of the Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qisilbash, Gujur, Brahwi, and other tribes. The Government is obligated to create a prosperous and progressive society based on social justice, preservation of human dignity, protection of human rights, realization of democracy, and attainment of national unity, as well as equality between all people and tribes and balanced development of all areas of the country, pursuant to article 6 of the Constitution.

14. Afghanistan has a particularly strong respect for linguistic diversity. In addition to Dari and Pashto, the two official national languages, all existing languages in the country, including Uzbeki, Turkmani, Baluchi, Pachaie, Nuristani, Pamiri, and others are considered to be a third official language in the areas where they are spoken by a majority of the population. Usage of these languages is freely permitted in any press publications and mass media (art. 16). Article 43 of the Constitution gives children the right to learn in their mother tongue in areas inhabited by linguistic minorities. In addition, the Constitution ensures the application of both Hanafi (Sunni) jurisprudence and Shia jurisprudence, in case there are no provisions in the Constitution or other laws to apply (arts. 130 and 131).

15. The Government of Afghanistan also commits itself to facilitate reintegration of Afghan refugees, returned mainly from Iran and Pakistan while facing tremendous challenges by growing number of Internally Displaced Persons (IDPs) due to deteriorating security situation in the country. The number of returnees has reached over two millions and IDPs for approximately 12,000. The Government of Afghanistan promotes voluntary return of all remaining refugees

while providing them for legal and other social assistance for their reintegration in Afghan society, especially for education and housing without any discrimination. The Decree No. 297 of the President of Interim Administration about Respectful Repatriation of Refugees enforced to protect the rights of returnees. The Government of Afghanistan has also ratified the Convention relating to the Status of Refugees in 2006. The Government has negotiated the extension of Tripartite Agreement on voluntary repatriation with Pakistan (until the end of 2009) and Iran (until the end of 2008) respectively, and with UNHCR. In addition, in consultation with the ILO and IOM offices, the Government addresses to receiving countries the difference between economic and other forms of migration, and to distinguish economic migrants legally resided in these countries from the process of refugee return to Afghanistan.

### **Development assistance**

16. Article 137 stipulates that the Government, while preserving the authority and responsibilities of central government, shall transfer necessary powers, in accordance with the law, to local administrations in order to accelerate and improve economic, social, and cultural matters, and foster peoples' participation in developing national decision-making. The Government makes continuous efforts to include community voices in the design of development programmes and projects, including close contacts with community jirga/shura, (traditional assemblies).

17. Under the Goal Eight of the MDGs, the Government tries to build sustainability in its development process, with the support of foreign assistance. Based on its commitment to good governance, development and eradication of poverty, it develops an open, rules-based, predictable, non-discriminatory trading and financial system.

### **Public interests**

18. The Constitution clarifies that liberty has no limits except as required to preserve others' freedom and the public interests (art. 24). In addition, article 59 stipulates that no individual shall be allowed to manipulate the rights and liberties enshrined in this Constitution and act against independence, territorial integrity, sovereignty, or national unity.

19. Chapter Nine of the Constitution describes protection of independence and national life under state emergency. The President can, after approval by the Presidents of the National Assembly as well as the Chief Justice of the Supreme Court, suspend the enforcement of several constitutional rights, including freedom of association, freedom of confidentiality of individual communications, and the prohibition on searches of private residences. Article 146 of the Constitution, however, ensures that the Constitution shall not be amended during the state of emergency.

### **Measures for the realization of a gender-equal society**

20. The Government of Afghanistan is making continuous efforts to move toward a gender-equal society. The Government is committed to ensuring that all new legislation is

compatible with gender equality, as well as amending existing legislation to ensure equality among women and men. For example, the new Labour Law prescribes the retirement age for both women and men at 65. (During the Taliban regime, women were not allowed to work in any work places.) Furthermore, the Ministry of Women Affairs (MOWA) was established since 2001. MOWA has primary responsibility for improving the rights of woman in Afghanistan. The Government is firmly committed to mainstreaming gender issues across the country to help women realize equal participation and full involvement in Afghanistan's economic, social and cultural development. However, it takes far more number of years to reach gender-equal society in Afghanistan. It is due to many years of war and traditional society in Afghanistan as well as government's financial restrictions, gaps between policies and practices, and lack of strong civil society protecting and promoting women's rights.

21. In addition to article 22 of the Constitution, which specifically provides equal rights and duties for man and women, there are affirmative Constitutional steps for promoting the rights of women. For example, article 83 of the Constitution ensures that at least two females shall be elected members of the House of People from each province. Following the 2005 elections, there are 68 female members (27 per cent) in the House of People (lower house). As for the House of Elders (upper house), the President appoints one-third of the members of this house and shall appoint a minimum of fifty per cent women while doing so, according to article 84. There are currently 21 female members (20 per cent) in the House of Elders. Overall the National Assembly has 25 per cent female representation across both upper and lower houses. Furthermore, one of the Afghan MDG target is an increase of female participation in elected and appointed bodies at all levels of governance to 30 per cent by 2020.

22. In Justice Sector, however, level of participation of women is still facing challenges. Female staff consists only 6.4 per cent of the total staff at the Ministry of Justice. According to the Personnel Department of the Supreme Court, 74 female judges, including 54 in Primary Courts, nine in Court of Appeals, and three in Supreme Court, in total of 1,356 judges are currently registered as of January 2008 (Three female judges currently working in Supreme Court represent as "judicial advisors" supporting the work of "Supreme Court judges"). Thus, female representation is only 5.4 per cent in courts. As for prosecutors, there are 103 female prosecutors among 1,085 in total, thus contributing to 9.4 per cent of prosecution work according to the Office of Attorney General. In police force, female uniform officers comprise 3.1 per cent of the total police force (1,946 among 61,544 personnel in total). The present report will discuss the level of women's participation in other sectors, such as education and labour, in the following sections.

#### **IV. REPORT ON EACH ARTICLE OF THE COVENANT**

##### **Article 6**

##### **Basic data related to employment**

23. The Government of Afghanistan has ratified 15 ILO Conventions. The table below shows the reporting status of Afghanistan of each Convention.

**Table 1**

**List of ILO Conventions ratified by Afghanistan**

Convention	Date of ratification	Reporting status (since 2004)
Night Work (Women) Convention, 1919	12 June 1939	Submitted
White Lead (Painting) Convention, 1921	12 June 1939	Submitted
Weekly Rest (Industry) Convention, 1921	12 June 1939	Not submitted
Night Work (Women) Convention (Revised), 1934	12 June 1939	Submitted
Underground Work (Women) Convention, 1935	14 May 1937	Submitted
Protection of Wages Convention, 1949	7 January 1957	Submitted
Equal Remuneration Convention, 1951	22 August 1969	Submitted
Abolition of Forced Labour Convention, 1957	16 May 1963	Submitted
Weekly Rest (Commerce and Offices) Convention, 1957	16 May 1963	Not submitted
Discrimination (Employment and Occupation) Convention, 1958	1 October 1969	Submitted
Dock Work Convention, 1973	16 May 1979	Submitted
Occupational Cancer Convention, 1974	16 May 1979	Submitted
Paid Educational Leave Convention, 1974	16 May 1979	Submitted
Rural Workers' Organizations Convention, 1975	16 May 1979	Submitted
Human Resources Development Convention, 1975	16 May 1979	Submitted

*Source:* ILO and Afghanistan Labor Standard (2007)/MoLSAMD.

24. In reference to the right to work, specific treaty information is also contained in the State report on the ILO Discrimination (Employment and Occupation) Convention. On the issue of equal rights in the labour sector, Afghanistan has also ratified the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination Against Women.

25. The unemployment rate in Afghanistan is estimated based on a Government survey, to be 33 per cent. The Government continues to make efforts to pursue economic development by reducing poverty and unemployment, with special attention to the needs of women and youth. Since its establishment of the interim government, Afghanistan has specified target areas in the labour and social affairs sector, including skills development in general, the Disarmament, Demobilization and Reintegration (DDR) Programme, as well as protection of martyrs and people with disabilities. In particular, the DDR programme provides vocational programmes, and creates jobs for ex-combatants, including those who are disabled. In recent years, the Government has also worked to assist with high numbers of IDPs and returnees, to obtain decent work.

26. After two decades of war, the level of technical and professional skills among the Afghan population remains low, with few professional and trained workers. The Government of Afghanistan recognizes that slow economic growth and social development are a consequence of the low level of professional skills in the country. Therefore, in addition to creating new employment opportunities, the Government has focused its agenda on providing vocational training programmes developed under the National Skills Development Programme (NSDP)

since 2005. Through skills development, the Government builds the capacity of the Afghan people to develop the country. It should also be mentioned that a large number of foreign workers from neighboring countries, such as from Pakistan, are currently employed in Afghanistan primarily in production and construction industries. Companies often recruit foreign workers rather than Afghans due to the perception that Afghans are low-skilled workers. In 2005-2007, 22,635 work permits were issued for foreign nationals.

### **Skills development**

27. The aforementioned NSDP, originally announced by the President at the Berlin Conference in 2004 entails three major sub-programmes, including:

- (a) Skills development through pilot projects to train trainers;
- (b) Institutional and human capacity building of Vocational Training Centres (VTC);
- (c) Creation of a facilitating environment, such as developing Labor Market Information Collection and Analysis capacity at the Ministry of Labor and Social Affairs, Martyrs and Disabled (MoLSAMD) in 2008, and registering/accrediting of VET providers.

28. The NSDP also involves MoLSAMD, Department of Technical and Vocational Education of the Ministry of Education, and the Ministry of Higher Education. NGO and private sector actors also play a major role in the NSDP as they have been providing a wide range of vocational training courses.

29. There are approximately 15,000 students enrolled in 44 vocational schools in the country. In addition, the Skills Development Department of the MoLSAMD provides short-term vocational training programmes. The MoLSAMD has 18 new training centres covering mainly provincial urban areas. NGOs and private sector actors also provide assistance for construction of VTCs offering training courses, mainly English and computers. The Government of Afghanistan has worked to ensure that donor assistance is used effectively to build Afghan human capacity; the following infrastructural and vocational training projects were implemented in cooperation with foreign donors:

- (a) Construction and providing equipment for a vocational and technical training centre in Afshar-e Silo area, Kabul City, in cooperation with the Republic of Korea;
- (b) Construction and providing equipment for eight technical and vocational training centres in Kabul, Balkh, Konduz, Jawzjan, Herat, Nandagarhar, Bamyan, and Paktia provinces in cooperation with Japan and Belgium;
- (c) Construction of a vocational and technical training centre in Kandahar, in cooperation with the Islamic Republic of Iran;
- (d) Construction of four vocational and technical training centres in Kabul, Kandahar, Balkh, and Fariab provinces, in cooperation with the World Bank;
- (e) Construction and providing equipment for a vocational and technical training centre in Nimroz funded through the State budget of Afghanistan;

(f) Construction and providing equipment for vocational and technical training centres in Herat and Farah in cooperation with the Islamic Republic of Iran;

(g) Providing professional training programmes in Basir in cooperation with the Iranian NGO;

(h) Implementation of food-for-work projects both in the capital and provinces, especially for the returnees from Iran and Pakistan;

(i) Providing English language and computer training courses for new graduates from remote and underdeveloped provinces;

(j) Establishment of vocational and technical training departments in each province in addition to the aforementioned provincial training centres. The departments have been allocated budget and can organize several training workshops;

(k) Establishment of an “ozone centre” to provide technical training for repairing air conditioners for the purpose of environmental protection; and

(l) Establishment of eleven Employment Service Centres (ESC) and an ESC website for job seekers, in cooperation with ILO and UNDP. The website can be viewed at [www.employmentservices.org/af](http://www.employmentservices.org/af).

30. In 2006, for example, training was provided to a total of 29,844 trainees, including 10,527 female trainees in both the capital and provinces. In addition to the activities described above, the Department of Skill Development of the MoLSAMD has launched a national programme on skill and capacity building through provincial offices. A total of 10,000 people have received vocational and technical training through these offices, 35 per cent of them women. Within three years, the number of trainees, including female trainees, has increased, by a huge margin, as indicated below.

**Table 2**

**Number of male and female trainees in 2005-2007**

Year	Male	Female	Total
2005 (1384)	3 180	926	4 106
2006 (1385)	19 317	10 527	29 844
2007 (1386)	11 629	19 359	30 988

*Source:* MoLSAMD.

31. The Government of Afghanistan has also taken steps to provide job opportunities for those who have completed the training programmes. For example, for 419 graduates from the aforementioned Korea-funded vocational training centre in Kabul, the Government was able to provide over 500 job opportunities in public and private sectors.

32. In addition, the aforementioned ESCs in eleven provinces play an important role in helping job seekers to find job opportunities. As of 2007, the ESCs have registered over 13,566 job applicants and 9,124 employers, provided 3,357 jobs for job applicants, and established a technical committee to assess the employment situation in the country and to work on the national employment strategy.

### **Measures to guarantee the right to work**

33. The new Labor Law introduced in 2007 contains comprehensive provisions enforcing workers' rights. The new law provides for not only the right to work, workers' rights, labour rules and standards, but also vocational training and development of professional skills in Chapter Six. In addition, Chapter Eleven offers detailed protection of rights of female and youth workers. The law was signed by the President in February 2007 and has been in force since then. In January 2008, it returned to the National Assembly and is currently being evaluated for any necessary amendments.

34. Article 48 of the Constitution specifies that working hours, paid holidays, employment and employee rights, and related matters are regulated by the relevant laws. Choice of occupation and craft shall be free within bounds of the law. In accordance with article 10 of the Constitution, the Government of Afghanistan encourages private capital investments and enterprises based on the market economy, and guarantees their protection. According to the ANDS, the private sector is considered to be the main source of the economic growth and creation of employment, including agriculture, small and medium enterprises and the services sector with the participation of both the domestic and foreign private sector.

35. The government manages the implementation of the Labor Law as it applies to foreign citizens working in government or non-government organizations or in private sector or joint ventures in Afghanistan (art. 6). Between 2005 and 2007, 22,535 foreigners were issued working permits to work in the country. The government also sends Afghan labourers abroad in order to prevent unemployment and achieving better income (art. 150), according to the Regulation on Sending Workers outside the Country of 2004.

36. Concerning the prohibition against any types of discrimination related to employment, article 9 of the Labor Law states:

(a) Any types of discrimination is prohibited in recruitment, payment of salaries or other privileges, selection of occupation, profession, skill and specialty, the right of education and social entitlement;

(b) Women are entitled to specific privileges during their maternity leaves, and other cases that have been specific in this law and other legislation;

(c) Everyone has the right to choose a profession or a job according to one's qualifications, skills, and interests on the basis of relevant laws in the Islamic Republic of Afghanistan.



37. Pursuant to article 50 of the Constitution, State employees must be employed on the basis of qualification without any discrimination and conditions for recruitment of State employees are regulated by the 2005 Civil Service Law. According to the Civil Service Law, recruitment and appointment of civil servants should be based on candidates' professional skills, such as education and professional experiences, through competitions. Any types of discriminations, based on gender, tribal, religious, and disabilities in the recruitment process is prohibited (arts. 2 and 11). Since 2002, the Government has also introduced the Independent Administrative Reform and Civil Service Commission (IARCSC), which has the duty of monitoring a clear and transparent mechanism for the recruitment of State employees. In practice, however, State employees are not always recruited based on their qualification but sometimes through political and personal connections due to the reality in which the Government is sometimes pressured by external factors. In Afghanistan, there are currently 48,432 female staff (22.3 per cent) and 168,484 male staff (77.6 per cent) working in the central government offices.

### **Article 7**

#### **Working conditions**

38. Issues related to working conditions and equality between men and women are also discussed in Afghanistan's State reports on White Lead (Painting) Convention, Night Work (Women) Convention, Protection of Wages Convention, Discrimination (Employment and Occupation) Convention, and Occupational Cancer Convention, as well as on Equal Remuneration Convention, Rural Workers' Organizations Convention, submitted all since 2004. In line with the Afghan MDGs, the Government commits to gender disparities in economic areas by 2020, including any disparity existing in labour market.

39. As per the aforementioned article 48 of the Constitution, working hours, paid holidays, employment and employee rights, and related matters shall be regulated by the law. For example, article 30 of the Labor Law states that the ordinary working period shall not be more than 40 hours per week. Article 31 states that the weekly working hours for the youth aged between 15 and 18 years of age as well as for pregnant women shall be a maximum of 35 hours per week. For workers engaged in underground work and works under conditions that are injurious to their health, the work week is reduced for 30 hours per week. Forced labour in general and forced labour by children is especially forbidden by article 49 of the Constitution and the Labor Law (arts. 4 and 13).

#### **Wages**

40. Concerning minimum wages, the Government has established a monitoring system pursuant to article 59 of the Labor Law. The Finance Ministry and the Administrative Reforms Commission, in cooperation with the MoLSAMD should control and/or determine the minimum wages. In reality, however, minimum wages cannot be implemented in practice due to economic situation in the country. The table below shows typical monthly salaries for workers in the public construction sector.

**Table 3****Monthly salary for public construction workers**

Construction company	Average monthly salary per worker (in Afghanis*)
C.UB	4 919
Balance Construction Agency	4 807
Mahref Construction Agency	7 227
Khana sazy Construction Agency	2 180
H.C.C	1 861
Speen ghare Construction Agency	6 748
Akhtasasi zarahty Construction Agency	13 317
Omore barqh construction Agency	2 308
Hefz wa maraqbate Construction Agency	11 926
Afghan gaz Construction Agency	ND
Abrasani Macrorayan Construction Agency	3 684

*Source:* CSO Yearbook (2007)/ND: No data/Reliable data is not available.

\* (1 Afg.= 0.02 USD).

41. Concerning the income distribution of employees, there is at present no official data on the remuneration of comparable jobs in the public and private sector in Afghanistan. Afghanistan lacks statistical data on wages for female and male workers in the private sector. In the public sector, there are no discriminations in wages and salary for female and male workers holding comparable positions.

### **Health and safety**

42. Chapter Ten of the Labor Code provides for the Health and Occupational Safety Conditions. The requirements of this section are applicable in all public and private institutions. Pursuant to article 115, in order to carry out a medical examination to provide first aid for workers, a company or an organization shall establish either a room(s) for first aid unit, mobile pharmacy shop, and/or health unit in accordance with the standards set by the Ministry of Public Health (MoPH) and the MoLSAMD. According to article 118, in case of any unpleasant work incidents, a company or an organization should prepare a report within three days and submit one copy to the MoLSAMD. In case of negligence or refusal, an injured party can submit a complaint to the MoLSAMD.

43. Although statistical data on fatal incidents has not yet been collected in Afghanistan, the Government makes efforts to prevent any hazardous incidents in work places through setting national standard on office/workplace safety and health conditions. A regulation on technical safety is in the process of being prepared to ensure technical safety requirements in workplaces nationwide. The Government also plans to prepare a list of work-related diseases in Afghanistan.

## Leave days

44. Chapter Four of the Labor Law defines rest, work shifts, annual leave, public holidays, recreational leave, necessary leave, sick leave, maternity leave, and leave for Hajj Pilgrimage. There following are the fourteen holidays in Afghanistan, in addition to the last day of week (Friday):

- (a) 21st of Novruz, the first day of the year;
- (b) 28th of Assad, the day of restoration of independence;
- (c) 8th of Sawr, Victory of the Islamic Revolution of Afghanistan;
- (d) Three days of Eid-e-Feter;
- (e) Four days of Eid-e-Adhah and Arafat (Three days of Eid-and one day of Arafat);
- (f) 12th of Rabiul Awal, the holy birthday of Hazrat-e-Mohammad;
- (g) 10th of Muharram, the day of Ashura;
- (h) The first day of Ramadan; and
- (i) 26th of Dalwa, withdrawal of Soviet Army from Afghanistan.

45. Article 42 of the law stipulates that the annual leave, including recreational, sick, and necessary leaves, are not included in the general and public leave days. Article 50 guarantees payment of workers' wages and other allowances during recreational leave periods. The number of recreational leave days are defined as follows: workers are entitled to 20 days of recreational leave per year; workers, below 18 years of age are entitled to 25 days; and workers engaged in underground works or injurious works are entitled to 30 days of recreational leave, according to article 48 of the law. Article 51 stipulates that workers are entitled to ten-day necessary leave with pay per year in cases of marriage, death of first/second degree kin, and/or a child birth.

46. Article 52 grants 20 days of sick leave with pay and other allowances per year. In case sick leave lasts more than five consecutive days, a certificate of a medical doctor employed by a health institute or a certificate of the head of village/province in places without physicians is required. In addition, article 3 of the Regulation on Conditions of Granting Additional Sick Leave stipulates that the employee can enjoy additional sick leave with pay and other allowances according to the period of his/her service as follows:

- (a) If the employee has worked for a period of one to five years, he/she will be granted three months;
- (b) If the employee has worked for a period of more than five to ten years, he/she will be granted six months;

(c) If the employee has worked for a period of more than ten years, he/she will be granted one year; and

(d) If the sickness continues after the additional paid sick leave, after an approval of the doctor and confirmation of the relevant health facilities, the employee will be given unpaid leave, or he/she will be offered retirement.

47. The regulation above applies only for incumbent employees, and those who are seconded, or reserved.

### Article 8

48. Afghanistan has ratified the International Covenant on Civil and Political Rights as well as the ILO Labour Relations (Public Service) Convention.

49. Article 147 of the Labor Law and the Law on Activities of Social Organizations protect the right to organize and/or establish labour unions or social organizations. There are no restrictions placed on freedom of association for different categories of workers, government or private, according to the Constitution as well as the 2003 Presidential Decree of the Transitional Government of Afghanistan on Social Organizations Law. Such unions or social organizations are established through voluntary participation and are independent from the government or political organizations. There are a growing number of social organizations registered in Afghanistan every year and the number had reached over 900 as of 2007. By contrast, the number of trade unions is limited to the ten as shown below. Creation of trade unions is still on an early stage. The ILO office in Kabul provides technical support for establishment of trade unions in more professional manner.

