



## United Nations Development Programme Afghanistan

### Support for an Effective Afghan Legislature (SEAL II)

#### ANNUAL PROJECT REPORT 2008



Afghan and Australian MPs in SEAL mentoring program November 10 – 19, 2008

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## Acronyms

ANDS	Afghan National Development Strategy
CB	Capacity Building
CPAP	Country Programme Action Plan
DIPR	Department of Information and Public Relations
ICT	Information and Communication Technologies
IPU	Inter Parliamentary Union
LAN	Local Area Network
MP	Member of Parliament
MYFF	Multi-year funding framework
NA	National Assembly
NDI	National Democratic Institute
SEAL	Support to the Establishment of/ for an Effective Afghan Legislature
SUNY	State University of New York
UNAMA	United Nations Assistance Mission in Afghanistan
UNDAF	United Nations Development Assistance Framework
UNIFEM	United Nations Development Fund for Women
UNDP	United Nations Development Programme

## *Executive Summary*

This was a year of major transformation of the project: from the establishment of parliament to support for a more effective parliament. This transformation is reflected in the changed name and identity of SEAL. It was also a year of continuity. Thanks to the support of donors and the on-going excellent partnership with both the political and secretariat leadership of parliament, the project delivered essential and significant support to the development of the Afghanistan legislature throughout the year.

The project delivered in 2008 more than \$1 million of material support, especially aiding in the completion of the Wolesi Jirga Annex, plus major equipment in support of attendance records, finance administration, security and other needs.. As well, the project supported a wide range of parliament staff trainings both at home and abroad, as well as official parliamentary travel for MPs and the pilot mentoring program for MPs. It is worth noting that some of the above mentioned supports were part of SEAL I project in 2008.

The transformation saw a shift from material support to the establishment of parliament (especially IT equipment, security equipment, furniture) to a focus on capacity building to help improve the effectiveness of elected MPs. This included workshops, a draft Code of Conduct, and successful preparations for a full parliamentary research service.

Beyond the deteriorating security situation in the country and in Kabul, the biggest challenge of the year was resource mobilization from donors who had indicated funding interest in 2007 but did not deliver in 2008. Along with UNDP start up funding, the continuity of international community support to the parliament of Afghanistan was taken up by Denmark and Sweden in 2008. Others need to follow in 2009.

## I. Context

From 2005 to 2008 the objective of SEAL was to help ensure the timely establishment of the National Assembly (Parliament) and then to help ensure the procurement of material assets and start-up training so that a functioning parliament would exist following the 2005 parliamentary elections. During these three years, including during the first 2 months of this reporting period, SEAL contributed to the democratic foundations of Afghanistan by:

- (1) Establishing an effective parliament support co-ordination mechanism
- (2) Building the capacities of parliamentarians and staff
- (3) Establishing parliament's legal environment for the first session
- (4) Providing info and ICT services for MPs, staff, media & public
- (5) Promoting public Information, awareness, outreach strategy and actions
- (6) Ensuring parliament set-up and operational costs were met during the first year
- (7) Establishing a project team

During this period SEAL worked in close collaboration with the National Assembly Secretariats, the elected Members' Administration Boards, the donors, and with other parliamentary support projects (UNIFEM, USAID-SUNY, NDI, others). Funding was provided by Canada (CIDA), Denmark, the European Commission, France, Germany, Italy, Sweden (SIDA) and UNDP.

Starting on March 1, 2008 a second SEAL project was launched, building on the success of the first 3 year project. The second SEAL was founded on a 2006 evaluation and a new Project Document, widely consulted with donors in Fall 2007 and then approved by UNDP and Parliament (in the presence of donors) in December 2007.

The goals of the second SEAL (2008 to 2012) are significantly different from the original project goals, reflecting the fact that the National Assembly is now established, the major material needs have been met, significant staff training has taken place at home and abroad, and elected Members have gained some parliamentary experience. SEAL activities now contribute to the following goals:

- (1) Enhanced PARLIAMENTARY (MP) capacity to exercise legislative responsibilities
- (2) PARLIAMENT (MPs) effectively and responsibly oversees the activities of the executive
- (3) Strengthened dialogue between parliament (MPs) and citizens
- (4) Strengthened (MP) capacity for effective decision/policy making
- (5) Effective administrative structures and processes are in place

At the request of donors (in a revised and agreed funding proposal, June 2008) in the first months of the new SEAL project (March to December 2008) the focus was on the elected Members in order to

- Strengthen parliamentary practice and culture
- Develop democratic political culture
- Build practices of constituency relations/accountability
- Assist MPs with legislation, government oversight and representation
- Assist in particular with the budget cycle, code of conduct, anti-corruption, development, the security sector
- Address the particular needs of women MPs

Project activities and results in the reporting period of the new SEAL (March to December 2008) reflect these priorities.

For the new SEAL project, from March to December 2008, funding was provided by UNDP and Denmark (with a commitment from Sweden for follow up funding). Significant European Union funds were initially available (nearly \$1 million) but were returned to Brussels for European Commission account-keeping reasons, causing a short-term resource availability problem in mid year. This was solved by speedy action from Denmark, for which the project is deeply grateful. The European Commission remains pledged to support the new SEAL project. Other pledged donors include Italy and Australia with negotiations on-going with additional interested donors.