**Table 4**

#### **Number of trade unions and number of female and male members (approx.)**

Name of trade unions	Female	Male	Total
Central Council of National Union of Afghanistan Employees	3 499	68 098	71 597
Afghanistan Federation of Trade Unions	30 000	170 000	200 000
Afghanistan Labor Organization	ND	ND	ND
Afghanistan Teachers' Support Association	2 800	1 200	4 000
Afghanistan International Journalists' Association	ND	ND	ND
National Journalists' Union of Afghanistan	950	6 150	7 200
All Afghanistan Women's Union	60 000	0	60 000
Afghanistan Federation of Trade Union	450	4 050	4 500
Afghanistan Lawyers' Union	750	2 250	3 000
Afghanistan National Powerful (Talented) Workers Union	500	1 200	1 700

*Source:* ILO (2007)/Research by the Office of Human Rights and Women's International Affairs, Ministry of Foreign Affairs/ND: No data available.

50. The 2007 Labor Law does not provide for collective bargaining and the right to strike. Instead, it provides the Chapter Twelve, setting resolution mechanisms for work related disputes or differences. The law foresees the establishment of work related Dispute Settlement Commissions under the MoLSAMD to resolve disputes based on respective legislative documents. Nevertheless, the rights related to strikes and demonstrations are protected in accordance with the provisions of the 2003 Presidential Decree of the Transitional Government of Afghanistan on Law on Gatherings, Strikes, and Demonstrations. According to this legislation, organizers have responsibilities to notify in a written form, about gatherings, protests, demonstrations, to the local police 24 hours before an event (art. 7).

## **Article 9**

### **Benefit for survivors and persons with disabilities**

51. Article 53 of the Constitution requires that the State adopt necessary measures to regulate medical services as well as financial aid to survivors of martyrs and missing persons, and for reintegration of the disabled and handicapped and their active participation in society in accordance with the law. The State shall guarantee the rights of retirees, and shall render necessary aid to the elderly, women without caretaker, persons with disabilities, and orphans in accordance with the law. Concerning medical services, Afghanistan has taken measures to provide free medical services for all nationals without discrimination, as this report describes under the right to health under article 12 of the Covenant.

52. The MoLSAMD is one of the key ministries responsible for social affairs for vulnerable groups. Afghanistan's social welfare system has not yet developed due to lack of financial means. Despite all limitations, the Government prioritizes the protection of disabled people and families of martyrs, due to the fact that a large proportion of the population is killed or disabled in the war. Two Deputy Ministers' Offices on Disabled and Martyrs Affairs and Social Affairs provide social welfare for disabled people and families of martyrs.

53. In 2007, there were approximately 340,000 households registered at the MoLSAMD which received a monthly benefit on the basis of martyrdom and/or disabilities. Among them 87,936 are single households with disabilities and 226,388 are families with one or more disabled family members. Single disabled person receives 400 Afghanis (equivalent to 8 USD) in assistance, and a family with disabled person(s) receives 500 Afghanis (10 USD) per month. As of December 2007, new draft legislation on assistance to martyrs and persons with disabilities is under final preparation at the MoLSAMD before sending it to the National Assembly for its approval. The bill aims at ensuring efficient and effective support for those individuals and families, including an increase of the amount of monthly allowance.

**Table 5**  
**Number of persons/families with martyrs and persons  
with disabilities by province**

Statistics of MoLSAMD			Province
Total	Disabled	Martyrs	
9 281	4 741	4 540	Hilmand
1 979	1 199	780	Zabul
9 164	2 433	6 731	Bamiyan
1 260	721	539	Aurzgán
4 425	2 438	1 987	Farah
4 656	2 370	2 286	Paktiya
12 600	3 300	9 300	Kunduz
2 794	1 012	1 782	Samangan
2 993	1 195	1 798	Ghazni
3 303	1 205	2 098	Wardak
4 504	3 286	1 218	Khust
5 919	1 208	3 711	Fariyab
13 768	4 639	9 129	Ningarhar
9 050	3 883	5 166	Takhar
5 670	2 146	3 524	Kapisa
4 007	2 397	1 610	Logar
1 641	633	1 008	Nimroz
2 310	1 321	989	Kunar
6 689	1 289	5 400	Badakhshan
10 440	3 411	7 029	Baghlan
5 151	2 939	2 212	Kandahar
13 636	2 148	11 498	Balkh
9 306	3 579	5 727	Ghur
14 342	2 961	11 381	Herat
2 492	764	1 728	Badghis
4 592	984	3 608	Panjshir
1 965	589	1 376	Paktiya
4 431	837	3 594	Jawz jan
12 396	3 824	8 572	Parwan
4 791	1 799	2 992	Laghman
8 497	3 497	5 000	Sar-e-Pol
2 561	932	1 629	Daikundi
2 702	1 202	1 500	Noorstan
25 261	3 892	21 369	Kabul
68 225	13 500	54 725	Urban
296 811	88 275	208 536	Total

Source: MoLSAMD (2006-2007).

## **Benefit for retirees**

54. Chapter Thirteen of the Labor Law provides social benefits, including: (a) food allowances; (b) transportation; (c) support for finding shelter; (d) medical services for an employee and his/her family members; (e) financial aid at retirement; (f) child birth allowance; (g) financial support for a deceased employee's family; (h) pensions for people who are elderly, ill, disabled, or suffering from other conditions prescribed in the regulations. Except for medical services, which are provided according to financial capacity of the employer, all allowances and support are to be paid by the employer's budget, and pensions shall be paid from a pension fund. In addition, article 26 ensures the pensions and other worker's rights are retained in the event of abrogation of the service contract on the basis of the rules and regulations under the Labor Law.

55. Retirement conditions are stipulated in article 138 of the Labor Law. Paragraph 1 states that the age of retirement for both men and women is sixty-five. If necessary, a company or organization can extend an employee's working period for another five years. The default working period of the employee is forty years, and he/she is entitled to the wages of the last position, rank or grade after retirement. In addition, article 141 of the law provides for the same retirement rights for those whose retirement was caused by disability or death while at work, or by occupational disease or death, if certified by a health commission. The pension shall be paid as hundred per cent of the wage of the last rank or grade before retirement. For State officials, there are retirement allowances for different levels of personnel. In the private sector, however, the Government has not yet developed any monitoring mechanisms to follow up the practice. In reality, the enforcement of provisions related to retirement conditions and allowances is difficult considering the economic situation in the country.

56. According to the provisions of articles 23 and 24 of the Regulation on Retirement Rights, the beneficiaries of retirement allowances are broadly defined:

(a) The retirement allowance is distributed among survivals of the employee based on the provisions of religious law. If one of the survivors rejects his/her rights, it is distributed among the rest of the heirs;

(b) The survivals stated in paragraph one of this article include:

(i) Spouse;

(ii) Son or daughter below eighteen years of age, son/daughter studying or sick, and/or son or daughter who will permanently not be able to work;

(iii) Son engaged in compulsory military service, or unmarried daughter;

(iv) Father, mother, unmarried sister, brother below the age of 18 years old, or brother engaged in studies, brother engaged in compulsory military service, on the condition that the employee was responsible for their living before his or her death;

(v) Baby of the dead man born alive from his pregnant wife.

## **Elders**

57. Due to budgetary restrictions, the Government of Afghanistan has not yet established a national pension plans for elders. Afghan society, however, traditionally respects and protects elderly people. Elders usually reside with and are supported by their families, or extended families. In case where there is no family support, community often provide financial support for elders, especially in rural areas.

## **Article 10**

58. Article 54 of the Constitution states that family is the fundamental pillar of the society, and shall be protected by the State. The State shall adopt and measures necessary to attain the physical and spiritual health of the family, especially of the child and mother, facilitate bringing up children, and eliminate traditions contrary to the principles of the sacred religion of Islam.

## **Freedom of marriage**

59. According to article 70 of the Civil Law, the legal marriage age is 18 years for men and 16 years for women. A couple can marry without an agreement if they are over 18 years old. The Government, especially the Ministry of Women Affairs (MOWA) has made significant efforts to raise public awareness of this law through media campaign. Enforcement of this law and underage marriage of girls continues to pose a significant challenge in Afghanistan, where reports indicate there are approximately one half of the population of girls less than 16 years old are married. In Afghanistan, especially in rural areas, it is common for poor families to marrying off their daughters while they are still young, by receiving cash.

## **Protection of families and mothers**

60. There are no official benefits for child birth and/or parenting in Afghanistan. At the community level, however, it is a tradition to congratulate families of new born babies, especially after a third child, by sending cash to the family. There are 10,200 households with a single mother registered at the Government, although some reports indicate there are around 135,000 widows in Afghanistan. In addition, Female-headed households consist of three to seven per cent of total households suggested by some other reports. Among officially registered female-headed households, only 500 women are reported that they have professional skills with occupations. The rest relies on the support from extended families. Due to lack of financial means, the Government has not yet developed a social welfare scheme for single mothers' households that are not entitled to receive any other financial assistance due to lack of financial means. There are projects supporting poor people, including female-headed households in the country, such as "Food Security for All" in nation level provided by international aid organizations.

61. The Government has made continuous efforts to ensure women's maternity health rights. According to article 54 of the Labor Law, a female worker is entitled to take 90 days of paid maternity leave. Thirty days of this leave are to be taken before delivery and the remaining of sixty days after delivery. In the case of a difficult delivery, 15 more days of paid leave will be granted to her. Salary and other allowances will be paid based on the presentation of a valid certificate issued by a treating hospital.



62. The MOWA is the Government of Afghanistan's principal structure for promoting women's rights in health, education, and economic development, and combating domestic violence, and other forms of violence against women. Despite the significant role and mandate of MOWA in promoting women's rights and improving women's situation, MOWA lacks sufficient technical capacity, human resources and financial means to meet its goal in improving the life of Afghan women. Most activities have been implemented through support of the international organizations.

63. The Government of Afghanistan has a serious concern about violence against women, especially the one within the family. Some early marriages are combined with forced marriages. Consequently, the number of victims of domestic violence and women escape from their husbands are considered to be high although there are no official statistics. Because of the traditional society, those women who left their husbands usually are reluctant or not allowed to go back to their own families. Owing to the financial support from foreign donors, there are three shelters in Kabul, and four shelters in other cities as of January 2008. Each shelter has a capacity of twenty persons to accommodate.

### **Protection of children**

64. The Government of Afghanistan is committed to protecting children through its ratification of the Convention on the Rights of the Child in 1994 and its two protocols in 2003. In addition, Afghanistan has acceded to the ILO Convention on Minimum Age (No. 138) and the ILO Convention on Worst Forms of Child Labour (No. 182) in 2007, and they are under review for parliamentary approval prior to official ratification. Although accurate data is lacking, according to some statistics by UNICEF, approximately one half of the population in Afghanistan is under the age of eighteen. Outside the provincial capitals, birth registration was almost non-existent until 2003 when a national birth registration campaign started.

65. In Afghanistan, street children working and begging on the streets are a widespread phenomenon especially in Kabul City. Most children, however, are under protection and supervision of their own families, extended families or other sorts of community network. According to the "Best Estimates" of social indicators for children in Afghanistan 1990-2005, prepared by UNICEF in 2006, between 24 and 31 per cent of children in age of between seven and fourteen fall under child labour according to the respective definitions of "child labour". In accordance with the 2006 National Strategy for Children at Risk, the Government has identified priority groups of children with specific vulnerabilities, including:

- (a) Children deprived of education;
- (b) Children with disabilities (mental and physical);
- (c) Street children, including street working children;
- (d) Children in conflict with the law;
- (e) Trafficked children;

- (f) Child soldiers and other war-affected children;
- (g) Children deprived of parental care;
- (h) Girls forced into marriage or early marriage;
- (i) Young and unsupported mothers under the age of 18;
- (j) Internally displaced and returnee children;
- (k) Children of Kuchi (nomadic) and other disadvantaged ethnic minority groups;
- (l) Children using drugs, and/or selling drugs;
- (m) Children experiencing abuse (sexual, physical, emotional, neglect);
- (n) Children from families living under poverty;
- (o) Children from single-headed households;
- (p) Children infected by HIV/AIDS.

66. In collaboration with UNICEF and civil society organizations active in protecting child rights, the Government of Afghanistan is committed to solving a phenomenon of child labour in Afghanistan. The Constitution and the Labor Law specifically prohibit the forced labour especially the child labour. Article 13 of the Labor Law sets restrictions on employee recruitment, stipulating that the minimum age for employment is 18. At the same time, the employment of children at the age of 15 is allowed on an exceptional basis, depending on the type of business, with an acknowledgement that under current educational curricula compulsory education is completed after nine years. However, the recruitment of persons less than 18 years old for any employment that may cause any health problem, physical injury is prohibited according to the Labor Law. Despite the government's strong commitment and best efforts to eradicate a child labour phenomenon in Afghanistan, however, because of the needs for families, children are still sent to streets in reality. The Government sometimes turn its blind eyes to vulnerable situation involving these children. The problem of child workers and child labour cannot be fully solved without eradication of poverty of in this country. Most cases of child workers, child forced labour and child trafficking is the result of extreme poverty among Afghan households who have no means for living but to force their children into harsh jobs and even selling to traffickers.

67. A 1986 Regulation on Activities of the Coordination Council for Mother and Child Support was designed to assist mothers and children, although it has yet to be fully implemented. The regulation foresees the establishment of a council to coordinate line ministries, local communities, and civil society organizations, public and private companies to promote mother and child support. In consultation with UNICEF, the Government has already begun a process of institutional transformation and reform management. Within the MoLSAMD, a Child Protection Secretariat will be established, enabling to fulfil its broad mandate to protect vulnerable children.

68. According to the 2003 UNICEF figure, the proportion of orphans reaches 4.8 per cent of a total child population (under the United Nations definition of a child with one or both parents dead). However, the current system for protection of children provides assistance to only a small percentage of Afghanistan's vulnerable children. There are 9,312 children living in 54 State orphanages located in Kabul and other provinces. The orphanages are not only for orphans but also for children who are expected to be returned to the full-time care of their family or extended family, and/or have access to a range of community and social network care. Overall, about one third (around 2,800) of the accommodated children is orphans who do not have any alternative support. 22 of these 54 State orphanages receive support from international and national donors. The remaining orphanages are funded through the MoLSAMD. In addition, there are seven private orphanages open in the capital and other provinces.

69. There are 164 public kindergartens in Kabul, including 129 office-located kindergartens and 35 kindergartens located in residential areas. There are 202 public kindergartens outside of Kabul, including 90 office-located ones and 112 located in residential areas. There are three private kindergartens in Kabul and Nimroz. In total, there are 369 kindergartens in the country, facilitating mother's welfare, including working mothers.

70. Protection of minors in conflict with the law is the function of the Juvenile Code which was enacted in 2005. In addition to the Criminal Code, and Criminal Procedural Code, the Juvenile Code provides special protection for juvenile offenders through adjudication of juvenile delinquency cases as well as establishment of juvenile rehabilitation centres (art. 43). In adjudicating delinquency cases, judges are obligated to consider information related to the social, family, education and psychological background of the young person (art. 17). There is a total of 30 rehabilitation centres in Afghanistan, one in Kabul and 29 in provinces, providing educational and psychological rehabilitation for minors in conflict with the law. Under the Juvenile Code, juvenile judges and prosecutors have an obligation to visit rehabilitation centres at least once a month to monitor each child. In line with the 2005 Law on Prisons and Detention Centres, the Government also plans to increase the capacity of penitentiary institutions to provide adequate care for children who are currently accommodated together with female prisoners or detainees.

## **Article 11**

### **Right to an adequate standard of living**

71. After over two decades of war, there is an urgent need to protect and provide support for the many Afghan people living in critically poor and vulnerable conditions. In Afghanistan, different forms of social protection have traditionally existed through community and patronage systems. After many years of war, however, such traditional and informal systems are severely strained due to the large number of dependants in society, especially children, women, and persons with disabilities. The Government, especially the Ministry of Agriculture (MAIL), Ministry of Urban Development and Housing (MUDH), and the Ministry of Rural Rehabilitation and Development (MRRD) as well as MoLSAMD have primary responsibility in improving the standard of living, especially for those who are categorized as extremely poor and/or vulnerable groups.

72. The Government of Afghanistan has an obligation to design and implement effective programmes for developing industries, expanding production, and protecting the activities of craftsmen to raise the standard of living of the people, under article 13 of the Constitution. Furthermore, article 14 requires that the State, within its financial means, design and implement effective programmes to develop agriculture and animal husbandry, improve economic, social and living conditions of farmers, herders and settlers as well as nomads' livelihood. The State is required to adopt necessary measures to provide housing and distribution of public estates to deserving citizens in accordance with the provisions of law and within financial possibilities. In line with the Afghan MDGs, the Government is committed to decreasing the proportion of people whose income is less than US\$1 a day by three per cent per annum until the year 2020, and decreasing the proportion of people who suffer from hunger by five per cent per annum until the year 2015. (According to the survey conducted by the AIHRC, 60.3 per cent of interviewees earn one US dollar per day.)

73. The Afghan economy at the nation level has continued to grow during the fiscal year 1385 (2006-2007). Real GDP growth is estimated to be eight per cent compared to the fiscal year's growth of 14 per cent. The reason for decline in GDP growth was due to the drought in 2006-2007. Since the interim government was established, Afghanistan has sustainable economic development based on flourishing industrial and services sectors, including construction, communication, transportation, and other types of private sector activities.

**Table 6**

**GDP and per capita income 2002-2006**

Average for the period 2002/03 (1381) - 2006-07 (1385)	2006/07 Projected (1385)	2005 Estimated (1384)	2004/05 (1383)	2003/04 (1382)	2002/03 (1381)	Year (Afghan year)
5 444	8 399	7 309	5 971	4 585	4 082	GDP (million US dollars)
14.9	8	14	8	15.7	28.6	Real GDP growth rate (in per cent)
25.3	15.6	27.6	26.4	23.1	33.8	Nominal GDP growth (annual change)
257.8	354	300	253	200	182	Per capita income (US dollars)

*Source:* Central Bank of Afghanistan, Note: Central Statistics Office (CSO) final figures for year 2005/06 are all still not available; the estimates here are based on the IMF data and projections; and these data excludes opium production.

74. Per capita income during the last five years has increased from 182 USD to 354 USD. As a result of rapid growth in the industry and services sectors in the last five years, the economy has become less dominated by agricultural sector. In fact, the services sector has recently surpassed the agriculture sector in GDP.

**Table 7**  
**GDP composition by sector (per cent)**

2006/07 Projected (1385)	2005/06 Estimated (1384)	2004/05 (1383)	2003/04 (1382)	2002/03 (1381)	Year (Afghan year)
30.9	35.9	37.2	48.5	49.8	Agriculture
26.2	24.4	24.4	21.3	20.1	Industry
42.9	39.7	38.3	30.2	30.1	Services

*Source:* Central Bank of Afghanistan - All figures based on IMF data.

75. In the 2006-2007 fiscal years, the domestic expenditure was 141.8 per cent of the GDP of which 100.5 per cent was shifted for consumption expenditure while 41.3 per cent was investment expenditure. The table below shows the change in consumption, savings, and investment in the Afghan economy over the last five years. The Government does not have statistics on income and expenditures of individual households.

**Table 8**  
**Consumption, savings, and investment 1381-1383**  
**(2002/2003-2004/2005) (per cent of GDP)**

2006/2007 (1385)	2005/2006 (1384)	2004/2005 (1383)	2003/2004 (1382)	2002/2003 (1381)	Year (Afghan year)
141.8	141.9	144.9	151.0	133.5	Domestic expenditure
100.5	103.2	101.6	108.9	99.0	Consumption
11.0	8.6	9.1	9.4	7.8	Public
89.5	94.6	92.5	99.5	91.2	Private
41.3	38.7	43.3	42.0	34.5	Gross fixed capital
31.4	30.6	34.8	34.0	27.0	Public
9.9	8.1	8.5	8.1	7.5	Private
(-0.5)	(-3.2)	(-1.6)	(-8.9)	1.0	Domestic saving
(-3.2)	(-2.3)	(-4.2)	(-4.4)	(-4.6)	Public saving
3.2	(-0.8)	2.6	(-4.5)	5.4	Private saving

*Source:* Central Bank of Afghanistan - all figures based on IMF data.

76. The Government of Afghanistan is committed to ensuring basic economic rights, especially the eradication of poverty in rural areas, through the following programmes. As of 2007, 78 per cent of a total budget of US\$580 million for these programmes has been secured through the financial support of the international community for 40 months since 2003:

- (a) National Solidarity Programme ([www.nspafghanistan.org](http://www.nspafghanistan.org));
- (b) Rural road construction programme;

- (c) National programme on rural irrigation and sanitation;
- (d) National programme on financial services and micro-credit;
- (e) National programme for regional development;
- (f) National programme on social safety and vulnerability assessment.

77. The National Solidarity Programme (NSP) has been implemented in over 30,000 villages, 346 districts, 28 of which include capitals of remote and underdeveloped provinces, involving 19 million people. Under the NSP, financial resources are directly handed over to development councils of villages to be spent on reconstruction and development of villages. Participating villages elect their representatives to a local development council through free, direct and secret ballots. Half of the elected representatives are women. Within over four years, 30,000 villages have received 437,054,128 dollars through 20,192 development councils and have started implementing 33,500 projects, 17,937 of which have been completed. These projects have been designed by village or district councils themselves based on local needs.

78. The rural road construction programme has built 1,800 kilometres of rural roads, and 2,886 bridges, protective walls against floods, with a length of 27,726 meters. The constructed roads, as of December 2007, connected more than 2,500 villages in 33 provinces. The rural irrigation and sanitation programme constructed 14,525 drinkable water sources, including irrigation plants, as well as 14,565 ditches, and public baths. Over 4.3 million people have been educated about sanitation through village and district councils. Agricultural infrastructure has been improved through the implementation of 2,420 small and medium irrigation projects, impacting 2,000 villages in 34 provinces. Other agricultural projects also targeted distribution of livestock, establishment of agricultural farms, construction of water mills, distribution of fertilizers, and vaccination of domestic animals, through the public councils set up in village and district levels by the Ministry of Agriculture. The Government also built 5,005 small hydropower electricity and thermal plants, impacting two million of people in 4,893 villages.

### **Right to adequate food**

79. According to the NRVA (National Risk and Vulnerability Assessment) 2005 survey 44 per cent of Afghan households self-reported as 'food insecure' (i.e. they 'sometimes,' 'often,' or 'mostly' have difficulties meeting their food needs). This statistic is corroborated by the fact that an estimated 30 per cent of households do not meet with their energy (calorie) requirements and 61 per cent of households have poor food consumption as indicated by diet diversity (i.e. they consume less than four different food items each day or less than four different food items each day plus an additional two or three other items per week).

80. Food insecurity is also reflected in high malnutrition rates. A nutritional survey conducted by the MoPH and NGOs found that over six per cent of children under five years of age suffer from acute malnutrition (low weight-for-height ratio) while 45 to 60 per cent of the same age group are chronically malnourished (low height-for-age). Micronutrient deficiencies affect the majority of the population. According to the Micronutrient Deficiency Survey conducted by the MoPH, UNICEF, and the Centre for Disease Control in 2004, 72 per cent under five

and 75 per cent of women in reproductive age suffer from iodine deficiency. 72 per cent and 48 per cent of the same groups suffer, respectively, from iron deficiency, including 38 per cent and 25 per cent suffering from anaemia.

81. At the national level, the country does not produce enough crops to meet the nutritional requirements of the population. The crop production data collected in 2007 by the Ministry of Agriculture Irrigation and Livestock (MAIL) indicates that while Afghanistan produced an estimated 5,584,000 metric tons (MT) of cereals. Considering the population of 24.1 million, the country's requirements were approximately 6,100,000 MT, leaving a deficit of 526,000 MT. (Note: If there is a five per cent margin of error in the production estimate, the actual deficit could be around 800,000MT). This deficit exists despite the fact that the 2007 harvest was estimated to be the best since 1998.

82. Rising food prices globally and nationally, combined with rising oil prices which increase the price of food in import-dependent remote areas, and rapidly growing population suggest that Afghanistan will face increasing challenges in meeting its food needs in the years ahead. In 2007, the price of wheat is estimated to have risen between 40 to 80 per cent depending on the region (national average was a 58 per cent increase). To address this increased level of food insecurity, the Government has launched the following four food security programmes in consultation with the United Nations agencies and programmes, and in coordination with other six programmes of the MAIL:

- (a) Infrastructural and decentralized strengthening programme;
- (b) Improving food security in the household level;
- (c) Improving micro-infrastructural systems; and
- (d) Emergency funds for saviours to be used in emergency cases.

83. There is at present no data available on the food security challenges facing specific vulnerable groups. However, the NRVA 2005 provides information by province and divided by urban, rural and nomadic (*kuchi*) populations. The resulting data suggests that urban households have the most difficulty in meeting their caloric requirements (31 per cent), followed by rural households (30 per cent) and *Kuchis* (24 per cent). This can be possibly explained by the high unemployment rates in urban areas; in rural areas, most households engage in some form of subsistence agriculture or livestock farming to meet at least part of their food requirements.

84. According to the diet diversity data, the most food insecure provinces are the central highlands, and Nuristan province, followed by some provinces in the South (Zabul and Nimroz). Generally, highlands tend to be most food insecure due to the long winters and related transportation and access difficulties.

85. Many rural households have difficulties accessing land. The NRVA 2005 estimated that 26 per cent of rural households do not have access to irrigated land. Agricultural plots are often small (the average plot size is 7.5 jeribs - one jerib is 200 square meters), the growing population means that agricultural plots are increasingly fragmented through inheritance. Many plots do not receive enough water for year-round cultivation. Finally, some families are

challenged by land that has not been properly cultivated for a long time because many Afghan households are returning to their region after years of absence as refugees or IDPs, or are still displaced from their home areas.

86. Gender-disaggregated information on food security is not available, due to the difficulties of obtaining malnutrition data for adults, lack of reliable references, and absence of information on intra-household food distribution. But there are clear indications that maternal nutrition is a problem. 20 per cent of mothers have chronic energy deficiency, and micronutrient deficiencies are worse amongst women than men. 18 per cent of adult men were found to suffer from iron deficiency compared to 48 per cent of women, (excluding pregnant women) in the MoPH survey in 2005. Maternal malnutrition is related to the high number of pregnancies women experience (often six and up to twenty), the young age at the first pregnancy (sometimes thirteen years old), and the short birth spacing. Mothers do not have time to replenish themselves nutritionally between a lactation period and the next pregnancy. These physiological difficulties are compounded by the social and economic challenges that many Afghan women face: women generally do not make decisions on the use of household income, and they have difficulties generating their own income due to lack of education and skills and social disapproval of female employment. The situation is particularly challenging for women without husbands or adult sons.

87. In the last five years, agricultural production has increased, as indicated by the MAIL surveys (3,589,000 MT in 2002 to 5,584,000 MT in 2007), in large part due to the recovery from the prolonged and generalized drought that struck the country between 1998 and 2001. Improvement in the political situation in the country has enabled farmers to return to their land, irrigation systems to be rehabilitated, inputs to be procured, and has made knowledge and technology transfer more feasible. Afghanistan continues, however, to face a number of challenges which could lead to the food security situation stagnating or worsening: many parts of the country continue to suffer from regular droughts and/or springtime destructive floods, and population growth spurred by both returnees and high birth rates is putting considerable strain on natural resources.

88. Recent changes in national policies and laws represent steps in the right direction. Afghanistan has gone from an absence of policies and laws supporting food security to the preparation of the MAIL's Master Plan and Implementation Plan, followed by the ANDS. The MAIL plan consists of seven programmes, including the National Programme for Food Security, called "Food Security for All". Other programmes are focused on horticulture, livestock, natural resource management, irrigation, research and extension for market development, and capacity building of MAIL staff. The implementation of these programmes has started, but funding still needs to be secured to ensure their full implementation. The current security situation poses major challenges for the implementation of the programme, particularly in the most conflict-affected areas.

89. New technologies and improved inputs are slowly being introduced in Afghanistan through government and non-governmental programmes to improve each stage of the agricultural production chain, including processing, storage and transport. These technologies include the introduction of new crop varieties, such as cereal and horticulture, improved pest and disease management, including better quality pesticides and fertilizers, and organic methods. Quality control systems are also being put in place to ensure the quality of agricultural inputs (seeds, fertilizers, etc.) and quality of food that is locally produced and imported.



90. Lack of knowledge about nutrition and how food can contribute to health is a leading cause of malnutrition in the country. Preventable causes of malnutrition include the belief that pregnant women's breast milk is forbidden for their baby, late introduction of complementary foods which often fail to meet child needs, and limited use of diverse foods when they are available. In order to overcome lack of public awareness regarding nutrition, the MAIL in consultation with Food and Agriculture Organization (FAO) has developed several practical nutrition education materials, such as Afghan Family Nutrition Guide: Guide on Improved Feeding Practices and Recipes for Afghan Children and Mothers; Home-based food processing. The booklets are disseminated at the community level through literacy classes, poultry, dairy and others agricultural projects, and health workers. School gardens have been piloted with the Ministries of Agriculture and Education, and will be expanded to several hundred schools in the next few years. Nutrition education is also being incorporated in literacy and school curricula.

91. The Government of Afghanistan is taking several measures to improve the distributions of food supplies to vulnerable groups, with assistance from external donors. With support from the World Food Programme (WFP), 216,037 MT of food aid was distributed to vulnerable households each year. To combat rising food prices, an appeal has been launched seeking assistance for an extra 40,000 tonnes of food, including 33,000 tons of wheat for 425,000 families in 2008, to be distributed particularly in urban areas. The Government also has removed tariffs on imported wheat and other food from Pakistan, to ensure a lower sales price to consumers, as well as announced a plan to lend up to US\$100 million to traders to assist them in purchasing wheat from abroad. Although it is still under consideration, the Government is also exploring the possibility of providing subsidies to farmers as a means of keeping domestic food prices low. It is worth mentioning that the Government has already distributed 10,000 MT of improved seeds at subsidized price.

### **Opium cultivation**

92. 193,000 hectare lands in 21 provinces have been cultivated for opium poppy production in 2007. Afghanistan produced 8,200 tons of opium. Poppy cultivation has been eradicated and do not exist in other 13 provinces. 53 per cent of narcotics were produced in Hilmand province and the rest in other provinces such as Kandahar, Nengarhar, and Orizgan. The Government of Afghanistan makes continuous efforts to eradicate opium poppy cultivation through the activities (Governor-led and Afghan Eradication Force-led Eradication). The Government enacted the Law on Counter-narcotic in 2005 as well as the National Strategy on Narcotics Control. Owing to the support of foreign donors, majority of farmers have given up opium poppy cultivation because alternative livelihoods are being provided. The Government also tries to work with local communities while disseminating the stop of opium poppy cultivation, because decisions by *Shura* (community) and religious organizations often influence/determine farmers' decisions about opium poppy cultivation in certain areas of the country. Furthermore, the Government has the obligation to prevent all kinds of terrorist activities, cultivation and smuggling of narcotics, and production and use of intoxicants, specifically written in article seven of the Constitution. As UNODC 2007 Afghanistan Opium Survey indicates, the dynamics of opium poppy cultivation corresponds to the security situation caused by regional disparities in the country. Cultivation was increased in the south, west and east where security situation have deteriorated, contrary to the north and north-east of the country where security conditions remain stable made significant decrease in cultivation.

### **Right to adequate housing**

93. After two decades of war, the standard of living in Afghanistan is under chronic and severe conditions both in urban and rural areas. Among the estimated total population of 24.1 million, around 18.5 million people live in rural areas. According to estimates, the national population is expected to reach 37 million by 2015. More than half of this growth will be in urban areas provided by that geographic location, and economic conditions, rural areas are limited to absorb further population growth. In addition, Afghan returnees from refuted countries, mainly Pakistan and Iran have exacerbated the population growth, particularly in cities, such as Kabul, Jalalabad, Mazar, and Kanadaha. A large number of IDPs exists in the country. Afghanistan is expected to be urbanised in the near future. In urban areas, the MUDH provides housing, services and employment in line with the Urban Reconstruction Plan, prepared with support of UN-Habitat. Donors including the World Bank, EU, Germany, Japan, the International Committee of the Red Cross, and Care are implementing housing supply, sanitation, and drainage projects. These projects are implemented through close cooperation with the civil society and local municipalities, such as in Kabul, Kandahar, Jalalabad, Herat, and Mazar-i-Sharif, strengthening their management capacity.

94. To implement housing projects in an efficient manner, the Government introduced City Master Plan and banned on distributing State lands contrary to the master plan in 2002. In addition, the Regulation on Distribution of Residential Plots to Homeless and Teachers was enacted in 2006. In reality, however, difficulties to obtain official statistics on homeless, forced evictions, and demolition of houses in addition to the lack of mapping of households and land survey in general are the leading cause of the problem. Furthermore, the security and complex property registration situations influence slow implementation of housing projects. Nonetheless, the Government has been constructing 20,000 residential houses in Deh Sabz area in Kabul city, and improving housing conditions in 19 districts in Kabul city through the financial support of the World Bank.

### **Land policy**

95. Access to land is important for human equity and landlessness is a main factor of poverty in Afghanistan. As indicated earlier, the problems related to land include land disputes, improper land allocation, land grabbing, adjudication, lack of a clear land tenure and registration system, informal market transactions, and inefficient inequitable use of land for social and productive purposes. Poor households are generally the first to lose from the lack of a clear land management system. On one hand, there are a large percentage of landless farmers (47 per cent in rural areas) and on the other hand, around 90 per cent of Afghanistan's territory is out of private ownership and called "Sultani land". In urban areas, land prices are increasing dramatically while powerful individuals are seizing land in an improper way, such as the case in Shirpur village in the area of Wazir Akbar Khan in Kabul where poor residents were evicted and their houses were destructed by the police force. To investigate the case, the President issued Presidential Order no. 3861 in 2003, establishing an Independent Investigative Commission. Later the Kabul Chief of Police was dismissed but others still remain in power and victims of forced eviction received neither compensations nor alternative accommodations.

96. In Afghanistan, land management started only recent years. The Government of Afghanistan makes efforts to prepare a comprehensive land law in spite of extremely difficult situations related to the confiscated lands by previous governments, regimes, and/or illegally seized by powerful individuals. According to the Supreme Court, the following cases related to land disputes were adjudicated and completed at primary and appeal (district level) courts in 1384 (2005-2006), 1385 (2006-2007), and 1386 (2007-2008) up to the third quarter of this Afghan year.

**Table 9**

**Number/type of completed cases related to land disputes in recent years**

Type of dispute cases	1384 (2005-2006)	1385 (2006-2007)	1386 (up to third quarter) (2007-2008)
Lease	627	1 408	582
Property business related	1 105	2 050	1 235
Ownership	38	62	129
Inheritance	108	373	408
Usurpation	946	2 919	580
Yards and gardens border related	133	222	106

*Source:* Supreme Court.

97. In making decisions, courts applies constitutional provisions, Civil Code, Presidential Decree No. 7 regarding the Amendment of Certain Articles of the Land Expropriation Law of 2005, Law on Confiscation of land of 2002, Presidential Decree on the Ban on Distributing State Lands Contrary to City Master Plan of 2002, and other applicable laws enacted by previous regimes. Article 40 of the Constitution stipulates that property shall be safe from violation. No one shall be forbidden from owning property and acquiring it, unless limited by the provisions of law. No one's property shall be confiscated without the order by the law and decision of an authoritative court. Acquisition of private property shall be legally permitted only for the sake of public interests, and in exchange for prior and just compensation. Search and disclosure of private property shall be carried out in accordance with provisions of law. In reality, however, cases like Shirpur are one of many other examples.

98. From 2002, Special Land Property Court was established to resolve a large number of property dispute cases. The special court has been abrogated and the work is now succeeded to civil courts as of January 2007. Current efforts related to land are focusing on the writing and approval of a National Land Policy which will guide amending the existing land legislation. The existing Land Law, which was not compatible with the land policy and the needs of the current situation. Amendments to the existing Land Law are under consideration at the Ministry of Justice. The new policy and amendments aim to better regulate land-related issues and address land-related disputes by:

- (a) Clarifying the system of land use and ownership (private, leasehold, communal, ownership, etc.);

- (b) Defining rules for land allocation and acquisition;
- (c) Protecting property rights and citizen's rights;
- (d) Clarifying land use and land management;
- (e) Clarifying the land classification, notably government and private land;
- (f) Collecting precise data on property for use in economic and development planning;
- (g) Extending the leasehold period for farmers, and potential agricultural enterprises.

99. Furthermore, the new legislation on land aims at incorporating various source of laws enacted by different regimes and customary practices into a comprehensive source of law. It is worth mentioning that community-based dispute resolutions are still common in Afghanistan in which disputes over inheritance are brought to *Shura/Jirgas*, not to the courts, for example. In such cases, customary practice sometimes prevails over the State law. Although existing Civil Code articles provides for inheritance: Two-third of inherited properties are allocated to the sons, and one-third to the daughters, *shura* does not enforce the State law but often enforce community customs to solve disputes.

#### **Article 12**

100. The Government considers health as fundamental human rights for the Afghan people. Article 52 of the Constitution states, "the State shall provide free preventative healthcare and treatment of diseases as well as medical facilities to all citizens. Establishment and expansion of private medical services as well as health centres shall be encouraged and protected by the State in accordance with the provisions of the law. The State shall adopt necessary measures to foster healthy physical education and development of the national as well as local sports."

101. Following the fall of the Taliban regime, the Government has faced tremendous difficulties and number of obstacles to resume its functions in health sector due to unstable security situation as well as lack of financial resources, skilled-workers, and statistics on health care status in the country. In general, disparities exist in various magnitudes in relation to geography, socio-economy, and gender across all dimensions of health care, including preventive and curative ones. Owing to foreign donors, health services in Afghanistan, especially the primary health care service has made significant progress since 2002.

#### **General data related to health care**

102. The table below provides information on some key indicators related to the health situation in Afghanistan between 2000 and 2006. The definition of geographic locations "rural" and "urban" are based on the Afghan Household Survey conducted in 2006 by the Johns Hopkins University and Indian Institute of Health Management Research. All six major cities, including Kabul, Herat, Jalalabad, Kunduz, Mazaar, and Kandahar (only the capitals) were considered "urban" while the rest of the country was defined as "rural".



**Table 10 (continued)**

Category/year	2000	2001	2002	2003	2004	2005	2006
Tetanus toxoid coverage rate (%) of pregnant women receiving at least 2 doses)	ND	ND	ND	ND	ND	73.9 <sup>k</sup>	ND
HIV prevalence among 15-24 year-old pregnant women (%)	<0.01 <sup>m</sup>	ND	ND	ND	ND	ND	ND
Estimated number of cases of tuberculosis	ND	ND	69 849 <sup>d</sup>	ND	ND	ND	ND
Tuberculosis case detection rate (%)	ND	ND	ND	ND	ND	36.4 <sup>d</sup>	ND
Tuberculosis treatment success rate (%)	ND	84 <sup>d</sup>	ND	ND	ND	ND	ND
Hospital beds per 10,000 population	ND	ND	ND	ND	4.2 <sup>f</sup>	ND	ND
Households with access to drinking water from pump or protected spring (%)	ND	ND	ND	ND	ND	31 <sup>k</sup>	ND
Households with access to sanitary latrines (%)	ND	ND	ND	67 <sup>b</sup>	ND	ND	ND

*Source:* Health and Nutrition Sector Strategy 2008-2013/ND: No data/Reliable data is not available.

<sup>a</sup> Central Statistics Office.

<sup>b</sup> Multi Indicator Cluster Survey (MICS).

<sup>c</sup> Afghanistan Health Survey/John Hopkins University (HS/JHU).

<sup>d</sup> WHO.

<sup>e</sup> WHO World Health Statistics 2007.

<sup>f</sup> National Hospital Survey.

<sup>g</sup> United States Census Bureau-Inter-American Development Bank.

<sup>h</sup> Population Reference Bureau.

<sup>i</sup> Maternal Mortality Rate.

<sup>j</sup> MICS Re-analysis.

<sup>k</sup> NRVA.

<sup>l</sup> Expanded Programme Immunization (EPI).

<sup>m</sup> UNAIDS.

103. The following specific information can be referred to the reports that the Government of Afghanistan has already submitted to the WHO:

- Mortality: World Health Statistics 2007
- Morbidity: World Health Statistics 2007
- Health service coverage: World Health Statistics 2007
- Risk factor: World Health Statistics 2007
- Health systems: World Health Statistics 2007 Demographic and socio-economic indicators: World Health Statistics 2007

104. The country's health-care facilities are divided into (a) primary health-care facilities at community level, (b) district hospitals, (c) provincial hospitals, (d) regional hospitals, (e) specialized hospitals. The table shows the number of health facilities by province and the number of population per health facility.

**Table 11**  
**Number of health facilities by province**

Name of Province	Number of population	Number of health facilities	Number of population per health facility
Badakhshan	805 500	58	15 198
Badghis	420 400	31	16 816
Baghlan	762 500	45	19 063
Balkh	1 073 000	97	12 774
Bamyan	379 200	48	8 819
Daykundi	391 000	30	13 033
Farah	428 800	28	15 314
Faryab	840 400	38	22 714
Ghazni	1 040 100	68	15 524
Ghor	585 900	36	16 740
Hilmand	782 100	38	20 582
Herat	1 544 800	65	24 521
Jawzjan	452 000	26	18 080
Kabul	3 071 600	124	27 182
Kandahar	990 100	37	24 753
Kapisa	374 500	35	10 700
Khost	487 400	28	17 407
Kunar	381 900	26	14 688
Kunduz	833 300	46	18 518
Laghman	378 100	27	14 004
Logar	332 400	39	8 523
Nangarhar	1 261 900	84	14 846

**Table 11 (continued)**

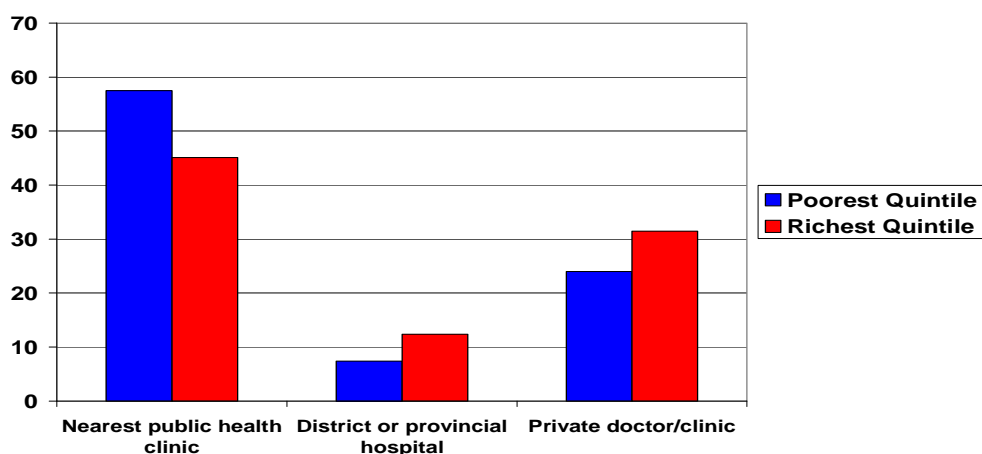
Name of Province	Number of population	Number of health facilities	Number of population per health facility
Nimroz	138 500	13	11 542
Nuristan	125 700	16	7 856
Paktika	369 100	31	11 906
Paktya	467 500	31	17 981
Panjsher	130 400	21	6 210
Parwan	560 800	58	13 042
Samangan	327 700	30	12 604
Sar-e-Pol	472 700	43	10 993
Takhar	827 500	57	15 613
Uruzgan	297 200	7	42 457
Wardak	506 300	49	12 982
Zabul	257 600	13	19 815
	22 097 900	1 423	16 540

*Source:* MoPH (Health Management Information System 2007).