During the entire reporting period, the expected results of the SEAL Project were in line with ANDS Objectives in that the project supports the realization of the overall UNDAF outcome.

*"[By 2008, transparent, effective and efficient legislative and policy frameworks and processes are established and implemented], the CPAP outcome [State capacity enhanced to promote responsive governance and democratization] and the CPAP output [Democratic assemblies and electoral institutions strengthened at national and sub- national levels (Parliament operational, efficient and recognised by all the people; Provincial councils elected and functional; Village Chiefs elected and officially recognised; Independent Electoral Commission institutionalised and autonomous]"*.

## II. Performance Review

### 2.1 Progress Review

#### *Overall progress towards the ANDS benchmark(s)*

Through the Bonn Agreement, the Afghan Government was required to take timely measures for the establishment and functioning of the National Assembly, approval of the Secretariat structure, providing an appropriate Assembly budget, provision of a compound, and the recruitment of the core staff. This was achieved in 2005 and 2006.

The objectives of SEAL and that of ANDS for the National Assembly are distinct. ANDS states that 'The National Assembly was to be provided with technical and administrative support by mid-2006 to fulfill effectively its constitutionally mandated roles.' The original Project Document sought the 'establishment of [a] fully operational and efficient parliament, recognized by the people of Afghanistan as their representative institution, functioning on an accountable basis, and in a transparent manner.' SEAL predates ANDS by a year and was therefore well placed to prepare the ground for the more limited Government ANDS benchmark which was largely achieved before 2007.

The initial arrangements for the Assembly, for example, some training for Members and staff and provision of modern equipment, were efficiently delivered by the international community, mainly through SEAL project. The inauguration of the National Assembly on 19 December 2005 was perceived as a major achievement. The Assembly has now functioned for three full years.

The National Assembly is to a large extent now "fully operational. " Members debate, vet/approve Ministers and other appointed officials, pass legislation after referral to committee, consider the

annual national budget, initiate studies and public hearings, summon Ministers to explain government policies and decisions, visit their constituencies and use media to communicate to citizens. They raise local and constituent issues in parliament and participate in regional and international conferences representing both parliament and their country. It is a major credit to the parliamentarians, their staff and the Afghan people that this parliament functions as well as it does after only 3 years, in the current deteriorated security environment, after 30 years of war and societal trauma and with almost no historical legislative experience to draw upon.

The challenges that remain are related now to the effectiveness of parliament. In particular, the challenges are to help the elected MPs become more effective in their centrally important constitutional responsibilities: to oversee the executive arm of government ( the unelected Ministers and their administrative departments and services such as police and army), to consider and sometimes initiate draft legislation to help build the legal-based State, and to represent citizens and their needs and concerns so that executive and administrative government can better respond to those needs.

These are challenges common to all parliaments. Meeting them in Afghanistan will require significant capacity building for MPs (including in-house training and hands-on exposure to the practices and cultures of other parliaments), significant assistance to committees in designing work plans and activities, and research services and knowledge that can be appropriately and effectively applied to the oversight, legislation and representation responsibilities of MPs. There are key objectives of the SEAL project 2008-2012, with a solid start made in March – December 2008.

Parliament will continue to require the support of the international community if it is to become a necessary cornerstone of democratic culture and practice, and if it is to become the central forum for non-violent conflict resolution, so desperately needed in Afghanistan.

### **Overall progress towards the UNDAF outcome**

*“By 2008, transparent, effective and efficient legislative and policy frameworks and processes are established and implemented.”*

The SEAL project was established in January 2005 for a period of two years to facilitate the emergence of a fully operational and efficient Assembly with a mandate to strengthen and reinforce its legislative environment and build capacities among its staff. These general achievements and, in particular, the legislative environment, have a direct link to the UNDAF, which identified the need to strengthen the rule of law and implement measures that enhance the confidence of Afghans in their Government.

### **Overall progress towards the CPAP outcome and output(s)**

*“State capacity enhanced to promote responsive governance and democratization Democratic assemblies and electoral institutions strengthened at national and sub- national level (Parliament operational, efficient and recognized by all the people; Provincial councils elected and functional Village Chiefs elected and officially recognized; Independent Electoral Commission institutionalized and autonomous).”*

SEAL project helps demonstrate the commitment of the UN to the process of deepening democracy. By creating capacities in the areas of legislative environment and public outreach, the objectives articulated in the CPAP for creating an accountable and efficient legislature are being fulfilled. In-country parliamentary missions facilitated by SEAL had a favorable impact on parliamentarians and civil societies generally in several target provinces in 2008.

## **Capacity Development**

SEAL project's central objective is development of the capacity of parliamentarians to carry out their responsibilities, and professional development of their support staff (Secretariats) to assist them to do so. MPs and the Secretariats have consistently welcomed the opportunities offered by SEAL to receive training and experience/knowledge transfer. In 2008 the pilot "mentoring programme" for MPs was a major success, in partnership with the Australian parliament. SEAL continued to advise parliamentarians about their roles as legislators and about oversight of government and how the MPs can better communicate with citizens. Various international experiences offered both staff and MPs unique opportunities for capacity building.