105. In 2004, the health facility assessment was conducted nationwide. The figure below shows that the public health clinics that provide primary health-care services are more utilized by poor while hospitals in district and/or provincial levels are more utilized by non-poor people. The definitions of “poor” and “non-poor” are based on the household wealth status measured by the method developed and validated by Filmer and Pritchett. Equity of utilization and satisfaction is measured through concentration indices, using the method developed by Kakwani.

**Figure 1**

**Source of care for people sick in the last month by income quintile**



*Source:* Health Facility Assessment (2004), MoPH.



106. The Government makes efforts to provide mental health services for people who suffer from mental disorder. Regulation on Mental Health was enacted in 2001, ensuring the right to enjoy health services, treatment, and rehabilitation for free of charge. The persons with mental problem can cancel their treatments upon their request, except in certain cases considered necessary to continue treatments by medical doctors (art. 26). Although the Government recognizes the mental health, especially post-traumatic stress disorder (PTSD) as an urgent issue, there are no surveys or studies to indicate the prevalence and severity of the problem. The following independent studies indicate the impact of two decades of war on mental health of the female portion of the population.

**Table 12**

**Independent study on mental health situation**

Authors (Year of study)	Target groups	Depression symptoms	Anxiety symptoms	PTSD	Issues identified
Rasekh et al. (1998)	Women living in Kabul or recently arrived from Pakistan (n=160)	97%	86%	42%	Lack of social support/Poor living condition/ Lack of services/ Lack of awareness
Amowitz et al. (2000)	Women in Taliban controlled area (Jalalabad: n=223) and non-Taliban controlled area (Faizabad: n=194)	- Taliban controlled area: 78% - Non-Taliban controlled area: 28%	ND	ND	Lack of means for emotions expression/Poor social support/ Lack of basic needs/Lack of services
Lopes Cardozo et al. (2002)	General population (n=799)	Male: 59.1% Female: 73.4%	Male: 59.3% Female: 83.5%	Male: 32.1% Female: 31.9%	Lack of medical health professionals/ Lack of services/Lack of resources
Scholte et al. (2003)	Population in Nangarhar province (n=1011)	Male: 16.1% Female: 58.4%	Male: 21.9 % Female: 78.2%	Male: 7.5% Female: 31.9%	Lack of services in public health centres/Lack of Community-based service/Low awareness
Care (2004)	Widows in war-affected districts of Kabul attending humanitarian assistance programme (n=226)	Female: 78.6%	ND	ND	Lack of support for vulnerable groups/Lack of mental health services/Low awareness

*Source:* Collected by MoPH/ ND: No data/Reliable data is not available.

107. There are hospitals that can provide mental health services in 14 provinces out of 34 provinces. The Government will work with social and other sectors to develop a flexible range of integrated mental health support and care services at all levels of health system. Particular attention will be given to PTSD counselling through the training of more community-level mental health workers and psychologists, and their placement in accessible community health facilities. Currently, access to mental health services/counselling centres are very limited due to lack of such services throughout the country. Most donors are not interested in funding such services. Expansion of quality and quantity of the mental health service depends on the availability of funds in the future.

**Table 13****Summary of the status of mental health services (per 100,000 inhabitants)**

Total psychiatric beds	0.055/100 000
Beds in mental health hospitals	0.031/100 000
Beds in general hospitals	0.024/100 000
Number of psychiatrists	0.036/100 000
Number of neurosurgeons	0.034/100 000
Number of psychiatric nurses	0.070/100 000
Number of neurologists	0.070/100 000
Number of psychologists	0.090/100 000
Number of social workers	0/100 000

*Source:* WHO Mental Health Atlas 2005.

**Health budget**

108. Based on the recommendations by the WHO to Afghanistan, the Government has adopted the budget policy to spend 60 per cent of the budget on primary health care and 40 per cent of the budget on hospital services. Since 2001, after the fall of Taliban, the Government has kept the said ratio in spending budget. The table shows the health expenditures from 2002-2008 reflecting the per cent of the GDP. As shown evidently in the table, the budget of the MoPH cannot cover the delivery of health care services without external financial support.

**Table 14****Public spending on health**

	2002/03		2003/04		2004/05		2005/06	2006/07	2008/09
Planned budget/actual budget	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Budget	Budget
USD million									
Ordinary expenditure	27.8	16.4	28.0	21.7	25.3	23.1	27.4	27.4	27.4
Development expenditure	ND	ND	ND	10.0	22.0	22.3	31.3	30.8	1.6
Total core expenditure	27.8	16.4	28.0	31.7	47.3	45.4	58.7	58.2	29.0
External expenditure	ND	7.0	213.0	143.0	267.0	136.2	87.7	26.4	23.9
Total expenditures	27.8	23.4	241.0	174.7	314.3	181.6	146.4	84.6	52.9
% of GDP									
Total core	0.5	0.4	0.6	0.7	0.8	0.8	0.8	0.7	0.4
Total expenditures	0.5	0.6	4.8	3.8	5.4	3.1	2.0	1.1	0.7

*Source:* Health Expenditure Review, Ministry of Finance.

109. The following table shows the donors providing financial support to the Afghan health sector. The annual amount of funds devoted to the delivery of the BPHS (Basic Package of Health Services) are shown as follows:

**Table 15**  
**Main donors and funds for basic package of health services**

Donor	Number of provinces funded	USD Million	Funds available up-to
EC	10	20 161	2009
USAID	13	24 100	2011
World Bank	11	20 825	2008
Total	34	65 026	

*Source:* Grants and Contracts Management Unit, MoPH 2007.

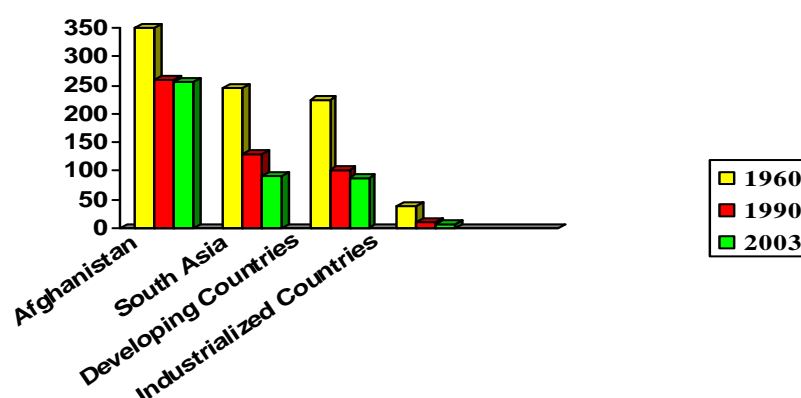
### Infant mortality rate

110. According to the Afghan Health Survey (AHS) in 2006, based on the Brass method, the mortality rate for infants is 129 per thousand life births, and for children under-five mortality rate are 191 per thousand life births. Ninety five per cent confidence intervals are estimated for infant mortality to be 103-155, and children for under-five mortality are 149-233 in according to a survey in November 2004. In 2000, the infant mortality rate was estimated to be 165 per thousand life births, and the mortality rate for children under five was estimated to be 257 per thousand life births. Thus, the mortality rate for infants decreased from 165 to 129 between 2000 and 2006, as well as for children under five from 257 in 2000 to 191 in 2006.

111. Based on the said surveys, the mortality rates both for infants and children under-five have decreased dramatically. However, the Government of Afghanistan recognizes that the mortality rate in Afghanistan still remains quite high compared to other countries in the world.

**Figure 2**

### Trends in under-five mortality rates from 1960 to 2003



*Source:* State of the World's Children (2003) UNICEF.

**Access to safe water**

112. Safe drinking water is considered to be water from a protected source. The table below shows what water resources are safe and unsafe. In 2005, the National Risk and Vulnerability Assessment were conducted according to the definition below.

**Table 16****Definition of safe and unsafe water**

Safe water (protected)	Unsafe water
Hand pump-public	Shallow open well-public
Hand pump-in compound	Shallow open well-in compound
Bored well-hand pump	Spring-unprotected
Bored well motorized	Arhad
Spring-protected	Karez
Pipe scheme-gravity	Kanda
Pipe scheme motorized	River Lake Canal
Pipe scheme-municipality	Nawar Dand Dam
Bowser/water tanker	Drainage
	Other

*Source:* NRVA 2005.

113. In Afghanistan, 31 per cent of the households have access to safe drinking water. Kuchi households have lowest access to safe drinking water (16 per cent), while rural households have 26 per cent and urban households 64 per cent.

**Table 17****Households with access to safe drinking water**

Area categories	Number of households participated in survey	Proportion of households with access to safe drinking water
Kuchi	63 630	16%
Rural	787 922	26%
Urban	409 295	64%
National	1 227 295	31%

*Source:* NRVA 2005.

114. Rural households in Kandahar (50 per cent), Logar (49 per cent), Nimroz (45 per cent), and Kabul and Nangarhar (both 41 per cent) have the highest percentage of households with access to safe drinking water. On the contrary, Samangan (4 per cent), Daykundi (3 per cent), and Nuristan (2 per cent) have lower access to safe drinking water. In some provinces such as Niristan, their main water sources are from natural springs that may produce good quality water, however, not protected. Based on the fact, the Government considers water originated such kind of unprotected springs as unsafe.

115. Access to safe drinking water in urban households is highest in Kandahar (99 per cent), followed by capital city of Kabul (71 per cent) and Balkh (67 per cent). On the contrary, Baghlan and Herat (both 35 per cent) and Kunduz (15 per cent) are among lowest provinces where even urban population have access to safe drinking water. At provincial level, Kabul (65 per cent), Kandahar (54 per cent), Logar (45 per cent), and Nangarhar (43 per cent) have highest access to safe drinking water. In contrast, Zabul (0 per cent), Nuristan (2 per cent), Daykundi (3 per cent), Samangan (7 per cent, Bamyan, Uruzgan, and Sar-e-Pol (all 8 per cent) have the lowest access to safe drinking water. As mentioned before, due to the definition of “safe drinking water”, some provinces that may have access to natural spring water but it is considered to be unsafe.

116. Nationwide, 82 per cent of the households obtain water from their own communities. 14 per cent obtain water near their communities within one hour or less. Two per cent take between one and three hours, and one per cent are required to travel three to six hours. One per cent of households consist of Kuchi population. Overall, urban households report that 81 per cent of them collect water without anytime consuming.

#### Access to adequate excreta disposal facilities

117. In Afghanistan, population uses different disposal facilities according to living settings, and most population still does not have access to toilet facilities. The traditional covered latrine and *dearan* and/or *sahrah*, which is a place within or an outside compound for waste products, animal manure, fire end products and used as toilet as well. *Dearan/Shrah* is still common as toilet facilities, however, highly unsanitary, and a major public health problem.

**Table 18**

#### Availability of toilet facilities in households

Area categories	None/open/field/bush	<i>Dearan/Sahrah</i>	Open pits	Traditional covered latrine	Improved latrine	Flush latrine	Number of households on survey
Kuchi	43	17	26	14	0	0	187 146
Rural	13	15	10	58	3	1	3 009 961
Urban	0	1	3	67	20	9	625 829
National	12	13	10	57	5	2	3 822 936

Source: NRVA 2005.

**Table 19**

#### Access to sanitary toilets

National Average	7%
Urban	27%
Rural	3%
Kuchi (Nomadic)	0%

Source: NRVA 2005.

118. At the provincial level, Ghor (68 per cent), Daykundi (56 per cent) and Badghis (41 per cent) have the higher percentage of households, for lack of modern sewage system, still using open fields or bushes as toilet facilities, while Kabul (0 per cent), Balkh, Nuristan and Paktika (1 per cent) are the lowest users of this type of facility. *Dearan/Sahrah* is most commonly used in Nuristan (72 per cent), followed by Khost (49 per cent), Uruzgan (47 per cent), Paktika and Paktia (46 per cent). The lowest use of these facilities is in Balkh (1 per cent), Ghazni and Kabul (2 per cent) and Kunduz (3 per cent). Open pits are frequently used in Bamyan (46 per cent), Takhar (32 per cent), Badakhshan (27 per cent) and Uruzgan (21 per cent). In Zabul none of the households use open pits at all; only 1 per cent in Paktia, 2 per cent in Balkh, Nimroz, and Daykundi, and 3 per cent in Kapisa, Kunduz and Kandahar. The most deficient toilet facilities are in Ghor (93 per cent), followed by Khost and Daykundi (80 per cent), Nuristan (77 per cent), and Uruzgan (70 per cent).

119. Traditional covered latrines have highest use in Ghazni (87 per cent), Kunduz (86 per cent), Balkh (84 per cent) and Zabul (83 per cent) and lowest use in Ghor (8 per cent). Daykundi (18 per cent), Khost (19 per cent), Nuristan (22 per cent), and Uruzgan (27 per cent). Improved latrines have highest use in Kandahar (19 per cent), Nimroz (15 per cent), Kabul and Jawzjan (14 per cent), Balkh and Kunarha (11 per cent). None of the households in Daykundi, Bamyan, Paktika, Zabul, Sar-e-Pol, Logar, Samangan, Kunduz, Badakhshan, Nuristan, and Parwan reported any uses of improved latrines. Flush toilets are only used in Kabul (11 per cent), Herat (6 per cent), Kandahar (3 per cent), and the provinces of Balkh, Nangarhar, Baghlan, Jawzjan, and Kunarha (1 per cent). In the remaining provinces, no households use flush toilets, and there are urgent needs to improve an access to sanitary toilet facilities.

### **Immunization level**

120. The table below indicates children between 12 and 23 months old who have received specific vaccinations. The survey shows that more than 70 per cent of children have had initial contact with health care system. The proportion of children between 12 and 23 months old receiving three doses of polio is also 70 per cent. Polio vaccination is given through primary health care facilities as well as the national campaign on primary health care undertaken by the MoPH in cooperation with NGOs and donors. Thus, the results also indicates that the level of permeation of primary health care system among population.

121. DPT coverage can also be used as a measure of effectiveness of primary health care system. Over 60 per cent of children between 12 months and 23 months old received the first dose of DPT. However, for the second and third doses of DPT, there were 12 per cent and 14 per cent of decreases respectively. There are two main reasons for the decline. First, it resulted from weak primary health care promotion and education for mothers who simply do not bring their children to complete all vaccinations. Second, consecutive DPT immunizations can be measured improperly due to lack of immunization cards presented by mothers, as well as lack of complete records on vaccination history in each primary health care facility. The latter should be improved through complete implementation of record tracking system through training staff at primary health care facilities.

122. Measles vaccination rate is at 62.6 per cent. Due to lower rate of second and third DPT vaccinations, full immunization rate resulted as 27 per cent. As the table below shows, about 14 per cent of children between 12 and 23 months old are not vaccinated at all.

**Table 20**

**Percentage of children aged 12-23 months who received specific vaccinations at any time before the survey and percentage of children with a health card, by wealth index and time to facility**

Sex	Percentage of children									
	BCG	OPV3	DPT1	DPT2	DPT3	Measles	All	None	Vitamin A	With a health card
Male	72.2	70.6	62.8	50.6	36.5	66.0	29.4	13.6	76.1	17.9
Female	68.2	68.8	57.9	46.9	32.7	59.1	24.6	14.7	76.9	16.8
Total	70.2	69.7	60.4	48.7	34.6	62.6	27.1	14.1	76.5	17.4
Wealth index										
Lowest	52.9	63.0	44.5	35.1	21.5	48.5	14.3	20.9	75.6	13.9
Second	67.5	63.7	57.7	45.4	32.6	59.9	23.0	14.1	77.6	17.9
Middle	74.6	68.7	59.5	47.7	35.6	64.6	28.1	13.1	76.8	17.4
Fourth	78.0	76.6	68.2	57.6	39.0	68.5	31.1	10.1	78.6	18.4
Highest	81.0	77.7	73.8	59.4	45.2	73.3	39.9	11.3	74.7	19.8
Time to facility (2)										
<2 hrs	78.8	74.2	68.9	56.2	41.6	69.5	33.4	10.5	78.22	19.5
≥2 hrs but <3 hrs	59.6	63.5	50.7	42.7	28.7	48.6	20.4	19.0	72.73	16.8
≥3hrs but <4 hrs	65.2	69.4	54.1	39.8	24.3	63.4	17.1	13.8	73.01	13.1
≥4 hrs	47.7	55.5	38.0	26.8	14.5	44.0	11.0	25.1	75.41	10.6

*Source:* Afghan Health Survey 2006, MoPH.

123. To improve the immunization levels, The Government has received funds from the Global Alliance for Vaccines and Immunization for the objectives to implement the following specific objectives:

- To increase national DPT 3 coverage under age one from 77 per cent in 2006 to 90 per cent by 2013
- To increase the districts achieving DPT3 coverage to 80 per cent
- To reduce under-five mortality rate from 257/1000 births (baseline 2000) by 35 per cent by 2013, meaning 167/1000 live births
- To increase the national measles coverage under age one from 68 per cent to 90 per cent by 2013
- To increase the births attended by skilled health personnel from 19 per cent in 2006 to 40 per cent by 2013

### **Life expectancy**

124. Afghanistan's life expectancy is unique in the world in the sense that the life expectancy of women is less than that of men as shown on the table below. As this report presents, due to social and economic challenges in addition to energy deficiencies and low access to maternal health services, and the higher prevalence of violence against women, women have lower life expectancy than men in Afghanistan. Life expectancy disaggregated in rural or urban as well as socio-economic group is not available so far.

**Table 21**

**Life expectancy at birth**

Sex	Average
Female	45
Male	47

*Source:* Population Reference Bureau (2004).

**Access to health-care facilities**

125. Even though Afghanistan still suffers from lack of financial resources, there has been a gradual increase in number of health facilities both for primary and comprehensive health care, including standardization, coordination, range of services, hours of operation, and staffing. In addition, based on the guidelines of the MoPH, the community health-care centre which is under primary health care system has to have at least one female worker considering users of primary health care are generally women and children.

126. The tables below shows access to health care facilities in rural and urban areas of Afghanistan, as well as percentage of health care facilities that has at least one female doctor, nurse, and/or midwife. Based on tables on access to health care facilities in both rural and urban areas, 66 per cent of the population has access to health care facilities within two hours of walking. Considering Afghanistan's geographical features, it is noteworthy that over 60 per cent of population has access to health care facilities within walking distance.

**Table 22**

**Access to health-care facilities in rural areas**

Travel time	% of rural population in category	Cumulative %
< 1 hour	32.1	32.1
1 to < 2 hours	26.4	58.5
2 to < 3 hours	14.4	72.8
3 to < 4 hours	6.7	79.5
4 to < 6 hours	8.7	88.2
≥ 6 hours	11.8	100.0

*Source:* Afghanistan Health Survey 2006, John Hopkins University (JHU)/Indian Institute of Health Management Research (IIHMR).



**Table 23**

**Percentage of health-care facilities with at least one female doctor/nurse/midwife**

Facility	2004	2005	2006
Basic health centre	35.6	53.0	66.0
Comprehensive health centre	42.8	79.8	90.2
District hospital	41.2	83.7	100.0
Total	38.9%	64.4%	76.0%

*Source:* JHU/IIHMR 2004-2006.

**Access to antenatal care**

127. Delivering of birth in any health facilities, including private clinics or hospitals is considered as institutional delivery. The table below shows woman's age, educational background, socio-economic status, and travel time to a health facility. In total, 15 per cent of women delivered birth at health facilities in the last two years. Younger women less than 20 years of age were more likely to deliver in an institution (19 per cent) compared to women of other age groups (13-14 per cent). Thirty per cent of women who had some educational background delivered in health facilities compared to 14 per cent of women who had no educational background. Wealth status is strongly associated with delivery, with 33 per cent of respondents living in wealthy (urban) area are using health facilities for delivery compared to 3.2 per cent of respondents in the poorest (rural) areas. Twenty per cent of respondents living less than two hours from a medical facility had an institutional delivery compared to 0.5 per cent of respondents living more than six hours from a facility.

**Table 24**

**Proportion of women using skilled antenatal care, skilled birth attendance and institutional deliveries by background characteristics**

Background characteristic	Received skilled antenatal care	Used skilled birth attendant	Delivered at institution
Age of mother at birth	%	%	%
<20 yrs	37.2	22.7	19.0
20-24	31.9	17.0	13.4
25-29	30.0	18.0	12.9
30-34	32.1	20.0	13.5
35-49	28.7	17.6	14.2
Total	32.3	19.0	14.6
Education	%	%	%
Never attended school	31.1	17.8	13.7
Has attended some school	51.7	39.6	30.0

**Table 24 (continued)**

Background characteristic	Received skilled antenatal care	Used skilled birth attendant	Delivered at institution
Wealth quintile	%	%	%
Lowest	18.6	7.3	3.2
Second	26.2	11.6	7.1
Middle	37.2	19.0	15.3
Fourth	36.8	22.9	19.1
Highest	47.9	38.4	33.0
Time to facility	%	%	%
<2 hrs	39.3	25.8	20.2
≥2 hrs but <3 hrs	33.2	14.7	11.1
≥3 hrs but <4 hrs	23.0	7.1	4.7
≥4 hrs but <6 hrs	10.6	4.3	3.3
≥6 hrs	7.6	1.9	0.5

*Source:* Afghan Health Survey 2006.

### **Access to trained personnel care for infants**

128. In Afghanistan, infants' medical health is generally covered by primary health care system. As explained in the previous section, the medical service available for infants are the same as the one provided by primary health care facilities. As this report will explain in details in the following paragraphs, the national health care system is targeting mainly mothers and children, including infants.

129. In order to reach for those who have difficulties in reaching health care facilities, the Government has started to implement a mobile package of health services for Kuchi communities. So far twenty mobile teams were deployed. The Government will increase the number of mobile teams depending on availabilities of funds. Mobile teams will ensure more access and health care delivery especially for women and children. The Government tries to increase the number of health-care staff and community health workers who live and work especially in remote areas so as to improve an access to basic health services for population. The Government has trained more than 16,000 community health workers since 2003, providing treatment for common diseases and micronutrient supplementation, as well as distributing the oral rehydration salt. In addition, the aforementioned mobile package health services is expected to be combined with the initiative of the Global Alliance for Vaccination and Immunization.

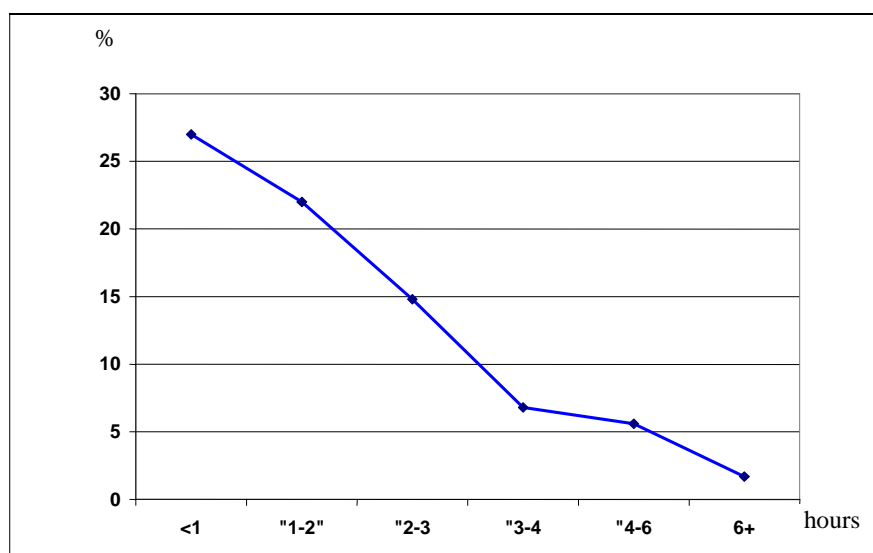
### **Vulnerable groups**

130. In Afghanistan, vulnerable groups whose health situation is significantly worse than the majority are defined as follows: women and children, persons with disabilities, and other groups. First, women and children are the prime target group for the MoPH considering less life expectancy for women and high mortality rate among infants and children. According to the Afghan Health and Nutrition Sector Strategy 2008-2013, "The mission of the Ministry of Public Health (MoPH) is to improve the health and nutritional status of the people of Afghanistan in an equitable and sustainable manner through quality Health Care Services Provision (HCSP) and

the promotion of healthy life styles”. In addition, the Government is encouraging female members of communities as well as female health workers to play a leading role in selecting females to the community health facilities.

**Figure 3**

**Proportion of prenatal care coverage according to walking distance to health-care facilities**



*Source:* JUH/IIHMR 2006.

131. The second group of people who has disadvantages compared to other population is persons with disabilities. The Government intends to improve health situation in an urgent manner, however, its main problem is the lack of financial sources. In addition, the barriers they face are summarized as follows:

(a) Physical barriers: Most of the health facilities are not accessible for person with disabilities and therefore, they cannot benefit from the health services equal to other population. In other words, for those who have disabilities and live in remote villages where road construction is poor and there are no accesses to transportation due to physical and economic reasons, they do not have access even nearby health care facilities;

(b) Attitudinal barriers: There are negative attitudes towards person with disabilities among population due to less information about disabilities. Unfortunately, some health workers also cause marginalization of persons with disabilities. Such attitudinal barriers prevent people with disabilities from visiting health-care facilities;

(c) Communication barriers: For those who have hearing impairment suffers from communication problems with medical staff because they have not been trained for sign language;

(d) Infrastructural barriers: In Afghanistan, only 20-40 per cent among people with disabilities has access to any type of rehabilitation services, especially to physical rehabilitation centres because there are few such centres.

132. The Government of Afghanistan recognizes that the current situation related to disabilities is discouraging and it needs to be improved. Due to lack of financial resources, however, the issue of disabilities is not included in the BPHS and EPHS (Essential Package of Hospital Services). As of December 2007, the most of rehabilitation services for persons with disabilities are delivered through national and international NGOs, as well as foreign donors, not by the Government.

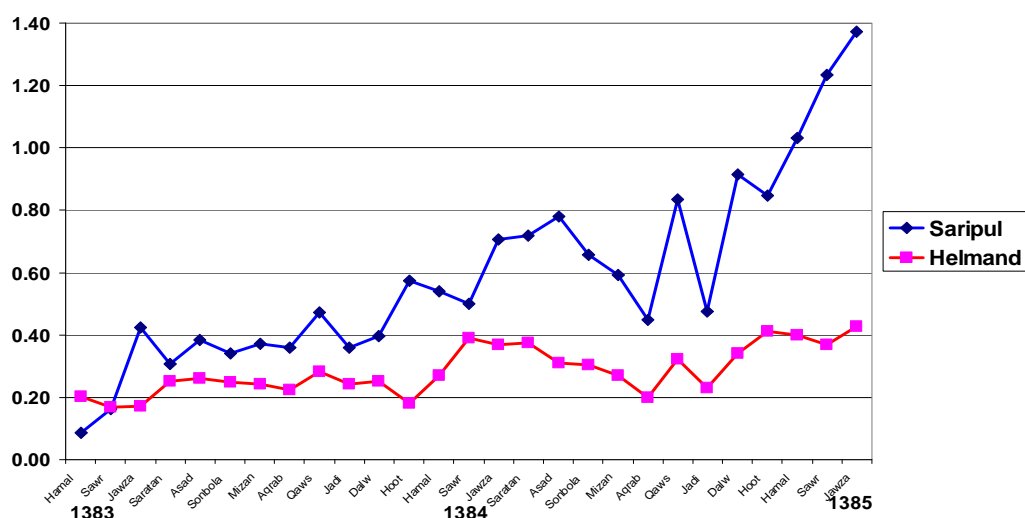
133. The third group of venerable people includes the following:

- (a) People live in areas inaccessible to health care due to security situation;
- (b) Kuchi (nomadic) population;
- (c) Internally displaced persons;
- (d) People live in remote villages of high mountains, canyons, and wide deserts.

134. Without doubt, one of the biggest challenges to the Health National Strategy is the security of tenure. Although the Government of Afghanistan has been able to improve primary health care services, it has also faced obstacles related to the security situation. In an environment where health workers are being targeted for violent attacks, neither health care delivery nor monitoring and evaluation activities are conducted. In 2006, for example, health-care visits to insecure provinces were approximately 0.5 visits per capita, compared with 0.9 visits per capita in more secure areas. Female staff at the health care facilities in insecure areas consists of 30 per cent, compared with more than 50 per cent in secure areas. In provinces where security situation remains in danger, such as Helmand and Kandahar, 17 and 9 clinics had to be closed down respectively. Safety and security are the pre-condition to improve health-care services in any countries.

**Figure 4**

**Outpatient visits per capita per year in the most secure province (Sar-e-Pol) and insecure province (Helmand) from January 2004 (1383) to March 2006 (1385)**



Source: JUH/IIHRM 2006.

### **Policies, laws and regulations**

135. As of 2007, the Afghan Parliament passed the following legislation related to health since 2002:

- (a) Public Health Law;
- (b) Forensic Medicine Law;
- (c) Medicine Law, Regulation on Pharmacies;
- (d) Regulation on Manufacturing and Importing Medicine and Medical Appliances;
- (e) Regulation on Private Medical Laboratories;
- (f) Regulation on Private X-Ray Clinics.

136. The Afghan national policies and strategies are targeted to realize benchmarks, especially the Afghan MDGs. The Afghan MDGs related to health sectors stipulates as follows:

- (a) Reduce by 50 per cent between 2003 and 2015, the under-five mortality rate, and further reduce it to one-third of the 2003 by 2020;
- (b) Reduce by 50 per cent between 2003 and 2015, the maternal mortality ratio, and further reduce the MMR to 25 per cent of the 2002 levels by 2020;
- (c) Have halted by 2020 and begun to reverse the spread of HIV/AIDS;
- (d) Have halted by 2020 and begun to reverse the incidence of malaria and other major diseases;
- (e) Halve by 2020, the proportion of people without sustainable access to safe drinking water and sanitation.

137. The Government concentrates its efforts on primary health care for women and children, especially reducing infants, child and maternal mortality rates, as well as improving their health conditions. In line with the Afghanistan Compact of 2006, the pivotal policy of the Government of Afghanistan is to improve national health services. The Government developed the interim National Health Strategy (NHS) 2002-2004, which was followed by the National Health Policy (NHP) 2005-2009 and the NHS 2005-2006. The NHS is aiming at implementation of primary health care system throughout the country.

138. Developing the BPHS was one of the twelve priorities in the interim health strategy in 2002-2004, and the BPHS has been the integral part of the NHP of Afghanistan since 2003. In addition, Community-Based Health Care (CBHC) was introduced to the BPHS in which over 13,000 community health workers were deployed in almost 5,000 villages, providing primary health care services to local communities. To achieve universal coverage of a standard (BPHS) has been established. The BPHS has two main objectives:

- (a) To provide a standardized package of basic services which forms the core of service delivery in all primary health care facilities;

(b) To promote the re-distribution of health services by providing equitable access, especially in underserved areas.

139. The main components of the BPHS are outlined as follows:

(a) Maternal and newborn health through antenatal, delivery and postpartum care, family planning and care of newborn;

(b) Child health and immunization through EPI (routine, outreach, and mobile), integrated management of childhood illness, and promotion of exclusive breast feeding for the first six months;

(c) Public nutrition through providing micronutrient supplementation, and treating clinical malnutrition;

(d) Communicable diseases control such as tuberculosis, malaria, HIV/AIDS and etcetera;

(e) Mental health through community management, and health facility-based treatment;

(f) Disability services;

(g) Provision of quality essential drug.

140. The BPHS is implemented in cooperation with non-State providers. In 2003, the MoPH adopted the strategy of contracting out the delivery of the BPHS to non-State providers who are able to implement the health related projects as stewards of the NHS. This initiative is called "Contracting-Out Programme". Under three different contracting mechanisms, including the World Bank, USAID, and the European Commission, the BPHS is currently being delivered on a contract-basis with NGOs in 31 out of 34 provinces in Afghanistan. As shown on the table below, the number of such health agencies is growing at remarkable level. In the remaining three provinces, the MoPH has a contract with its own staff based on the same terms of references as the one with NGOs that is called "Programme for Strengthening Mechanism".

**Table 25**

**Proportion of geographic areas covered by non-State providers based on the contracting-out initiative**

Year	Contracting coverage
2003	9%
2004	75%
2005	75%
2006	82%

*Source:* Grants and Contract Management Unit, Ministry of Public Affairs.

141. In order to maintain and strengthen the contracting-out initiative, the Government established the Grants and Contract Management Unit (GCMU) under the MoPH in 2003. The GCMU has expanded its activities rapidly and it manages both technical and financial parts of the health projects, utilizing the funds amount to US\$125 million based on the funds from donors. The success of the unit convinced the donors like USAID and the European Commission

to channel their funds directly through the Government, instead of through the NGOs. In achieving good results based on the contracting-out scheme, the MoPH performs the following duties:

- (a) Develop prioritized activities for the health sector and formulate strategies for implementation;
- (b) Monitor the level of selected indicators on a regular basis and evaluate the performance of all health sector activities;
- (c) Set technical standards and regulate and coordinate NGOs as well as supervise their activities;
- (d) Coordinate the development assistance from donors.

142. In 2006, the contracting coverage of BPHS has increased to 82 per cent of the territories of Afghanistan. The Government of Afghanistan is determined to increase BPHS coverage up to 90 per cent of the population. To achieve this goal, the Government intends to increase the number of community health workers to 25,000 to primary health-care services all corners of Afghanistan. In addition, such primary health service should include mental health and rehabilitation for persons with disabilities. In line with the development of primary health care system, the Government develops measures to deal with mental health-care services in cooperation with national and international NGOs. A particular attention is given to the issue of post traumatic counselling through training of medical health-care staff as well as psychologists at community level where population can have access. The Government also encourages recruitment and placement of such a staff with background of mental health care.

143. In order to tackle the issue of disability, the Government of Afghanistan has established the Disability Unit under the MoPH. A memorandum of understanding has been signed between the MoPH and UNDP, European Union, and UNMACA (United Nations Mine Action Centre for Afghanistan) to provide technical expertise to the MoPH. The project has established the Disability Taskforce. Through its combined efforts, development of a guideline is underway. The guideline will include physical rehabilitation issue in the BPHS, as well as physical rehabilitation in the EPHS.

144. Based on the process above, physical rehabilitation is now started in ten provinces by the EU. In addition, the Disability Unit of the MoPH has conducted disability and physical rehabilitation awareness training in cooperation with the BPHS implementing agencies. The issue of physical rehabilitation for persons with disabilities has received wide support of international donors. The Government of Afghanistan considers such a support as crucial to sustain both financial and technical development in the field of disabilities in Afghanistan.

145. In order to improve the issue of physical access to primary health care, the MoPH adopted recently two strategies: First, establishment of sub-centres with minimum level of staffing for the population up to 3,000 people, and second, establishment of mobile health teams. Recently, more than 120 sub-centres were established in 11 provinces where the World Bank provides for financial resources. Another 120 sub-centres will be established in the rest of the targeted areas with the support of the Global Alliance for Vaccination and Immunization. The Government currently tries to secure more funds for sustainable development of the sub-centres.

146. In addition, the Government will deploy the first mobile health teams in 2008. Depending on availability of funds, the Government will increase the number of mobile health teams to other under covered areas. As for nomad population, the Government has already deployed over 20 mobile health teams. The Government also plans to train health workers who are full literate within the Nomads communities. So far, midwives are identified and trained to work within the Nomads communities.

147. In addition to BPHS the contracting-out programme and programme for strengthening mechanism, there are other sub-programme introduced in the NHS, such as Nomads' Health Programme; Provincial Coordination Programme, and Programme for non-BPHS Clinics. The latter is currently available for nine per cent of the territories of Afghanistan. Although the BPHS covers almost 82 per cent of the territories, in population wise, the BPHS reaches only about 65 per cent of the total population. The Government of Afghanistan intends to increase the number of population covered by the BPHS through:

- (a) Increasing outreach services from the existing Basic Health Centers (BHSs);
- (b) Comprehensive Health Centers (CHCs), and District Hospitals (DHs);
- (c) Increasing the number and level of utilization of health workers;
- (d) Introduction of the Basic Health Sub-Centres, in addition to existing health facilities (BHCs, CHCs and DHs);
- (e) Reaching remote villages at least four times a year through mobile health teams.

148. The Government of Afghanistan intends to achieve the following results by 2013 for the maintenance and expansion of the primary health care programme, indicated in the table below.

**Table 26**

**Expected results by 2013 for the maintenance and extension  
of the Primary Health-Care (PHC) programme**

Results	2000 baseline	Achievement by 2006	High Benchmark 2010	HNS 2013
Increased access to primary health care services within two hours walking distance	9% of population with nearby access to PHC services	65% of population with nearby access to PHC services	90% of population with nearby access to PHC services	90% of population with nearby access to PHC services
Increased national immunization coverage with three doses of DPT vaccine among children under one year of age	31%	77%	Achieve above 90% coverage	Achieve and sustain above 90% national coverage
Increased national immunization coverage with measles vaccine among children under one year of age	35%	68%	Achieve above 90% coverage	Achieve and sustain above 90% national coverage

*Source:* Health and Nutrition Sector Strategy 2008 -2013 MoPH.



149. To achieve above goals, it is still a challenge to secure government-controlled funds. Almost 100 per cent of primary HCS and almost 40 per cent of hospital care are currently supported by external funds from foreign donors. Afghanistan still depends heavily on external financial support to implement basic health projects.

### **Environmental and industrial hygiene**

150. The issues related to environment are dealt by the Department for Environmental Health established under the MoPH. The department works in cooperation with relevant ministries especially with the Environment Protection Office under the Office of President, an independent office responsible for implementing environmental protection. The Environment Protection Office was established according to the Law on Environment enacted in 2007. The Department for Environmental Health at the MoPH has increased the awareness among urban population of potential adverse health consequences of environmental factors, such as poor water supplies, lack of adequate sanitation facilities, adequate rubbish disposal and collection, as well as health facility waste poor food handling and hygiene, and high level of air pollution. Various mechanisms are being used to raise awareness and understanding, such as the one through the media. In addition, several Cabinet meetings and inter-ministerial meetings were held to discuss environmental health policy and strategy, to develop and distribute guidelines on good environmental health practices. In order to mitigate effects of environmental pollution, the following issues will need further development:

- (a) Enforcement of existing laws, and regulations;
- (b) Strengthening human resources in the field of environmental protection involving a number of different line ministries and civil society;
- (c) Raising public awareness on environmental issues;
- (d) Formulation of a National Environmental Action Plan;
- (e) Monitoring and Evaluation progress, towards achieving clean and safe environment.

151. Environmental health, including an access to water and sanitation, quality of indoor and outdoor air, adequate housing is important and significant pillar of public health, and they are also within the responsibilities of the MoPH. This area of public health, however, has not yet been well developed due to the fact that few resources are devoted to it.

### **Prevention and control of epidemic, endemic, and other diseases**

152. There is a programme called “Communicable and Non-Communicable Disease Control Program”. The Health and Nutrition Policy 2005-2009 states that the Government of Afghanistan sets priority for better control of communicable diseases, especially malaria, tuberculosis, cholera, and HIV and other Sexually Transmitted Infections (STIs), through strengthening the management of integrated, cost-effective interventions for prevention, control and treatment. The prevention and management of outbreaks will also be strengthened further through raising public awareness and responding more rapidly through a disease early warning system. The Government is committed to develop and maintain an effective and efficient

surveillance system for certain diseases and health risks, in order to respond health emergencies in a timely manner. A comprehensive health plan has been prepared as the national and provincial levels so that the budget is allocated.

153. The disease early warning system has been established so far in 33 out of 34 provinces except Uruzgan province because of security problems. Through this system, the information on epidemics is gathered in the central level. In this regard, with the support of USAID, the Government recently developed a national Health Management Information System (HMIS) for routine reporting which will provide epidemic reports. This system has achieved more than 77 per cent of regular reporting from all health facilities throughout the country including community-based health-care programme.

154. In addition, the Health and Nutrition Strategy is committed to reduce malnutrition of all types, including reduction of micronutrient deficiency diseases that spreads throughout the country due to poverty. In cooperation with development partners, the Government will take a leadership in preventing, identifying and reducing malnutrition through integrated and coordinated programme. It is also promoting food and nutrition security by adopting a public nutrition approach, involving multi-sector interventions that address underlying causes of malnutrition, including food insecurity, poor social environment, and inadequate access to health services. This work will be undertaken through the existing BPHS/EPHS with special attention and commitment on communicable diseases.

155. The Government of Afghanistan sets the objective in 2007 as increasing the coverage and quality of services to prevent and treat communicable and malnutrition for both children and adults.

**Table 27**

**Target results for prevention of communicable diseases and malnutrition by 2013**

Results	2006 baseline	2013 HNS	2015 Afghan MDGs
Increased case detection of new infectious tuberculosis (TB) cases by an average of 2% yearly	68%	Increase of 12% from the baseline	TB case detection rate above 80%
Reduction of malaria incidence	To be assessed	Reduction by 60% from baseline	
Maintained low HIV zero-prevalence rate in the general population	Less than 0.1%	Less than 0.1%	Less than 0.1%
Increased proportion of districts having at least one health facility providing mental health and disability services as defined by the BPHS	About 10%, to be assessed	100% of districts	100% of districts
Reduction of acute malnutrition for children less than five years old, at all times of the year	6.7%	Less than 5%	Less than 5%

*Source:* MoPH (2007).

### **Standardized medical service**

156. The Government is committed to improve access, utilization, and quality of hospital services in an equitable and sustainable manner through the maintenance and extension of Hospital Care Program. It is committed to provide a comprehensive referral network of secondary and tertiary hospitals that can provide the EPHS as a minimum service within a standardized clinical and managerial performance. The EPHS has three main objectives:

- (a) To identify a standardized package of defined clinical, diagnostic and administrative services for district, provincial, regional and central hospitals;
- (b) To provide a guide for the MoPH, NGOs, and donors on how the hospital sector should be staffed, equipped, and provided with drugs according to the services set at each level;
- (c) To promote a health referral system that integrates the BPHS within the hospitals.

157. Standardized health services offered by hospitals are as follows:

- (a) District hospital: 30-75 beds, serving population of 100,000-300,000 in 1-4 districts. Basic surgery, medicine, obstetrics and gynaecology, pediatrics, mental health, dentistry, plus support services for nutrition, pharmacy, physiotherapy, laboratory, radiology and blood bank;
- (b) Provincial hospital: 100-200 beds. All the above clinical and support services, in addition to rehabilitation services and infectious disease control;
- (c) Regional hospital: 200-400 beds. All of the above plus surgery for ENT, urology, neurology, orthopedics, plastic surgery; and medicine to include cardiovascular, endocrinology, dermatology, lung and chest, oncology, and forensic medicine.

158. The purpose of the EPHS is to establish a mutually-supportive health care delivery system where both basic and essential health services are gainfully interacting. Without developing secondary and tertiary level hospital care, both BPHS and EPHS will be limited. For example, maternal mortalities cannot decrease where a level of health care service remains same to treat complicated pregnancies. Strengthening mechanisms for developing hospitals is a crucial hospital care programme, including EPHS, blood bank, nursing care, disability and rehabilitation.

159. However, expansion of hospital services at the secondary and tertiary level care requires certain financial resources. The hospital sector with health services, including diagnoses, cure, and rehabilitation consume nearly a half of the core budget of the MoPH. To reduce costs, the Government has carefully chosen the concept of strengthening existing infrastructure rather than building new facilities, in addition to implementing several pilot programmes on user-fee hospitals.

160. Furthermore, the Government of Afghanistan plans to take progressive measures to address common gaps in hospitals, such as lack of standards in hospital management, including record-keeping system, clinical care, qualified medical personnel, and/or disproportionate availability of beds.

**Table 28**  
**Target results for hospital services by 2013**

Results	2006 baseline	HNS 2013
Increased proportion of provinces having at least one in-patient bed per one thousand population	About 25% of province, to be assessed	100% of provinces having 1 bed/1000 population
Improved quality of care in hospitals as judged by the Balanced Scorecard (BSC)	Under process	80% or better score

*Source:* MoPH, 2007.