## **Impact on direct and indirect beneficiaries**

The working conditions for Members of Parliament and staff have been dramatically improved with the completion of the Annex Building in 2008. SEAL project delivered nearly \$1 million of material support to the new parliament Annex in the first 2 months of 2008, in order to meet the deadline requirements of parliament. The project delivered additional material supplies throughout the year. As a result all 250 Wolesi Jirga MPs now have individual, fully equipped offices with computers, IT support services, telephone and internet connections, office furniture all supplied by SEAL. The offices have been designed to accommodate 1 assistant each, as well. This is an especially important stage of support for women MPs, who are generally disadvantaged in not having access to private office space, meeting space and extra-parliamentary resources. WJ Committees have been provided fully furnished, modern meeting rooms in the Annex. The project continues to cover the rent of the Meshrano Jirga extra office building.

In addition, MPs have increasingly benefitted from a growing engagement with the project's technical advisors and national staff over the course of 2008. For example, the SEAL draft Code of Conduct and discussion paper were reviewed by both Admin Boards and very favourably received, leading to steps to address the legal and regulatory norms of both Houses. Work shops on legislative drafting significantly improved the skills of Senators and staff, enabling the creation of an ad hoc committee on Private Members Bills. On going consultations with women MPs will lead to a 2009 gender strategy to benefit women MPs with specialized training and other support.

## **2.2 Implementation strategy review**

### **Participatory/consultative processes**

Direct consultation with beneficiaries has been carried out throughout the life of the project, both formally and informally. On a formal level, through regular meetings with Members of the elected Administration Boards of both Houses, Project Board meetings, Regular updates, including a new in 2008 bi-weekly newsletter, were provided to main stakeholders and feedback has been received for planning. As in previous years the key partners were Deputy Presidents/Speakers and the Secretaries-General of the Houses and their senior Deputies. The Speakers and Deputies were consulted, as were Committee chairs and other Members of Parliament on work planning and day-to-day business.

### **Quality of partnerships**

In 2008 the project continued on-going partnerships with UNIFEM (Women's Resource Centre), other UNDP projects, UNDP gender mainstreaming, UNAMA, and American implementers funded by USAID

(SUNY and NDI). SEAL also worked closely with university and other researchers, various media and youth organizations, and others.

### **National Ownership**

SEAL works towards the point at which parliament is fully able to take charge of its own development. This is a constant theme in the relationship SEAL has with its partner. A key to this is securing improved State resources to ensure that parliament is not dependent on the international community for its basic needs and operating costs. This is an issue of both national and parliamentary sovereignty. In 2008 discussions were held with the senior political leadership about the National Assembly budget and budget process, with offers of SEAL help and expertise. This will be taken up in 2009.

### **Sustainability**

The key to long term sustainability is the support to parliament by the government/Ministry of Finance coupled with the increasing real autonomy and financial independence of parliament. In 2008 an important project goal and result was to move parliament further on the path for such autonomy and modern, transparent financial self management. Training provided in 2008 aimed to secure sustainability through the development of higher parliamentary staff service capacities in accounting, finance management, payroll and security along with sustainable technology for MPs and staff.

## **2.3 Management effectiveness review**

### **Quality of monitoring**

The new SEAL Project Document (2008- 2012) was reviewed by UNDP, donors, and representatives of parliament and officially approved at a Local Project Appraisal Committee meeting in December 2007. Internal day-to-day control and monitoring is carried out through weekly staff meetings and Annual and Quarterly Work Plans. The UNDP Country Office Programme Unit also provides regular oversight of project administration and carries out systematic monitoring of project implementation.

In accordance with UNDP corporate regulations, an audit of the project was conducted at the end of 2007, to ensure that UNDP resources are being managed in accordance with the financial regulations, rules and practices and procedures, the project document and project work plans. The audit was carried out by an external firm and the report was positive.

### **Timely delivery of outputs**

The project delivered all of its key outputs on time. This was a particular challenge in the first 2 months of 2008, to deliver all required and procured material support to the new parliament Annex building. Through enormous team commitment and hard work, under some political pressure, this was accomplished completely and on time. Some capacity building activities were delayed in mid year due to a gap in resourcing followed by the summer parliamentary recess. This was made up with an escalated level of activity in the 4<sup>th</sup> quarter of the year.

### **Resource Allocation**

The total support costs for rent and administration (including 7% to UNDP) was less than 20% of the total project cost.

### Cost-effective use of inputs

As in previous years, a significant portion of financial resources was spent on technology and equipment. Most of this was in the first 2 months of 2008 as a wrap up to the original SEAL project, and as the final material contribution to the “establishment” of parliament, in the form of the Annex building. Half of the project’s financial delivery for the year occurred in these first two months, reflecting both the last burst of material procurement and the extraordinary work of the project team to ensure this.

In 2008 *travel expenses and study tours* have become “*official parliamentary travel*” based on and reflected in a Memorandum of Understanding between SEAL and the Secretariat (with the agreement of elected Members). The MOU brings order and a set of priorities and criteria for parliamentary travel that will be supported by the project. The criteria include the required participation of women MPs in parliamentary delegations abroad (at least 1 in 3). The MOU priorities are key international conferences and activities of value to MPs and to Afghanistan (such as NATO meetings, United Nations meetings, regional fora on key development issues). Delegations are meant to be small (up to 5 members, representing both Houses). Arrangements were also put in place to provide travelling MPs with advance UNDP daily allowances for payment of hotels and meals on site, thus eliminating previous problems related to hotel payments and late billing to the project. The MOU has been a success and will be continued in 2009.