### **Health-care costs**

161. As mentioned, pursuant to article 52 of the Constitution, the health care services are delivered free of charge. In health care services where NGOs providing based on contracting out initiative are charging nominal fees for example, a fee equivalent to 10 cents (USD) is charged for one out-patient visit. Government is currently preparing a health financing policy but has not yet finalized. It needs to be developed in consultation with all stakeholders. The issue of costs of health care is not only important for old people but also for people who are disabled and injured because of previous wars.

162. The Afghanistan health system is mainly focused on the primary health care, and so far the health system has not been able to provide quality health care according to the need of elderly people. The established Health Management Information System (HMIS) provides reports for the age categories of less than five years and over five years. It is difficult to differentiate the number of elderly people. As more funding is available to the health sector, services will be more expanded and hopefully address the health needs of elderly people.

### **Community participation in health care**

163. As previously mentioned, CBHC is an integral part of the BPHS, in which around 14,000 community health workers are presently deployed in close to 5,000 villages, providing vital health services to some of the most disadvantaged communities. The Government plans to increase the number of community health workers to 25,000 to reach all corners of Afghanistan. The objective of increasing the number of health workers is not only to expand access to services but to establish a solid foundation for sustainable health care system. The table shows the current personnel in both capital and provinces.

164. The HNS ensures that all principles of primary health care service shall be implemented through community participation, and intersectional collaboration. The Government of Afghanistan is committed to increase active participation of communities in the management of their local health services through developing strong, active participatory links with *shura* as well as training and supporting community health workers. For example, the establishment of women's Community Health Committee at the Health Posts (HPs) and primary health care facilities has facilitated more women to visit and utilize health care services. In addition to the continued efforts of the Government, in the deployment of female community health workers as well as other health facility staff, empowerment of women in making decisions on their own and their families' health needs has been improving.

**Table 29**  
**Male and female personnel in the capital and provinces**

Current male and female personnel in the capital																													
Doctors		Nurses		Midwives		Anaesthesia nurses		Laboratory workers		Stomatologists		Dentists		Radiologists		Pharmacists		Pharmacy technicians		Vaccinators		Health workers		Admin workers		Service workers		Total	
M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 003	351	762	262	1	274	57	16	357	78	51	16	106	44	124	18	152	57	59	8	119	82	94	14	897	315	1 806	684	5 588	2 219
Current male and female personnel in the provinces																													
Doctors		Nurses		Midwives		Anaesthesia nurses		Laboratory workers		Stomatologists		Dentists		Radiologists		Pharmacists		Pharmacy technicians		Vaccinators		Health workers		Admin workers		Service workers		Total	
M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 146	250	1 053	112	9	230	47	2	414	28	7	1	66	10	49	0	114	15	6	0	261	15	31	3	499	29	1 411	329	5 113	1 024

Total number of health workers in the capital and provinces:

Male: 10,701

Female: 3,243

Total: 13,944

*Source:* Recruitment and Personnel Unit, MoPH.

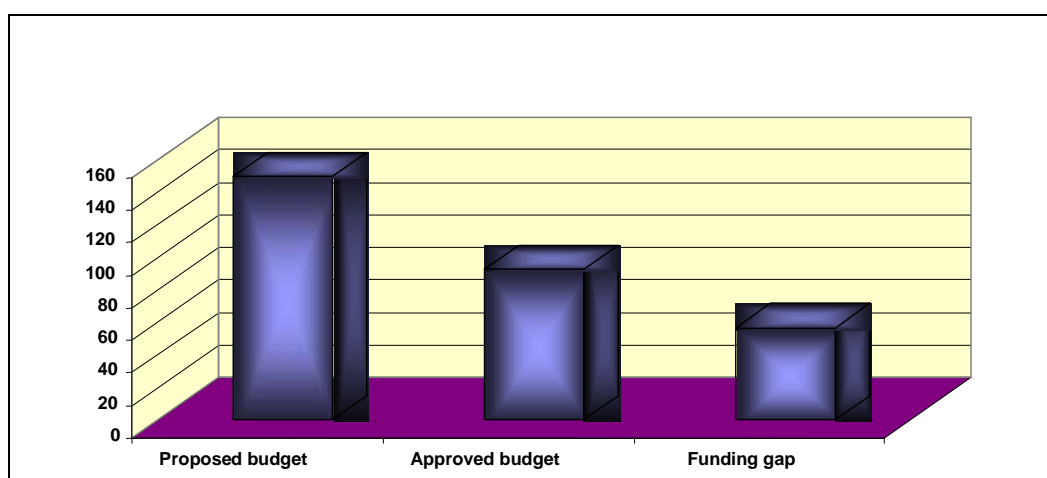
### Role of international assistance

165. Based on the current GDP per capita, Afghanistan is one of the poorest countries in the world. The HNS receives only a small portion of government resources, accounting for only three per cent of the overall operation budget, and five per cent of the development budget. Health sector in Afghanistan remains to face a difficult situation, nonetheless Afghanistan has been receiving a great support from donors, such as the European Commission, World Bank, USAID, JICA, a large number of international and national NGOs, as well as academic institutions such as the John Hopkins University, the Indian Institute of Health Management and Research, London School of Hygiene and Tropical Medicine, the TecServe and the EPOS and other organizations.

166. In 2007, 54 projects proposed by the MoPH to the Ministry of Finance within the core budget at an estimated amount of US\$149.27 million. Among them, 33 projects amounts to US\$92.77 million, (62 per cent) were approved. Remaining 38 per cent has to depend on external budget, especially donor funds that are not channelled directly through the Ministry of Finance. Although it is difficult to track funds from donors, because the funds are used by donors themselves, or contracted by NGOs as mentioned before, almost 60 per cent of the budget of the MoPH comes from external funds based on the figure prepared by the Ministry of Finance. As shown on the graph below, the funding gap represents 38 per cent:

**Figure 5**

**Ministry of Public Health budget status 1386 (Million USD)**



167. The international community has played a crucial role to the achievement made to this date both in terms of financial and technical support. Although Afghanistan has made significant strides to provide access to basic health services, it should continue to work on fulfilling goals

set under the Afghan MDGs. International community can continue to support Afghanistan through making substantial contributions to the health sector of Afghanistan, so that the Government of Afghanistan can allocate resources to implement its plans and strategies. The Government concerns that a large proportion of the funds are still transferred directly to the NGOs without going through the government channels.

### **Article 13**

168. The first twelve-grade school system was introduced in Afghanistan in early 20<sup>th</sup> century, during the reign of Amir Habibullah. Education curriculum was designed by Indian educational experts. Later, during the time of King Mohammad Zaher Shah, schools and universities were established for both boys and girls in the capital as well as in several provinces, based on the first standardized education curriculum.

169. In 1996, under the Taliban, female students were banned not only from employment but also from all educational facilities. After the establishment of the Interim Government of Afghanistan in 2002, the Ministry of Education (MoE) reopened doors for female students, and continuously developed new syllabi, curricula for all grades and types of school according to contemporary needs and educational opportunities for all citizens.

170. In Afghanistan, education is the right of all citizens, and “which shall be offered up to the university (bachelor’s) level” according to article 43 of the Constitution. All public educational institutions are free of charge. The Government is obliged to create and foster balanced education for women, improve education of nomads, and eliminate illiteracy in the country according to article 44. In addition, to ensure education for those who speak other than Dari and Pashto, the Government has responsibilities to design and implement effective programmes. Article 46 of the Constitution describes that establishment and administration of higher, general and specialized educational institutions is the duty of the State. In addition, the constitution allows the establishment of private schools by both Afghan and foreign citizens.

171. In line with the Afghan MDGs, the Government commits to ensure that all children can complete a full course of primary education throughout the country by 2020. The Government of Afghanistan is making efforts to eliminate gender disparities in all levels of education no later than 2020. However, the Government faces tremendous difficulties to achieve the said goals in reality. According to the Schools Survey conducted by the MoE in 2007, 5.95 million students were registered at MoE and Community based Education (CBE) schools delivering primary and secondary education. Of these students, 95 per cent are in General Education, 1.5 per cent in Islamic Education, 0.24 per cent in Teacher Training, 0.17 per cent in Technical and Vocational Education, and 2.66 per cent in CBE classes. Considering a total population of children under the age of 18 consists half of the total population of 24.1 million, there are almost six million children- more than half of a total child population eligible for schooling do not have access to education.

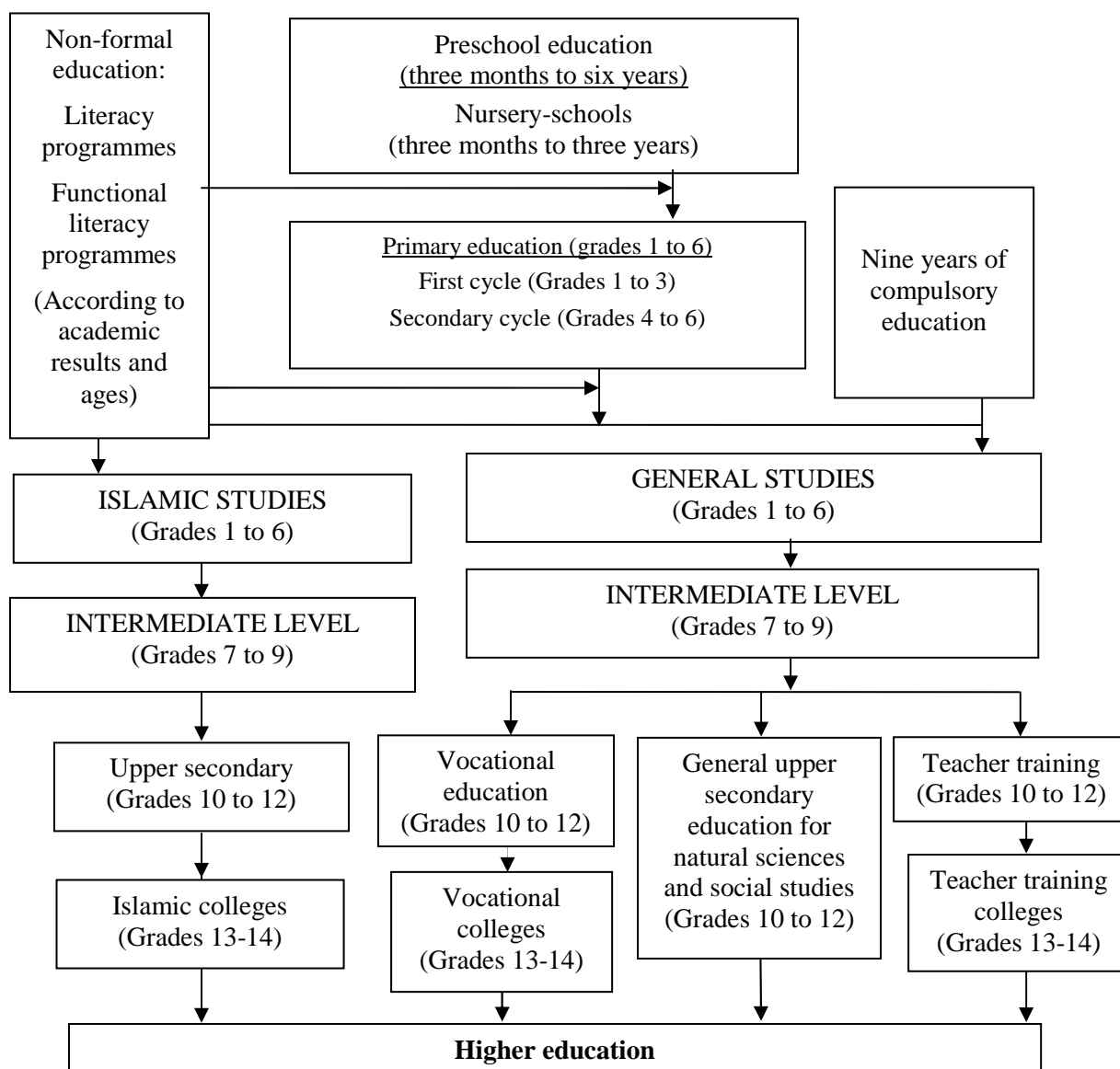
172. During the war, a large number of school buildings have been demolished and reconstruction and/or rehabilitation are urgently needed in Afghanistan. A total number of school buildings are 9,476 schools in 2007. Although over 2,000 school buildings have been constructed or rehabilitated since 2002, there is a need of more school buildings especially for primary education. In many primary schools, classes are offered in more than two shifts. In addition, primary education in some areas of the country is offered at secondary school facilities due to a lack of enough schools or classrooms for primary education. Furthermore, recruitment of more number of qualified school teachers is urgently needed in Afghanistan due to a lack of sufficient number of qualified teachers. The Government facilitates recruitment and training of teachers through teacher training centres and teacher vocational schools explained in the following paragraphs.

173. Afghanistan is the Islam Republic, and all religious schools, including Islamic schools called "*Madrassa*" are under the supervision of the MoE. Article 17 of the Constitution stipulates that the State shall adopt necessary measures to foster education at all levels, develop religious teachings, regulate and improve the conditions of mosques, religious schools as well as religious centres. In addition, article 45 of the Constitution describes that the State shall devise and implement a unified educational curriculum based on the tenets of the sacred religion of Islam, national culture as well as academic principles, and develop religious curricula for schools on the basis of existing Islamic sects in Afghanistan.

174. There are two ministries in charge of education; MoE and the Ministry of Higher Education (MoHE). The MoE deals with the primary and secondary education, and the MoHE manages higher education, namely university education. Within the MoE, there are three Deputy Ministers' Offices engaged in (a) implementation of literacy programme; (b) implementation of the national education curriculum; (c) management of human resource and finance. As mentioned earlier, MoE is responsible for General Education (Grade 1 to 12), Islamic Education (Grade 1 to 14), Teacher Education (Grade 10-14), Technical and Vocational Education (Grade 10 to 14), CBE (Grade 1 to 6). These education system is also categorised as primary school education (grades 1 to 6); secondary school education (grades 7 to 12); and post-secondary school education (grades 13 and 14), which is shown in the following structure of the education system.



### Structure of the education system



### Primary education

175. Primary education consists of six years. Students will enter the first cycle of primary education at the age of six or seven. In the first cycle, students become familiar with elements of basic education, such as reading, writing, and arithmetic and with the basics of religious and moral education. School time lasts four hours a day and six days a week. In the second cycle of primary education at the age nine to twelve, students learn based on a more diversified curriculum to develop appropriate knowledge, skills and attitudes. School time lasts five hours a day, meaning 30 hours a week. Within the general education, the vast majority of students are in primary schools- 4,669,110 (82.26 per cent of the total students who are registered). Among primary students 2,930,784 are male and 1,738,326 are female students. The largest primary school populations are located in Kabul City, followed by Herat, and Nangahar provinces.

## Secondary education

176. The secondary education consists of intermediate level, lower secondary education and upper secondary education. In the intermediate level, students broaden their academic achievements as well as spiritual and social development. School time is six hours a day, 36 hours a week. After graduating from the intermediate level of the secondary education, students are eligible to enter general upper secondary schools or specialised upper secondary schools, including teacher training as well as technical and vocational education. In 2003, the MoE completed the new educational curricula. According to Chapter Two of the new curriculum, primary and secondary education from grade one to grade nine is compulsory without depending on their gender, tribe, language, race, or social status. Based on this curriculum, the Ministry of Education developed and implemented the plan for compulsory and free education services for the primary education throughout the country. In 2007, there are 735,697 (12.96 per cent of the total students who are registered) students registered in the lower secondary education. 533,834 are male and 201,863 are female students. The largest number of lower-secondary school students locates in Kabul City, followed by Herat, and Balkh provinces.

177. In upper secondary schools, students will be streamed along two main courses: natural sciences and social studies. In specialized tracks, students are trained as teachers for primary education, or technicians and specialists in production and services, through teacher training and technical and vocational education respectively. It takes three-year to complete upper secondary education (Grade 10 to 12) for general studies, and for another two years (Grade 10 to 14) for specialized tracks. The students graduated from the latter programme, they can obtain a post-Baccalaureate Diploma in the field of Islamic studies, teacher training, and vocational education. This level of post secondary education applies for thirteenth and fourteenth grades. Graduate students may enter the labour market or apply for further education in higher education. In 2007, there is a total student population of 271,144 of which 203,244 are male and 67,900 are female. Kabul City has the largest number of higher secondary students, followed by Herat, and Balkh provinces.

178. The aforementioned Schools Survey was conducted in all provinces in order to have a complete picture of the education sector. Due to deteriorating security situation, however, approximately 600 schools in eight provinces (Helmand, Kandahar, Ghazni, Farah, Nimorz, Pktika, Zabul and Uruzgan) were not included in the survey. According to this survey, approximately 75.5 per cent (General Education: 75.59 per cent and Islamic Studies: 72.92 per cent) of the students actually attend the class. School attendance is severely influenced by violent incidents against school teachers, staff at provincial department of education, and sometimes children, which terrifies parents and refrain from sending their children to schools. Concerning the gender ratio, two-third of the students is dominated by male students. This ratio persists across both the General Education and Teacher Training programmes. In Islamic Education, however, female students consists only 7.57 per cent of the total student population. Within General Education, the female population begins to drop off slightly in Grade 3, from 39.9 per cent of the student population in Grade 2 to only 24.91 per cent in Grade 12. The following tables show the number of schools and students in General Education (including the information on number of shifts) and Islamic Education, the student population by grade and gender for both General Education and Islamic Education, as well as gross and net enrolment ratio.

**Table 30**  
**Number of general schools by province**

% of schools in province to national	Total students	Gender ratio	Female	Male	Number of schools	Province
0.88%	49 960	0.10	4 398	45 562	167	Uruzgan
1.18%	67 190	0.34	16 987	50 203	200	Badghis
1.62%	91 724	0.61	34 910	56 814	294	Bamyan
4.36%	247 322	0.84	112 809	134 513	476	Badakhshan
4.38%	248 487	0.61	94 254	154 233	308	Baghlan
6.41%	363 623	0.70	149 748	213 875	350	Balkh
2.73%	154 991	0.49	50 644	104 347	289	Parwan
1.82%	103 022	0.28	22 601	80 421	198	Paktia
1.62%	91 887	0.25	18 360	73 527	270	Paktika
0.49%	27 768	0.53	9 600	18 168	77	Panjshir
4.09%	232 304	0.67	93 141	139 163	371	Takhar
2.08%	117 883	0.58	43 222	47 661	196	Jawzjan
2.67%	151 354	0.30	35 224	116 130	197	Khost
1.52%	86 395	0.61	32 704	53 691	247	Daikundi
0.75%	42 494	0.10	3 985	38 509	175	Zabul
1.73%	98 191	0.55	34 805	63 386	324	Sar-e-Pol
1.26%	71 248	0.47	22 855	48 393	182	Samangan
11.94%	677 974	0.73	286 752	391 222	179	Shahr kabul
4.19%	237 557	0.46	74 869	162 688	452	Ghazni
1.91%	108 669	0.40	30 896	77 773	388	Ghur
3.69%	209 231	0.64	81 613	127 618	325	Fariab
1.40%	79 652	0.44	24 466	55 186	198	Farah
1.80%	102 301	0.45	31 560	70 741	156	Kapisa
2.37%	134 251	0.21	22 841	111 410	337	Kandahar
3.72%	210 895	0.61	80 236	130 659	261	Kunduz
2.02%	114 756	0.57	41 432	73 324	301	Kunar
2.03%	115 232	0.58	42 243	72 989	176	Laghman
1.64%	93 082	0.41	26 887	66 195	168	Logar
7.00%	397 271	0.57	144 011	253 260	326	Nengarhar
0.48%	27 067	0.68	10 959	16 108	161	Nuristan
0.57%	32 380	0.70	13 297	19 083	86	Nimroz
9.12%	517 409	0.83	234 385	283 024	552	Herat
2.00%	113 565	0.13	13 331	100 234	222	Hilmand
2.00%	113 414	0.30	26 004	83 410	267	Wardak
2.56%	145 402	0.41	42 060	103 342	186	Kabul province
100.00%	5 675 951	0.55	2 008 089	2 667 862	9 062	Total

Source: Ministry of Education (2007).

**Table 31**  
**General education schools by number of shifts**

Number of schools	Schools with one shift	Schools with two shifts	Schools with three shifts	Schools with four shifts	Schools with unknown shifts
9 062	5 581	2 578	295	28	580

Source: 2007 Schools Survey, MoE.

**Table 32**  
**Number of Islamic schools and students by province**

% of Students in province to national	Gender ratio	Total students	Female	Male	Number of schools	Province
0.17%	0.00	152	0	152	1	Uruzgan
0.35%	0.00	324	0	324	3	Badghis
0.71%	0.00	646	0	646	10	Bamyan
2.94%	0.01	2 684	21	2 663	21	Badakhshan
6.47%	0.12	5 912	652	5 260	19	Baghlan
2.65%	0.05	2 423	108	2 315	6	Balkh
12.67%	0.19	11 576	1 870	9 706	29	Parwan
1.20%	0.01	1 095	8	1 087	7	Paktia
4.04%	0.16	3 694	521	3 173	16	Paktika
1.54%	0.09	1 405	116	1 289	7	Panjshir
4.06%	0.05	3 709	177	3 532	20	Takhar
1.31%	0.00	1 199	0	1 199	10	Jawzjan
1.93%	0.17	1 763	262	1 501	6	Khost
0.00%	0	0	0	0	0	Daikundi
0.14%	0.00	128	0	128	1	Zabul
0.77%	0.09	708	57	651	7	Sar-e-Pol
0.73%	0.00	666	0	666	3	Samngan
2.10%	0.18	1 923	295	1 628	3	Kabul City
3.09%	0.09	2 823	224	2 599	12	Ghazni
1.27%	0.01	1 161	6	1 155	9	Ghor
3.97%	0.04	3 630	153	3 477	13	Faryab
0.66%	0.00	600	0	600	6	Farah
7.20%	0.06	6 579	373	6 206	9	Kapisa
1.76%	0.18	1 608	243	1 365	3	Kandahar
3.51%	0.10	3 210	295	2 915	12	Kunduz
5.23%	0.02	4 776	102	4 674	14	Kunar
3.04%	0.00	2 774	0	2 774	8	Laghman
1.59%	0.00	1 452	0	1 452	8	Logar
13.11%	0.09	11 974	1 018	10 956	29	Nangarhar
1.81%	0.18	1 650	252	1 398	8	Nuristan
0.00%	0	0	0	0	0	Nimroz
5.59%	0.00	5 103	0	5 103	18	Herat
0.47%	0.00	426	0	426	1	Hilmand
2.43%	0.05	2 222	105	2 117	9	Wardak
1.50%	0.04	1 367	58	1 309	8	Kabul Province
100.00%	0.08	91 362	6 916	84 446	336	Total

Source: Ministry of Education (2007).