## III. Project Results Summary

### IMPLEMENTATION PROGRESS

#### SEAL 1 January – February 29, 2008

#### **OUTPUT 1: ESTABLISHING AN EFFECTIVE CO-ORDINATION AND PROGRAMMING MECHANISM TO SUPPORT THE ASSEMBLY**

Transformation of the Project from SEAL to SEAL 2 was given formal approval by the UNDP convened “Local Project Appraisal Committee” (LPAC) in December 2007. The LPAC meeting and approval included representatives of both Houses of the National Assembly, both Secretariats and the original SEAL donors. It marked the formal launch of SEAL 2 and enabled consultations with donors for future funding.

In February 2008 the National Assembly Secretariat convened a meeting of the implementers Working Group which was also attended by elected members from both Houses. The Working Group shared information about planned activities to support parliament and heard appreciative responses from elected Members. SEAL supported the staff preparation for and follow up from the Working Group meeting. Also in February, the SEAL team participated in an implementers’ coordination informal meeting hosted by USAID/SUNY. The purpose of the meeting was to coordinate activities and prevent duplication.

#### **OUTPUT 2 – FULLY TRAINED AND FUNCTIONAL PARLIAMENTARIANS AND STAFF**

Security staff of the National Assembly benefited from a leadership study visit to Europe in February. The nine participants including the Chief of Security attended a week of intense Orientation by the security services of the French and Belgian parliaments, studying the latest techniques to control visitor access to parliaments, deal with public demonstrations, and examine the latest in applied technology. The committee assistants of both Houses participated in one-day weekly workshops of the Committee Assistants' Course drawn up SEAL.

### **OUTPUT 3 – PARLIAMENT'S LEGAL ENVIRONMENT ESTABLISHED**

(This was accomplished in 2005-2007)

### **OUTPUT 4 – INFO AND ICT SERVICES IN PLACE FOR MPS, STAFF, MEDIA & PUBLIC**

February marked the near-completion of the renovation of Annex buildings to provide new additional working space for MPs and their staff. Official renovation work for the Wolesi Jirga started in August 2007, involving a major SEAL supported ICT component. The Annex consists of three buildings, which will provide office space for 600 people (MPs and assistants). SEAL has provided the IT equipment and furnishings for the Annex buildings including installation of Local Area Network (LAN), which includes 600 data points and installation of the PABX (telephone exchange system), which includes 300 voice points and all the related needed equipment such as Cisco Routers, Cisco Switches, Cisco Firewall, Servers and Wireless Access points.

SEAL also provided furnishing for more than 200 offices including carpeting, desks and chairs and reception seating. The result is to provide all Wolesi Jirga members with modern, functional offices that can meet their needs as law makers and representatives. Equity is a particularly important consideration as some Members without private resources, especially women MPs, are disadvantaged in not having office facilities.

### **OUTPUT 5 – PUBLIC INFORMATION, AWARENESS, OUTREACH STRATEGY AND ACTIONS**

SEAL continued to assist the National Assembly's Information and Public Relations Departments to disseminate useful information to the people of Afghanistan. These activities included publications, broadcasting, the parliament-media forum, and parliament-civil society meetings. Together these activities help raise public awareness and understanding about parliament.

By February there was significant strengthening of working relations with these Departments with a view to helping to develop public information and outreach strategy. SEAL provided assistance to facilitate the parliament-civil society group meeting, and information exchange included committees of the Wolesi Jirga informing civil society organizations about their achievements. These regular meetings continue to result in useful civil society information and advice to MPs and their committees. The meetings also help civil society leaders better understand parliamentary work and priorities.

### **OUTPUT 6: PARLIAMENT SET-UP AND OPERATIONAL COSTS MET**

The project continued to support basic running costs, including building rental, security operation costs, transport and logistics the result of which has been the smooth functioning of the parliament.

### **OUTPUT 7: MANAGEMENT TEAM FULLY OPERATIONAL**

By the end of SEAL 1 several key positions were filled including Procurement Officer, Administrative Associate, and Project Officer Capacity Building (assigned to be responsible for official parliamentary

travel). A researcher was hired on a short contract and 2 interns were engaged to support research in aid to Committees (three recruits were women).

## **SEAL II March- December 2008**

### **OUTPUT 1: ENHANCED PARLIAMENTARY CAPACITY TO EXERCISE LEGISLATIVE RESPONSIBILITIES**

The development of the research service is a key component of on-going SEAL support to the legislative and policy making capacity building of parliament. By the end of 2008 an environment and needs assessment was complete and procurement plans were in place for resourcing a research service in 2009.

SEAL delivered a discussion paper and a draft bill to the justice committee of the Wolesi Jirga (National Assembly toward the possible creation of an Ombuds Office in Afghanistan. Produced by SEAL, the paper draws on the models and experiences of other countries, including Islamic republics. The bill is a product of several months of partnership work with the committee, including a study visit for this purpose to Sweden in 2007. This may become the first piece of parliament-generated legislation.

SEAL also delivered a discussion paper and a draft Code of Conduct (for elected Members) to the leadership of both Houses. The discussion paper and draft Code are steps toward the creation of a Code of Conduct that can help strengthen parliamentary practice (including legislative responsibilities) and culture, can help guide elected Members in avoiding and dealing with conflicts of interest and can help strengthen the credibility and public confidence in parliament as an institution. The paper and draft Code draw on the models and experiences of other parliaments.

At the request of the leadership of the MJ SEAL team prepared and presented workshops for committee Chairs and others. The workshops included "best practices" to improve operations, and specialized training on legislation drafting.

### **OUTPUT 2 – PARLIAMENT EFFECTIVELY AND RESPONSIBLY OVERSEES THE ACTIVITIES OF THE EXECUTIVE**

SEAL organized and hosted special committee meetings for members of both Houses upon the introduction to parliament of the 2008 National Budget in March. This was given considerable importance and designed to meet the tight deadlines of parliament's budget consideration time table. The purpose and desired result of the special meeting was to improve elected Members' knowledge and capacity to review and analyze the annual budget of Afghanistan.

SEAL supported the development of work plans for committees in order to improve committee capacity for government oversight. SEAL team also worked with a range of committees to provide policy, legal, procedural and other advice. This included advice on oversight of foreign policy, advice on the out-of-country refugee situation, and expert advice in judicial, administrative and anti corruption affairs. The purpose and desired result of these activities is better informed and better functioning committees.

SEAL continued to support a wide range of official parliamentary travel by Members and Senators. SEAL engaged the Ministry of Foreign Affairs for briefings by the Ministry for traveling

parliamentarians. Discussion and exchanges at all of these meetings, including MP participation at the UN General Assembly, focused on oversight of government (s).

In partnership with the Parliament of Australia, SEAL undertook the pilot of the parliament-to-parliament mentoring program to enable Afghan MPs to experience first hand the practices and culture of an established parliament. The clearly defined goals of the pilot included skills development in legislation, policy making, government oversight and citizen contact and accountability. Afghan MPs spent time in parliament with their Australian counterparts and visited constituencies. The pilot was deemed a major success by hosts, participants and SEAL evaluators.

### **OUTPUT 3 – STRENGTHENED DIALOGUE BETWEEN PARLIAMENT AND CITIZENS**

SEAL designed and contracted arrangements for in-country field visits by elected Members to help familiarize Parliamentarians with local issues. The field visits (community outreach events and public hearings) enable direct MP-citizen contact and help citizens better understand the role of MPs.

SEAL continued to publish the official gazettes of both Houses and completed production of education material for school children and others. Two education videos were also produced, one for youth and one about the success of women in parliament.

SEAL also supported radio and TV spots that reached thousands of Afghans in their homes (in 6 Regions plus Kabul) to inform them about parliament. The spots were designed to draw attention to the responsibilities of parliament (especially representation) and to remind citizens that their representatives work for them.

Reaching out and being better connected with their communities and with women in Afghanistan was a common and particular interest of the women MPs and Senators who attended a series of informal meetings with SEAL Team during 2008. As a result of these consultations SEAL team will assist with in-country constituency visits and public hearings in support of women MPs in 2009.

Through 2008, SEAL in partnership with parliament organized additional sessions of Afghan Youth Parliament. The Youth Parliament is composed of young “Members” selected from Kabul area schools, more than 50 % of whom are young women. The 2007-2008 Youth Parliament has exposed these 100 young Afghans to the processes of parliamentary democracy and to the National Assembly while helping them to develop their debating and organizational skills.

### **OUTPUT 4 – STRENGTHENED CAPACITY FOR EFFECTIVE DECISION/POLICY MAKING**

As noted above, the development of the research service is a key component of on-going SEAL support to the legislative and policy making capacity building of parliament. By the end of 2008 an environment and needs assessment was complete and procurement plans were in place for resourcing a research service in 2009.

SEAL organized and supported the participation of Members from both Houses at international meetings dealing with key policy issues, among these meetings of the NATO Parliamentary Assembly. The Afghan parliamentarians were able to take part in discussions about the Afghan National Army, about NATO activities in Afghanistan, and about the future role of the alliance.

SEAL organized and supported the participation of members from both Houses to a parliamentary meeting at the World Trade Organization in Geneva. The participation of the MPs will help them to

understand the WTO and its agreements and will provide them information and tools for oversight of trade and economic policy.

The project also supported MPs by providing issue analysis papers and country background papers for National Assembly participation at the IPU and for parliamentary visits to the Australian and Azerbaijani parliaments. These papers helped MPs strengthen their understanding and knowledge about climate change, nuclear weapons proliferation, and host countries' political environments in particular.

#### **OUTPUT 5 – EFFECTIVE ADMINISTRATIVE STRUCTURES AND PROCESSES ARE IN PLACE**

In April SEAL organized and hosted a 2-day retreat for the two Secretaries General of Parliament and senior directors to move toward a strategic development plan for all parliament staff. The retreat included the Clerk (Secretary General) of the Australian House of Representatives and a senior director. The Australians shared experience and a wealth of documents that will enable the Secretaries General to develop long-term strategy and planning for staff development, in partnership with SEAL. This was followed by a workshop at SEAL for the Secretaries General and others on the next steps to develop a staff development strategy. Completion of this is expected in 2009.