**Table 33**

**Number of male and female primary and secondary schools for general education by province**

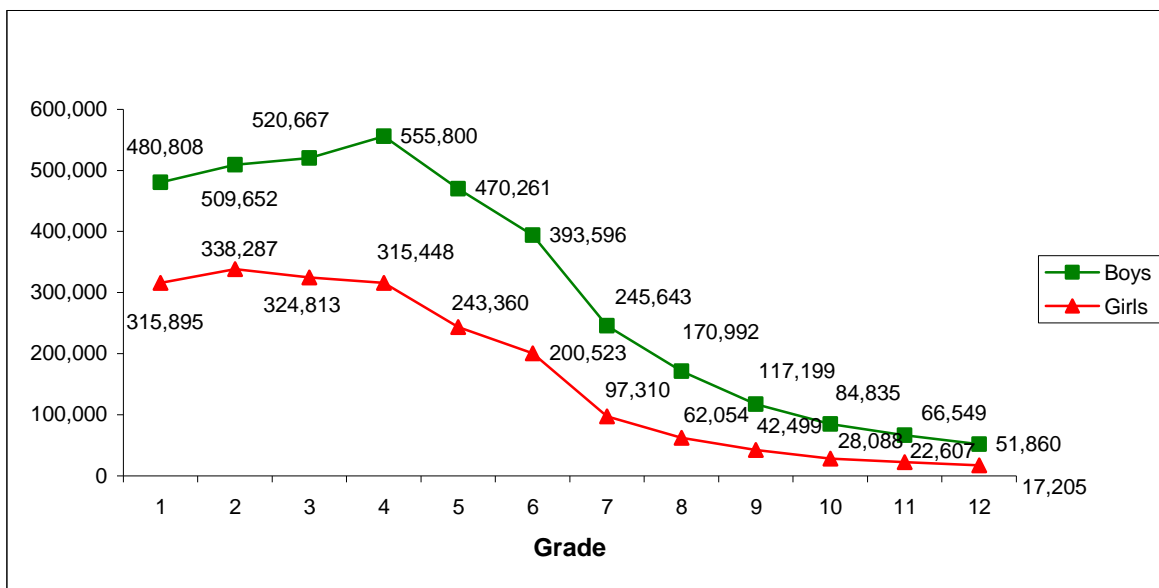
Total schools	Total higher secondary	Mix higher secondary	Female Higher Secondary	Male higher secondary	Total lower secondary	Mix lower secondary	Female lower secondary	Male lower secondary	Total primary	Mix primary	Female primary	Male primary	Province
167	12	1	0	11	25	4	1	20	130	3	14	113	Uruzgan
200	13	3	2	8	21	5	2	14	166	57	19	90	Badghis
294	49	5	11	33	121	55	31	35	124	53	32	39	Bamyan
476	138	52	32	52	204	147	28	29	134	106	15	13	Badakhshan
308	77	46	9	22	161	128	15	18	70	53	11	6	Baghlan
350	71	28	18	25	164	107	22	35	115	88	10	17	Balkh
289	60	20	9	31	126	52	27	47	103	55	28	20	Qarwan
298	28	12	1	15	54	31	4	19	116	60	14	42	Qaktia
270	18	8	1	9	53	25	0	28	199	89	12	98	Qaktika
77	17	4	3	10	27	11	9	7	33	18	6	9	Qanjshir
371	71	28	15	28	62	42	11	9	238	196	22	20	Takhar
196	41	17	6	18	26	16	1	9	129	60	33	36	Jawzjan
197	36	17	2	17	31	16	2	13	130	57	21	52	Khost
247	18	8	0	10	78	43	14	21	151	128	17	6	Daikundi
175	14	0	1	13	15	0	0	15	146	21	2	123	Zabul
324	14	3	1	10	84	17	18	49	226	101	64	61	Sar-e-Pol
182	16	0	5	11	29	9	4	16	137	76	17	44	Samangan
179	95	68	11	16	77	70	1	6	7	5	0	2	Shahr Kabul
452	147	31	37	79	113	54	17	42	192	95	14	83	Ghazni
388	34	6	4	24	64	23	10	31	290	115	41	134	Ghur
325	27	4	4	19	39	8	5	26	259	92	82	85	fariab
198	24	6	2	16	25	4	7	14	149	37	28	84	Farah
156	36	9	5	22	51	12	10	30	69	11	30	28	Kapisa
337	35	6	6	23	75	14	3	58	227	32	2	193	Kandahar
261	50	36	2	12	76	58	8	10	135	96	19	20	Kunduz
301	36	4	4	28	57	21	19	17	208	123	31	54	Kunar
176	38	2	7	29	57	9	20	28	81	40	23	18	Laghman

**Table 33 (continued)**

Total schools	Total higher secondary	Mix higher secondary	Female Higher Secondary	Male higher secondary	Total lower secondary	Mix lower secondary	Female lower secondary	Male lower secondary	Total primary	Mix primary	Female primary	Male primary	Province
168	26	3	3	20	54	13	14	27	88	27	16	45	Logar
326	80	43	8	29	66	44	8	14	180	137	31	12	Nengarhar
161	7	1	1	5	67	14	22	31	87	52	16	19	Nuristan
86	9	1	4	4	4	1	1	2	73	53	3	17	Nimroz
552	69	22	18	29	208	156	31	21	275	195	23	57	Herat
222	27	6	0	21	57	7	0	50	138	9	1	128	Hilmand
267	49	18	0	31	70	40	3	27	148	108	22	18	Wardak
186	50	26	3	21	65	47	6	12	71	31	9	31	Kabul Province
9 062	1 532	544	235	753	2 506	1 302	374	830	5 024	2 479	728	1 817	Total

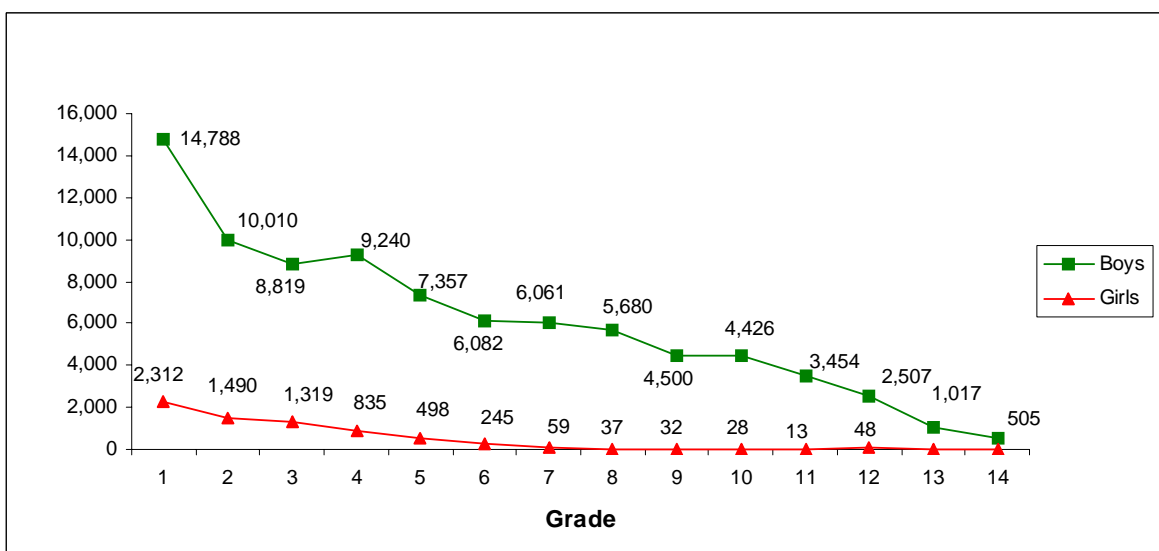
*Source:* Ministry of Education (2007).

**Figure 6**  
**General education student population by grade and gender**



Source: 2007 Schools Survey, MoE.

**Figure 7**  
**Islamic education student population by grade and gender**



Source: 2007 Schools Survey, MoE.

**Table 34**  
**Gross enrolment ratio**

Primary male	Primary female	Primary total	Lower secondary male	Lower secondary female	Lower secondary total	Higher secondary male	Higher secondary female	Higher secondary total
157.89%	99.35%	129.70%	70.94%	29.67%	51.66%	30.78%	11.07%	21.53%

**Table 35**  
**Net enrolment ratio**

Primary male	Primary female	Primary total	Lower secondary male	Lower secondary female	Lower secondary total	Higher secondary male	Higher secondary female	Higher secondary total
73.66%	46.43%	60.55%	29.65%	11.85%	21.31%	9.26%	4.07%	6.81%

*Source: 2007 Schools Survey, 2007.*

## **Higher education**

### *General information on higher education*

179. After completing high school (Grade 12), students can apply for universities. According to the Law on Higher Education entered into force in 1989, higher education is defined as “universities and other higher educational institutions”. The draft legislation on higher education is ready for an approval by the National Assembly in 2008. It provides the same definition for higher education. University education includes courses for Bachelor’s, Master’s, and Doctoral degrees. Concerning postgraduate studies, courses were reintroduced only in 2006 after the war. As a pilot programme, the Master’s degree courses on literature in Dari and Pashto respectively are offered at the University of Kabul. In 2008, first students will be graduating with Master’s degree in literature in Dari and in Pashto respectively. From 2008, MoHE plans to offer additional Master’s degrees in law, economics, and science not only at the University of Kabul but also in other universities in provinces.

180. Afghanistan’s higher education system is going through fundamental changes after two decades of war during which almost all universities had to be closed down due to heavy infrastructural damages. The Government has constructed and rehabilitated university buildings in Herat, Balkh, Kandahar, and Jalalabad, as well as established new universities in Khost, Paktia, Bamyan, Baghlan, Takhar, and Fariab provinces since 2002. There are 19 universities open in the country as of 2007. There are other higher educational institutions, in the field of medical, nursing, technical, management and accounting, and agriculture that are administered by other relevant ministries, consisting of a total of 35 universities and higher educational institutions with 104 faculties. This report, however, explains the higher education system in 19 universities under the MoHE, excluding other 16 higher educational institutions administrated by other ministries.



181. In addition to the infrastructural problem, there is an issue of lack of sufficient number of qualified professors and lecturers in the country because majority of experienced professors and lecturers have migrated abroad. There are about 2,713 professors and lectures teaching at 19 universities under the MoHE in the country. The Government of Afghanistan makes efforts to increase the number of professors and teachers to more than 5,000 by the year 2011. Current range of monthly salaries for professors and lecturers are between USD 200 and USD 375. Due to a lack of qualified scholars in the country, most returnees from abroad with degrees from foreign universities are often appointed for professors and lecturers at the universities.

*University entrance examinations*

182. The number of eligible students cannot be admitted not because of their academic background but simply because there is not enough number of classrooms, professors, and lecturers. In 2006, the number of applicant for universities was almost four times higher than the number of admitted students not only because of competitive admission process but simply because of the limited physical capacities of universities to offer courses for more numbers of students. In 2007, the gap between the number of applicants and admitted students became smaller.

Year 2006	
Number of applicants	57 606
Number of admitted students	13 500
Year 2007	
Number of applicants	52 500
Number of admitted students	17 000

183. When universities and other institutions for higher education were reopened in 2002, approximately 4,000 students were admitted and registered. After six years, the total number of university students increased to 50,000 in 2006. Registration of student usually starts in 1<sup>st</sup> of Asad (21 July) and continues to the end of Dalwa (February). Since 2006, the registration of university applicants is computerized and has improved dramatically the work of MoHE. In 2007, the general university entrance examinations were held in the following nineteen zones where universities were located:

1. Kabul: Kabul City, including its suburb, Maidan, Wardag, and Logar provinces
2. Nangarhar: Nangarhar and Kunar, Laghman, and Nurestan provinces
3. Bamyān: Bamiian and Daikondi provinces
4. Konkuz: Konkuz province
5. Parwan: Parwan, Kapisa, and Panjsher provinces
6. Ghazni: Ghazni and Paktika provinces

7. Balkh: Balkh and Samangan provinces
8. Khost: Khost province
9. Kandahar: Kandahar, Helmand, Zabol, and Urozgan provinces
10. Herat: Herat and Badghis provinces
11. Badakhshan: Badakhshan province
12. Takhar: Takhar province
13. Ghowr: Ghowr province
14. Farah: Farah and Nimroz provinces
15. Jawzjan: Jawzjan and Sar-e-Pol provinces
16. Faryab: Faryab province
17. Sheghnan: Badakhshan province
18. Baghlan: Baghlan province
19. Paktia: Paktia province

184. For those who could not participate in general entrance examinations can participate in the second-round of entrance examinations. There are seven zones, including Kabul, Balkh, Kandahar, Herat, Nangarhar, Kundoz, and Badakhshan. Similar to the registration of students, examination scores and results are computerised and administered by the Committee on University Entrance Examinations under MoHE, enabling to produce precise results in a timely manner. The examination results are announced through media in the beginning of Hamal (March) every year. They are also available on the website of the MoHE. In order to meet with growing number of students, the Government of Afghanistan sets a target: By 2011, 108,000 students will have an access to university education, which is eight times larger than the current number of students. The Government is currently accelerating the process of expanding physical and teaching capacities of universities.

#### *University tuitions*

185. As mentioned earlier, free education up to bachelor's level is the constitutional right in Afghanistan. The 1989 Law on Higher Education also states that the education is free "up to" bachelor's degree. The new draft legislation, however, does not refer to the issue of tuitions. Due to lack of financial resources and difficulties to reach free higher education in the country, free higher education can be established gradually by the progressive introduction of free higher education system, in comparison to the compulsory education which shall always be absolutely free.

### *Private universities*

186. Article 46 of the Constitution states that “the citizens of Afghanistan shall establish higher, general, and specialized educational as well as literacy institutions with permission of the State. The State shall permit foreign individuals to establish higher, general and specialized institutions in accordance with the provisions of the law. Admission terms at higher educational institutions of the State and other related matters shall be regulated by law”. Private higher educational institutions must obtain license from MoHE to establish private universities in the country. There are currently six private universities in addition to 19 public universities in Afghanistan offering university degrees mainly in the field of business management, administration, economics, and computer sciences. There are other four private universities under registration process at the MoHE. Among six registered universities, five private universities are located in Kabul, and one in another province. The quality of teaching and other required standards for private universities are controlled by a specific committee within the Academic Affairs Coordination Department of the MoHE.

### *Budget*

187. The budget of the MoHE consists of ordinary and development budgets. The annual ordinary budget in 2007 is about US\$18 million. It is insufficient to implement plans of activities of the MoHE considering almost 65 per cent of the ordinary budget is used for running fees for universities and dormitories, training hospitals, and the rest is spent on the salaries of staff at the MoHE and professors, lecturers, and other administrative staff at universities. Although the Government considers that the right to free higher education can be implemented in a progressive manner, none of public universities and other institutions for higher education currently take fees from students.

### *Female contribution to higher education*

188. In order to improve more participation of women for higher education, the ANDS refers to the role of female students, professors and lecturers in higher education. For example, the Government of Afghanistan is currently looking into the introduction of an affirmative step for female students at university entrance examinations. The Government believes that more number of women in higher education can make a positive impact on the Afghan society, especially improving rights of women in general, and preventing any types of discriminations and violence against women.

189. As mentioned earlier, 13 universities were reopend and six universities were newly established in the country. Establishment of more number of universities will facilitate female students to convince their families to allow them to attend a university close to their homes. In addition to building new universities, the MoHE has established dormitories for female students in several cities, including Kabul, Parwan, Herat, Kandahar, Khost, Bamiyan, and Balkh, to encourage and facilitate female students to attend university education. The Government, however, concerns that although the number of female students has been increasing in total, and a total number of universities has reached 19 instead of 13 since 2002, there are weak signs of female participation in higher education in the southern region of Afghanistan where security situation remains extremely difficult.

190. Afghanistan has received financial and technical support from the international donors in the field of higher education, especially reconstruction and rehabilitation of university buildings. As of 2007, there are more than ten donors and foreign development agencies operating in Afghanistan in the field of higher education. In addition, several foreign development agencies and foreign universities continuously provide technical support for Afghan universities at faculty levels.

191. In 2002, after the fall of the Taliban, there were neither professors nor students who were female registered at universities. In 2006, female students consisted 20 per cent of all students, compared to 34.6 per cent in 2007. All universities offer entrance examinations for both female and male students. In addition, the Asia Foundation has been funding a programme on supporting female students to prepare for university entrance examinations since 2005. The programme offers free academic courses for qualified female students to prepare for entrance examinations so that they can pass entrance examinations.

192. Concerning female professors and lecturers, they consist only 15.1 per cent of a total number of professors and lectures in universities (2,090) in 2006.

#### *Fellowship programme*

193. Concerning the introduction of fellowship system, the Government of Afghanistan does not offer any scholarships for qualified high-school graduates to continue their higher education within the country due to restricted budget. Meanwhile, the Government has sent hundreds of scholars, students, and other eligible candidates to different countries through foreign scholarships offered for Afghans, to study for various academic degrees, including bachelors, masters, and doctorate. The selection of candidates was often conducted by the Government, based on open competitions. Due to financial restrictions of the Government of Afghanistan, fellowship is currently offered only by foreign donors.

### **Promotion of fundamental education**

#### *Literacy programmes*

194. Illiteracy is high in Afghanistan. According to the survey conducted by the Government in 2007, only 18 per cent of women and 35 per cent of men are literate and the rest of population remains illiterate in Afghanistan. In order to tackle the issue in the most urgent manner, the MoE has created a structure for the implementation of literacy programme. The Deputy Minister's Office for Literacy Affairs of the MoE has a direct supervision on the national literacy programme. The office organizes literacy courses through directorate of literacy affairs in each province. So far, this office organized 12,972 literacy courses throughout Afghanistan. Over 8,700 of those courses were organized for women and 4,264 courses for men. In total, 288,906 people have attended the courses. Among them, 195,958 were women and 92,948 were men.

195. The Government of Afghanistan has developed the five-year strategy on literacy from 2007 to 2011. The following targets were set fourth in the five-year strategic plan:

- (a) Around 1.8 million illiterate people shall undergo literacy training in the coming five years. Sixty per cent of the participants should be women and 40 per cent should be men;
- (b) 364 local literacy training centres shall be established in all districts of the country;
- (c) The literacy training course shall provide with all required materials and equipments.

196. The main target individuals of the literacy programme are farmers, workers, disabled persons, internal displaced people, and returnees, who did not receive basic education. The programmes have been funded by international organizations and agencies, such as UNESCO, UNICEF, WFP, and donors like Germany, Japan and the United States. Through financial support from donors, within the first six months of 2007, a total number of 30,431 people have completed literacy courses. Around 16,122 were women and 14,309 were men. Current obstacles are lack of financial resources to build more number of literacy centres, and difficulties in recruiting trained teachers, especially female ones in rural areas.

#### *Promotion of completion of primary education*

197. The Government of Afghanistan also developed programmes for those who could not complete compulsory education for different reasons. There are mainly two programmes; accelerated education programme and night school programme. First programme deals with the young-age students who were not able to continue their education for a relatively short period and can easily fit to continue education after completing one or two year education within a half period of time. Based on the accelerate education programme, students can complete each grade within 6 months, instead of a year. Because of a newly introduced curriculum that defines compulsory education for nine years instead of six, accelerated education programme is expected to be important for people to complete their compulsory education. In addition, the Government is committed to improve the access to education for Afghan returnees from abroad to continue their education. Returnees who have received education abroad, or not completed their education are introduced to the Afghan education system.

#### **Teachers and staff**

198. As mentioned in the previous paragraphs, majority of teachers and trained professionals have either migrated out of the country or have died from the war. In addition, despite the Government's efforts, there are only a few numbers of female teachers existing in the country. In order to tackle this situation, the Government has taken a series of measures, including the establishment Teacher Training Centres (TTC) and Teacher Vocational Education Training (TVET). At the TTC, newly recruited teachers can study to obtain their teaching certificate while teaching at primary schools. The tables below show the number of male and female teachers in the country, and educational background of teachers and staff, in addition to the number of students registered at TVET and TTC who are under preparation for teaching career in the future.