Working with partners (USAID-SUNY, NDI) and Parliament, SEAL also completed a Communications Strategy for Parliament. The strategy will guide the work of the Public Information departments of both Houses and will help determine the nature and timing of support from others.

In June the staff electronic attendance system was inaugurated. The system serves 1000 employees in both Houses. It brings reliability, transparency, and accountability to the attendance recording system.

In 2008 the computerized payroll system for the Wolesi Jirga was also completed and inaugurated. The system ends cash payments and brings modern management and transparency to payroll (the Meshrano Jirga payroll system was completed in late 2007). Among training for staff in 2008 SEAL organized and offered an intensive three-month Basic Accounting course to twenty-five Parliament admin/finance staff and a professional training trip for nine admin/finance staff to Berlin (funded directly by the German government).

Both Secretaries General were sponsored by SEAL to attend a specially designed one-week professional development course for Secretaries General (Clerks) hosted by the Parliament of India.

SEAL delivered two workshops/trainings to the Hansard Departments of both Houses. Training focused on improving the minutes from plenary sessions, standardizing report structures, editing and approval procedures. SEAL also promoted the importance of Hansard indexing for research and for retrieving information and trained Hansard staff for this task.

SEAL team also conducted three-day training for the ICT Department of the Secretariat. The training focused on installation and operation of a wireless simultaneous interpretation system that can serve up to 200 conference participants. The system was purchased earlier by SEAL. As well, in cooperation with the ICT Director, a draft Standard Operational Procedure comprehensive guide for ICT use and maintenance has also been completed.

## **IV. Implementation challenges**

## Project risks and actions

### Security environment – immediate risks to parliament and project

As in previous years, the security situation in the country and the security situation in Kabul remain the sharpest and most immediate challenges to the implementation of the project. During the year several MPs were killed, one was kidnapped and held hostage for a long time, the project neighborhood and parliament precincts saw suicide attacks, political-motivated murder and kidnapping. All UN and UNDP offices and projects were shut down for 1 week due to high security concerns. Closure of the office affected project delivery.

Violence and the threat of violence to Afghan civilians, to foreigners and to symbols of State authority (e.g. police, army) continue to challenge the project goal of helping to establish a well functioning parliament, well connected to and respected by citizens in every region. The security situation prevents some in-country planning and potential outreach visits by Members and Committees.

**Action Taken:** To help address security risks, SEAL continues to assist the National Assembly Security Department and continues to provide and install security equipment including concrete barriers for the road entrance to the new Annex buildings. The purchasing process is underway for an overdue armored vehicle for the project (now mandatory by the UN for movement to and from the airport and to and from some UN and other offices).

### Parliament and political environment

This year saw the marked increased in parliamentary “anti foreigner” rhetoric and sentiment. This was often directed at NATO forces, but sometimes included the UN and the donor community. Accidental civilian fatalities seen as a result of NATO activities, military raids on private homes (including the home of 1 MP), the “external” budget presented as part of the 2008 National Budget, media materials produced abroad, international criticism of the arrest and possible death sentence for a student here (and criticism of parliament for being seen to interfere in the judicial process), international criticism of parliament for supporting media censorship and other factors probably contributed to the rise of these sentiments and rhetoric. Quietly and sometimes openly projects supporting parliament including SEAL were portrayed by some as unwelcome.

**Action Taken:** This was skillfully addressed by the parliamentary leadership who met with the SEAL team on several occasions to assure appreciation and strong support for the project. The SEAL project as a whole and staff team leaders were presented with certificates of appreciation by Meshrano Jirga 1<sup>st</sup> deputy President Senator Shinwari and Secretary General Falah during the year. The Project Manager was also engaged in activities to show support and appreciation for the project on several occasions. SEAL responded to this changing environment by producing an information leaflet for Members and by widening engagement as much as possible.

### Donor funding SEAL 2

The lack of committed and delivered donor funding for SEAL 2 was a critical issue in early 2008 and remains an important issue. Sweden, Denmark and UNDP have provided the necessary funding for SEAL support activities to help strengthen parliament over the next 3 years. Additional funding and additional donor partners are desired in order to reach the full proposed budget of \$15 million through 2012. The expected elections in 2009 and in 2010 have attracted the immediate attention of the international community, including donors. Nevertheless, as democracy and governance institutions take root in Afghanistan the existence and effective functioning of the national parliament

is key to development, democracy and state building. Parliament is the only national institution that represents all citizens and all regions, that oversees government policies and actions/in-actions and that provides the essential national forum for peaceful conflict resolution through debate, negotiation and compromise.

**Action Taken:** Discussions continue with a range of donor governments who have expressed a strong interest in supporting a stronger, more effective parliament. Outreach to other possible donors will also continue on 2009. Several governments have pledged to fund (Italy, EC) but have yet to take concrete steps to deliver. Others, such as Australia (and likely Japan), have indicated strong interest to become new donors.