**Table 36****Number of male and female teachers by province**

Province	Male	Female	% male teachers	% female teachers	Total teachers	% of teachers in province to national	% teacher to total employees
Uruzgan	1 515	45	97.12%	2.88%	1 560	1.04%	0.86%
Badghis	1 062	135	88.72%	11.28%	1 197	0.80%	0.66%
Bamyan	2 430	606	80.04%	19.96%	3 036	2.03%	1.66%
Badakhshan	7 044	2 467	74.06%	25.94%	9 511	6.37%	5.22%
Baghlan	6 901	1 659	80.62%	19.38%	8 560	5.73%	4.69%
Balkh	5 089	4 831	51.30%	48.70%	9 920	6.64%	5.44%
Parwan	5 041	709	87.67%	12.33%	5 750	3.85%	3.15%
Paktia	2 383	119	95.24%	4.76%	2 502	1.67%	1.37%
Paktika	3 266	99	97.06%	2.94%	3 365	2.25%	1.85%
Panjshir	824	172	82.73%	17.27%	996	0.67%	0.55%
Takhar	4 998	1 426	77.80%	22.20%	6 424	4.30%	3.52%
Jawzjan	2 156	1 459	59.64%	40.36%	3 615	2.42%	1.98%
Khost	2 957	110	96.41%	3.59%	3 067	2.05%	1.68%
Daikundi	1 215	522	69.95%	30.05%	1 737	1.16%	0.95%
Zabul	1 061	31	97.16%	2.84%	1 092	0.73%	0.60%
Sar-e-Pol	2 309	760	75.24%	24.76%	3 069	2.05%	1.68%
Samangan	1 462	379	79.41%	20.59%	1 841	1.23%	1.01%
Kabul City	6 654	12 906	34.02%	65.98%	19 560	13.09%	10.73%
Ghazni	4 345	940	82.21%	17.79%	5 282	3.54%	2.90%
Ghor	2 516	106	95.96%	4.04%	2 622	1.75%	1.44%
Fayab	4 137	1 358	75.29%	24.71%	5 495	3.68%	3.01%
Farah	1 667	408	80.34%	19.66%	2 075	1.39%	1.14%
Kapisa	2 377	291	89.09%	10.91%	2 668	1.79%	1.46%
Kandahar	3 999	361	91.72%	8.28%	4 360	2.92%	2.39%
Kunduz	3 538	1 168	75.18%	24.82%	4 706	3.15%	2.58%
Kunar	3 018	136	95.69%	4.31%	3 154	2.11%	1.73%
Laghman	2 672	214	92.58%	7.42%	2 886	1.93%	1.58%
Logar	1 820	335	84.45%	15.55%	2 155	1.44%	1.18%
Nangarhar	6 051	694	89.71%	10.29%	6 745	4.51%	3.70%
Nuristan	1 262	124	91.05%	8.95%	1 386	0.93%	0.76%
Nimroz	413	301	57.84%	42.16%	714	0.48%	0.39%
Herat	6 274	3 997	60.98%	39.02%	10 244	6.86%	5.62%
Hilmand	1 365	259	84.05%	15.95%	1 624	1.09%	0.89%
Wardak	3 024	222	93.16%	6.84%	3 246	2.17%	1.78%
Kabul province	2 537	713	78.06%	21.94%	3 250	2.18%	1.78%
Total	109 355	40 062	73.19%	26.81%	149 417	100.00%	81.94%

*Source:* Ministry of Education (2007).

*Note:* The present report includes General Education, Islamic Education, TTC and TVET teachers.

**Table 37**

**Summary of male and female teachers in the Ministry of Foreign Affairs, general education, Islamic education, teacher training, and technical and vocational training**

	Male teachers	Female teachers	Gender ratio	% male teachers	% female teachers	Total teachers	% teachers to total teachers	% teachers to total employees
MoE central office, provincial and district	1 860	293	0.16	86.39%	13.61%	2 153	1.44%	1.18%
General education	103 047	39 461	0.38	72.31%	27.69%	142 508	95.38%	78.15%
Islamic education	3 420	54	0.02	98.45%	1.55%	3 474	2.33%	1.91%
Teacher training	358	62	0.17	85.24%	14.76%	420	0.28%	0.23%
Technical and vocational	670	192	0.29	77.73%	22.27%	862	0.58%	0.47%
<b>Total</b>	<b>109 355</b>	<b>40 062</b>	<b>0.37</b>	<b>73.19%</b>	<b>26.81%</b>	<b>149 417</b>	<b>100.00%</b>	<b>81.94%</b>

*Source:* 2007 Schools Survey, MoE.

**Table 38**

**Number of male teachers and administrative staff by level of education**

	Male admin staff and teachers	Male illiterate	Male private	Male 1 to 6	Male 7 to 11	Male 12 grade	Male 14 grade	Male bachelor	Male master	Male doctor	Male unknown
MoE central office, provincial and district	4 566	24	148	115	381	2 481	839	388	58	2	130
General education	109 103	1 062	18 039	2 632	13 862	51 891	12 176	3 709	203	6	5 523
Islamic education	3 738	43	624	50	178	1 635	828	181	5	1	193
Teacher training	435	6	2	4	12	76	50	220	29	0	36
Technical and vocational	865	57	16	15	30	250	169	182	40	0	106
<b>Total</b>	<b>118 707</b>	<b>1 192</b>	<b>18 829</b>	<b>2 816</b>	<b>14 463</b>	<b>56 333</b>	<b>14 062</b>	<b>4 680</b>	<b>335</b>	<b>9</b>	<b>5 988</b>
% of male admin staff and teachers		1.00%	15.86%	2.37%	12.18%	47.46%	11.85%	3.94%	0.28%	0.01%	5.04%
% of total admin staff and teachers	74.19%	0.74%	11.77%	1.76%	9.04%	35.21%	8.79%	2.92%	0.21%	0.01%	3.74%

**Table 39**

**Number of female teachers and administrative staff by level of education**

	Female admin staff and teachers	Female illiterate	Female private	Female 1 to 6	Female 7 to 11	Female 12 grade	Female 14 grade	Female bachelor	Female master	Female doctor	Female unknown
MoE central office, provincial and district	919	1	11	16	81	665	90	50	1	1	3
General education	40 025	45	1 695	905	3 923	17 328	10 642	5 062	136	2	287
Islamic education	61	0	5	2	4	32	8	8	0	0	2
Teacher training	71	2	0	0	1	5	8	45	2	0	8
Technical and vocational	224	7	0	2	6	55	33	45	12	0	64
<b>Total</b>	<b>41 300</b>	<b>55</b>	<b>1 711</b>	<b>925</b>	<b>4 015</b>	<b>18 085</b>	<b>10 781</b>	<b>5 210</b>	<b>151</b>	<b>3</b>	<b>364</b>
% of female admin staff and teachers		0.13%	4.14%	2.24%	9.72%	43.79%	26.10%	12.62%	0.37%	0.01%	0.88%
% of total admin staff and teachers	25.81%	0.03%	1.07%	0.58%	2.51%	11.30%	6.74%	3.26%	0.09%	0.00%	0.23%



**Table 40**

**Number of teacher vocational education trainings and students by province**

Province	Number of schools	Male	Female	Total students	Female ratio	% Province students to national
Uruzgan	1	68	0	68	0.00	0.66%
Badghis	0	0	0	0	0.00	0.00%
Bamyan	0	0	0	0	0.00	0.00%
Badakhshan	1	139	0	139	0.00	1.34%
Baghlan	2	399	0	399	0.00	3.85%
Balkh	3	678	26	704	0.04	6.79%
Parwan	2	216	37	253	0.17	2.44%
Paktia	0	0	0	0	0.00	0.00%
Paktika	0	0	0	0	0.00	0.00%
Panjshir	0	0	0	0	0.00	0.00%
Takhar	0	0	0	0	0.00	0.00%
Jawzjan	2	230	0	230	0.00	2.22%
Khost	1	141	0	141	0.00	1.36%
Daikundi	0	0	0	0	0.00	0.00%
Zabul	0	0	0	0	0.00	0.00%
Sar-e-Pol	0	0	0	0	0.00	0.00%
Samngan	1	0	130	130	0.00	1.25%
Kabul City	17	4 972	453	5 425	0.09	52.33%
Ghazni	0	0	0	0	0.00	0.00%
Ghor	0	0	0	0	0.00	0.00%
Faryab	1	203	0	203	0.00	1.96%
Farah	1	111	0	111	0.00	1.07%
Kapisa	1	647	0	647	0.00	6.24%
Kandahar	1	119	66	185	0.55	1.78%
Kunduz	2	160	129	289	0.81	2.79%
Kunar	1	110	0	110	0.00	1.06%
Laghman	0	0	0	0	0.00	0.00%
Logar	0	0	0	0	0.00	0.00%
Nangarhar	2	266	0	266	0.00	2.57%
Nuristan	0	0	0	0	0.00	0.00%
Nimroz	0	0	0	0	0.00	0.00%
Herat	3	611	204	815	0.33	7.86%
Hilmand	2	251	0	251	0.00	2.42%
Wardak	0	0	0	0	0.00	0.00%
Kabul Province	0	0	0	0	0.00	0.00%
Total	44	9 321	1 045	10 366	0.11	100.00%

Source: Ministry of Education (2007).

**Table 41**

**Number of teacher training centres and students by province**

% Students in province to national	Gender ratio	Total students	Female	Male	Number of schools	Province
0.42%	0.00	60	0	60	1	Uruzgan
1.97%	0.19	282	45	237	1	Badghis
0.86%	0.11	123	12	111	1	Bamyan
08.73%	1.38	1 248	723	525	2	Badakhshan
4.79%	0.58	684	250	434	1	Baghlan
0.00%	0.00	0	0	0	0	Balkh
4.40%	0.10	629	58	571	1	Parwan
1.00%	0.13	143	16	127	1	Paktia
0.00%	0.00	0	0	0	0	Paktika
3.09%	0.10	441	41	400	1	Panjshir
6.46%	0.57	924	337	587	1	Takhar
5.11%	1.01	730	366	364	3	Jawzjan
5.60%	0.02	800	13	787	1	Khost
0.29%	0.00	41	0	41	1	Daikundi
0.00%	0.00	0	0	0	0	Zabul
2.02%	0.94	289	140	149	1	Sar-e-Pol
2.41%	0.35	345	90	255	1	Samngan
20.90%	2.11	2 987	2 028	959	1	Kabul City
2.08%	0.25	297	59	238	2	Ghazni
0.00%	0.00	0	0	0	0	Ghor
4.35%	1.26	622	347	275	2	Faryab
1.70%	0.37	243	66	177	1	Farah
6.53%	0.18	934	141	793	1	Kapisa
0.57%	0.98	81	40	41	1	Kandahar
3.30%	0.30	471	110	361	1	Kunduz
3.27%	0.05	468	22	446	1	Kunar
1.34%	0.00	192	0	192	1	Laghman
0.62%	0.00	88	0	88	1	Logar
3.64%	0.09	521	43	478	1	Nangarhar
0.00	0	0	0	0	0	Nuristan
0.74%	2.12	106	72	34	1	Nimroz
1.85%	0.48	264	86	178	1	Herat
0.83%	0.39	118	33	85	1	Hilmand
1.14%	0.00	163	0	163	1	Wardak
0.00%		0	0	0		Kabul Province
100.00%	0.56	14 294	0.56	9 156	34	Total

**Budget**

199. The budget related to primary and secondary education for the MoE is also divided into ordinary and development budget. The latter is specifically planned and used for literacy programme. In 2007, the ordinary budget was US\$ 5.6 million and the development budget was US\$6.5 million.

## Private schools

200. As well as the private universities, private schools should register at the MoE, and follow the national curricula. As of December 2007, the following private schools are registered in Afghanistan, and currently limited to secondary schools.

**Table 42**

### Private secondary schools registered at the Ministry of Education

Employees			Date of registration	Province	Name of private high schools	
Worker	Official	Teacher				
18	0	30	22/2/2007	Herat	Private high school of Herat	1
3	0	30	2/3/2007	Herat	Private high school of Taw hid	2
3	0	20	2/3/2007	Herat	Private high school of Taw hid	3
4	0	21	2/3/2007	Herat	Private high school of Taw hid	4
4	2	12	22/3/2007	Kabul	Private primary school of Ariana Kabul	5
2	1	7	5/4/2007	Kabul	Nargis private school of religions	6
5	4	14	4/16/2007	Kabul	Private primary school of Tolo Aftab	7
12	5	22	16/4/2007	Kabul	Private primary school of Amai shamal	8
8	4	25	26/4/2007	Kabul	Private high school of Amai shamal	9
5	2	13	28/4/2007	Kabul	Private primary school of Rana	10
8	7	16	9/5/2007	Kabul	Private school of Alum Shariya	11

*Source:* Ministry of Education (2007).

## Article 14

201. In line with one of the goals of MDGs for Afghanistan, stating “the Government should ensure that, by 2020, children everywhere, boys and girls alike, complete a full course of primary schooling”, the Government of Afghanistan is committed to increase number of schools, as well as qualified teachers through vocational training schools as well as teachers training centres. This strategy will enable the government to provide education for all children, including a growing number of children in need of education in the future.

## Article 15

### Right to take part in cultural life

202. Article 47 of the Constitution states that the State shall devise effective programmes for fostering knowledge, culture, literature and arts. The State shall guarantee and copyrights of authors, inventors and discoverers, and, shall encourage and protect scientific research in all fields, publicizing their results for effective use in accordance with the provisions of the law.

Article 16 ensures usage of languages other than the official languages of Pashuto, and Dari, in areas where the majority people speak, such as Uzbeki, Turkmani, Pachaie, Nuristani, Baluchi, or Pamiri languages, especially the usage of these non-official languages in press publications and mass media. This article also describes the State obligation to design and apply effective programmes to foster and develop all languages of Afghanistan. To improve scientific research, the Government has enacted the “Regulation on Culture, Artistic, Remuneration of Mass Media Services, Artistic Activities, Remuneration of Scientific Researching and Publication Activities in the Scientific Researching Institutions in Afghanistan” in 2003. The table below shows how many publications exist (have existed recently) in nationwide. Most publications are written in Dari and or Pashto, but some of them in Uzbeki, Turkmani, English and Arabic. Due to the fact that some of the publishers do not exist any longer, the Government considers a total number of publications are lower than the one indicated in the table below.

**Table 43**

**Number of publications in Kabul and provinces**

Publication types	Government publication in Kabul	Private publication in Kabul	Government publication in Provinces	Private publication in Provinces
Newspaper (including weekly, bi-weekly, monthly)	27	242	13	152
Daily	4	17	0	4
Magazine	55	140	4	46
Quarterly magazine	4	3	1	6
Half-year magazine	1	0	0	0
Non-regular periodical publication	0	4	0	7
Total	91	406	18	215

*Source:* Department of Culture in 32 Provincial Officers, Ministry of Information, Culture and Tourism.

203. Over two decades of war have demolished the country’s basic infrastructure, including cultural heritages, cultural centres, and public buildings. As of January 2008, 66 public libraries remained with approximately 159,000 books. There are four public museums in Kabul, Herat, Ghazni, and Kohst, and a private museum called “Sultani Museum” in Kabul and Herat. Eight public and private cinema halls in Kabul and other cities provide entertainment. Eighteen private and one State-run TV broadcasts reaching 33 provinces, as well as 55 national and regional radio broadcasts nationwide. In addition to ten domestic cable TV networks, the population has access to 109 TV channels through international cable TVs operating in the country. As of December 2007, approximately 70 per cent of the population has access to television and over 70 per cent has access to radio broadcasts. The Government of Afghanistan tries to promote media development through providing infrastructural and technical support for national TV/radio stations as well as promoting private media activities. The launch of national television broadcast to Europe and the United States is also considered to be the recent achievement of the Government in media sector.

204. The Government of Afghanistan supports cultural development through the Academy of Sciences established in Kabul, which is an independent research institute within the executive branch of the Government with 180 Afghan researchers. The President of the Academy is appointed by the President of Afghanistan and approved by the National Assembly. In addition to scientific research conducted in universities, the Academy plays a vital role for academic and scientific progress in Afghanistan. The Academy consists of several thematic fields, including three main fields: Social Science, Natural Science, and Islamic Studies. Under the field of Social Science, there are five centres: Centre for Social Sciences; Centre for Language and Literature; International Centre for Pashuto Language; International Centre for Koshani Period, and Centre for Encyclopaedia. Each centre has departments, including ethnography, history, law, journalism, philosophy, and psychology. Within the second pillar, there are four centres: Centre for Chemistry, Biology, and Agriculture; Centre for Geology; Centre for Medical Science; and Centre for Mathematics, Physic, and Technical. The third pillar includes: Centre for Law and Religious Jurisprudence; Centre for Tradition and Interpretation; and Centre for Islamic Culture and Belief. Main activities include not only research and publication of academic productions, but also training young professional researchers and writers, and modernizing sciences in Afghanistan.

205. In order to promote cultural life and to improve access to culture in Afghanistan, the Ministry of Information, Culture and Tourism (MICT) plans and implements various projects for the development of culture, including support for private initiatives to disseminate culture and cultural information. As of January 2008, the following projects have been implemented and/or are under implementation owing to the financial support from foreign donors: Establishment of Cultural Department under provincial offices in all 34 provinces (As of January 2008, 32 provincial offices have a cultural department.); Reconstruction and rehabilitation of 20 historical sites in the capital and provinces; Reconstruction of the public publication house, called "Liberty Printing Press"; Reconstruction of the Kabul Theatre; Establishment of television studios in 33 provinces; and Publication of cultural books to promote artistic, cultural, and scientific fields.

### **Protection of historical and cultural properties**

206. The Government of Afghanistan is also committed to protect historical and cultural properties in line with the following international conventions ratified by Afghanistan: Agreement on the Importation of Educational, Scientific, and Cultural Materials of 1950; Convention Concerning the Protection of the World Cultural and Natural Heritage of 1972; Convention on Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property of 1970; and UNIDROIT Convention of Stolen or Illegally Exported Cultural Objects. In implementing the said international conventions, the Government has registered over 130 historical sites. Over 450 historical sites, especially in Herat Province have been surveyed by the support of German Cultural Foundation. Over 1,920 pieces of historical relics were repaired and maintained by the staff of the Institute of Archaeology. Two hundred and thirty one historical relics has been discovered and submitted to the Government from national and international forces, individuals and archaeological departments.

207. In 2004, the Law on the Protection of Historical and Cultural Properties was enacted. Article 2 of the said Law stipulates that all historical and cultural properties of Afghanistan belong to the people of Afghanistan. The Institute of Archaeology and the Department of

Protection and Rehabilitation of Historical Monuments at the MICT are assigned to register all historical monuments and sites according to the law. Without the permission of the Institute of Archaeology, it is prohibited to construct any public or private buildings, irrigation and other projects within an archaeologically registered land (arts. 7 and 10). In addition, the immovable historical and cultural properties cannot be sold pursuant to article 23. Movable historical and cultural objects can be owned by the person who obtained ownership/possession before the application of this law (art. 24). Furthermore, Chapter Eight of the law provides penalties for the person who steals, imports, and exports up to ten years. The Government is making efforts rehabilitating national museums while recollecting cultural property unlawfully exported to countries parties to the aforementioned 1970 UNESCO Convention and to the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. The Government has already requested Denmark and Switzerland to return 4,382 and 1,423 relics respectively that were illegally exported from Afghanistan. With Azerbaijan, Pakistan, and the United Kingdom, the Government has also engaged in the process of requesting the return of cultural properties.

208. In order to increase institutional capacity and sustainability in protection of historical and cultural properties, staff of the national museums participated in the seminars, owing to technical and financial support from the China, France, Italy, Japan, Pakistan, and the United States of America. The Ghulam Mohammad Maimanagi School of Arts and a private cultural centre, called Afghanistan Contemporary Arts are offering courses on painting, calligraphy, sculpturing, tiling and other arts. So far, the Government of Afghanistan supported international exhibition of Afghan historical relics in Germany, Italy, and Netherlands, an international commercial exhibition in India, international conference on tourism and nomadic traditional crafts in Saudi Arabia, a seminar on “Mawlana Jalaloddin Balkhi” in France. Furthermore, the Government has sent over 55 artists of music, theatre, and cinema for their participation in international cultural events. Other technical and financial assistances to the Government for the purpose of protection of culture include UNESCO, Agha Khan Foundation, Afghanistan Cultural Protection Association, and Firoz Koh Foundation.

209. There are two archaeological sites in Afghanistan registered as UNESCO World Heritage: Minaret and Archaeological Remains of Jam in Ghor Province and Cultural Landscape and Archaeological Remains of the Bamiyan Valley, inscribed in 2002 and 2003 respectively. The latter is currently under the second phase of the project aiming at preservation and protection of both the Bamiyan Valley and conservation of fragments of the statue of Buddha, owing to the funds from UNESCO/Japan and the ICOMOS (International Council on Monuments and Sites) Germany.

### **Protection of moral and material interests**

210. In 2004, the Mass Media Law was prepared in collaboration of groups of journalists and the Government, which was approved by the Cabinet in the absence of the National Assembly. As of January 2008, a new Mass Media Law was drafted in collaboration between the Independent Media Commission and the UNESCO. The draft law is under reconsideration at the National Assembly after having rejected by the President in 2007. The existing 2004 law ensures freedom of speech, and activities of free mass media as well as to support the development of mass media for “promoting the culture in the country and reflect the public opinion honestly and usefully” (art. 2). The law also ensures the right to seek, obtain, and disseminate information and views without interferences or restrictions posed by the Government, except the information

considered to be confidential, and its disclosure endangers the national security, interests, and territorial integrity or harms public interests. It also protects journalists to carry out professional activities, including publishing articles. Without orders from a competent court, journalists have the right not to disclose the source of information. Foreign media agencies can also establish media outlets after obtaining a license from the MICT.

211. According to the draft law, the Government will establish the High Media Council consisting of both government and civil society representatives. This Council is aimed at developing a long-term media policy which does not exist in the country. In addition the Council will be appointing members of the Private Media Commission is comprised of seven members, taking into account ethnic and gender balance. The draft law foresees the Commission to review application for electronic media prior to its registration, and issuance of license by the MICT. It also monitors media activities, deals with media complaints, and provide technical support for private mass media.

212. In Afghanistan publication of certain materials contrary to the principles of the Islamic religion and/or offensive to other religions or jurisdictions and sects are prohibited under the Mass Media Law. Publication of materials leading to dishonouring and defamation of individuals are prohibited, too (art. 31). In case of violations of the aforementioned legal provisions, fines ranging from 10,000 to 34,000 Afghanis are imposed. At the same time, article 41 states that “(p)rinting and publication of text and scientific books of schools and higher educational, research and professional institutions shall not be subject to this law” thus guarantees the freedom of academic research and the publication of such academic research.

213. The draft legislation on mass media, while it strictly protects moral interests, will be amended in a more specific manner by providing definitions of dishonouring and defamation, such as materials supporting violence, war, and others contrary to the constitutional provisions and terms offensive to the Penal Code. It is considered that there will be a further discussion on the issue of defamation prior to the Presidential approval. The issue of freedom of expression in the context of the Islamic principles and other related matters will be discussed in Afghanistan’s State report under the International Covenant on Economic, Social and Cultural Rights followed by this report in the future.

-----