## Project issues and actions

### Project closure and procurement

In 2008 there was the unique circumstance of project closure for SEAL 1. Closure was dominated by necessary procurements to meet commitments made to parliament and to ensure that donor funding was appropriately, efficiently and effectively used to support parliament in the final months of the life of the project. Project closure procurement was designed in November and December 2007 and presented as a procurement plan before the end of the year. Nevertheless, procurement was a challenge to complete up to the final weeks of the project due to a number of factors including end-of-year procurement accounting processes,, difficulty in soliciting quotes from bidders for some major procurements such as radio studio equipment, delay in procuring an armoured vehicle (due to the need to arrange a long term agreement with a supplier), and other unique factors that combined to make this a continuing challenge to the end of the project. At times this put a strain on relations with parliament.

**Action Taken:** Thanks to great commitment and hard work by project staff and support from Country Office, these challenges were overcome.

### Office Move

The SEAL landlord declined at short notice to renew the lease on the SEAL office in January 2008. This required a search for a new office, a move and necessary security and other upgrades of the new office space.

**Action Taken:** The office move to a new location was managed in mid winter under very difficult conditions (no heat, no power, no internet/e-mail, snow and ice).

### Participation of women

Advancing toward UN and other norms of women's participation and gender equality are challenges for the whole of Afghanistan.

**Action Taken:** To help address this in the context of parliament, SEAL has commissioned the creation of a gender strategy which will be implemented in 2009

## V. Lessons Learned and Next Steps

### Lesson learnt

#### Project Start-up and Resource Mobilization

In hindsight it is clear that in mid 2007 the parliament Secretariat was under the impression, based on the work of consultants and a draft Project Document, that donors/UNDP would create a project and deliver about \$15 million of support to parliament over the next 4 years to 2012. The impression was that funding and support were certain, that this would include on-going significant material support. Parliament's planning and budgeting reflected this assumption.

In fact, in mid 2007 there were no such donor commitments. Notwithstanding donor expressions of political support and interest in funding, donor commitment did not materialize until mid 2008, and commitments did not equal even half of the foreseen \$15 million. Through 2007 UNDP worked on an assumption that donors who committed to the establishment of parliament in 2005, would re-commit in 2008. For example, as the original "lead nation" for parliament support, it was assumed that France would be a major donor and that the other established European democracies (and NATO members) in the original donor group would deliver funding. Donor consultations in fall 2007 re-enforced this assumption, with France offering a "ball park figure" of support and others re-affirming their political support to help strengthen parliament. The original donor group took part in the Project Document approval process in December 2007, which formally established and endorsed the new SEAL project (2008-2012).

Yet, there was no donor delivery in the first quarter of 2008. The original SEAL donor group (plus Belgium) then asked for a revised project/funding proposal in May 2008. This was presented to them June 1, reflecting donor desire for focus and for focused attention to capacity building (democratic culture, parliament practices) for MPs. Denmark delivered donor support to enable project implementation through the second half of 2008 (the first half of 2008 implementation through UNDP funding), and Sweden committed to deliver support to enable project core activities implementation through 2010. There are a number of lessons to be learned from this experience.

#### **1) Raising Expectations**

Expectations were created that SEAL would go on, as before, delivering support to parliament from a group of multiple donors, reflecting the "international community." Late in 2007 donors started to signal delays and postponement of possible donor commitments. This is a lesson for SEAL 2011-2012, and for other UNDP project start-up. It can also be a lesson for donors: on-going institution building in Afghanistan requires advance preparation for on-going (renewal of) donor support.

#### **2) Committed Funding in Place**

Thanks to UNDP committed funding in place on March 1, 2008 SEAL support to parliament was able to continue unbroken from SEAL to the new SEAL. However, future start up projects (or a new SEAL in 2012) should have additional donor committed funding in place if the projects are meant to be multi-donor activities.

#### **3) Attention to Donor Nation Cycles**

Different donor nations/governments have different funding frameworks, financial years and funding cycles.

#### **4) More Political Attention**

Things change. Changes can be fast and dramatic. For example: Canada shifts its focus to Kandahar, a new government in Australia wants to raise a non-military profile in Afghanistan, Japan begins larger presence in the governance/democracy support arena, a government change in Italy changes priorities and ODA levels. There should never be an assumption that a donor one year will be a donor the next and the radar should be alert to new, sudden opportunities.

### **Parliament- The Next Frontier**

The needs of parliament are now very much in capacity building for MPs and in helping parliamentarians become more effective in their work. They have made it clear in 2008 in their activities, results and discussions with the project that they no longer need help in understanding their roles and responsibilities or in legal/procedural advice. They need and want the hands-on knowledge transfer and partnership of expert international advisors (for example in budget and in policy/decision making issues), of applied research, and of national experts who can appear before committees and public hearing in Kabul and around the country. MPs and leadership greatly value the hands-on experience of the pilot mentoring visit to the Australian parliament and want more of this kind of knowledge transfer opportunity. Many have a sincere interest in visiting their provinces/constituencies to better connect with and represent citizens.

Since 2005 parliament has been provided with significant material resources, including state-of-the-art ICT equipment and services, video conferencing, radio studio, training institute. The Annex complex for the Wolesi Jiga now provides MPs and committees first class office and meeting accommodation beyond that available to many European and other developed country parliaments. The government of India has already begun preparations for the construction of the new parliament buildings and has advised SEAL that the construction is due to be complete in 2 years. There is no apparent rationale or justification for any further significant investment in material/infrastructure for the current parliament arrangement.

SEAL project continues to support the operational costs of parliament (such as internet connection, software licensing, publishing gazettes and public info material, rent of buildings). This is now out of line with the necessary evolution of parliament to a fully independent and sovereign institution, and out of line with the basic goals of the project.

The international community should bring to an end hiring parliament staff, especially those who have received and benefitted from major investments in their own capacity building. Hiring national staff to international organizations who are the beneficiaries of international investment in self defeating to national/parliament capacity building.

### **Human Resources and Gender**

The full participation of women in the life and economy of Afghanistan will remain a challenge for years to come. The recruitment of women into the labour market and especially into the services of foreign and international organizations will remain a particular challenge. UNDP shares this challenge. Throughout 2008 it was the case that recruitment to project vacant positions often saw no women applicants/candidates. The project initiated a number of affirmative action steps including freezing

hiring until women candidates had been sought, advocating the inclusion of women candidates for interviews (even if they had low scores on pre-interview written tests) and insisting on the participation of women in interview panels. Where the project could directly hire women it did so: national researcher, national intern, international consultant. The lesson learned is that the human resource process is not able to initiate enough affirmative action and projects must take initiatives in addition.

### Official Parliamentary Travel MOU

The MOU was a success and has been renewed for 2009.

### Project Staff Capacity Building

Project staff took advantage of opportunities for their own capacity building throughout the year including courses and trainings offered by UNDP and the private sector. Of significant advantage was a 2 day visit to the parliament of India where 6 staff saw an established, fully functioning parliament for the first time. With a long-term goal of “nationalization” of the project in mind, this kind of parliamentary experience will be increasingly important.

## **RECOMMENDATION, NEXT STEPS**

1. Ensure committed funding in place before a new project begins.
2. Convene donors meeting for parliament support to secure balance of resources for SEAL 2.
3. Establish regular, informal Donors-Project Working Group for quarterly discussions of donors' interests and project feedback (in addition to the UNDP Project Board).
4. More affirmative action for women MPs and hiring.
5. Sunset project support for operational costs of parliament in 2009. Assist with improvements to parliament budget design and negotiations with Ministry of Finance.
6. Continue mentoring program for MPs while seeking to reduce costs. Options include cost sharing with hosts (e.g. Italy), or the next program to India (low cost).
7. Administration of travel MOU (after 1 year of adjustment) to keep delegations small (maximum 5), with women MP participation.
8. Continue project national staff capacity building including training in India /exposure to other parliaments.
9. Prepare contingency plans in case it becomes impossible/high risk to remain working in parliament or in Kabul.
10. Prepare for mid-term outside project evaluation in 2010

## VI. Financial status and utilization

### Financial status

**Table 1: Contribution overview (March 2008 – February 2012)**

DONOR NAME	CONTRIBUTIONS FOR THE CURRENT PHASE (USD)		BALANCE TO BE RECEIVED
	Committed*	Received*	
UNDP	650,000	650,000	
Denmark	1,600,000	1,600,000	
<b>Total</b>	<b>2,250,000</b>	<b>2,250,000</b>	<b>-</b>

**Table 2: Funding status (as of 31 December 2008)**

DONOR NAME	RECEIVED*	EXPENDITURES			PROJECT BALANCE	EARMARKED**	AVAILABLE FUNDING (as of 1 Jan of the next year)	REMARKS
		Period Prior to the Reporting Year	Reporting Year Only	TOTAL				
UNDP	650,000		700,393	700,393	(50,393)		100,000	
Denmark	1,600,000		1,007,118	1,007,118	592,882		542,489	
<b>TOTAL</b>	<b>2,250,000</b>	<b>-</b>	<b>1,707,511</b>	<b>1,707,511</b>	<b>542,489</b>	<b>-</b>	<b>642,489</b>	

**Table 3: Annual expenditure by activity [1 March – 31 December 2008]**

Activity	Budget 2008	Expenditures March - Dec 2008	Balance	Delivery %
ACTIVITY01 Enhancing Parliamentary Capacity	537,000	702,653	-165,653	131%
ACTIVITY02 Strengthening Parliament Oversight	423,400	138,233	285,167	33%
ACTIVITY03 Strengthening Dialogues between People and Parliament	274,900	127,058	147,842	46%
ACTIVITY04 Strengthening Capacity for effective Decision/ Policy Making	233,000	42,746	190,254	18%
ACTIVITY05 Supporting to Administrative Structure	285,500	34,552	250,947	12%
ACTIVITY06 Project Management	384,201	591,770	-207,570	154%
UNDP GMS 7%	112,000	70,498	41,502	63%
<b>Grand Total</b>	<b>2,250,000</b>	<b>1,707,511</b>	<b>542,489</b>	<b>76%</b>

**Table 4: Annual expenditure by donor [1 March – 31 December 2008]**

Donor	Activity	Budget 2008	Expenditures March - Dec 2008	Balance	Delivery %
UNDP	ACTIVITY01 Enhancing Parliamentary Capacity	265,000	297,456	-32,456	108%
	ACTIVITY02 Strengthening Parliament Oversight	38,400	74,749	-36,349	
	ACTIVITY03 Strengthening Dialogues between People and Parliament	82,900	68,540	14,360	
	ACTIVITY04 Strengthening Capacity for effective Decision/ Policy Making	8,000	19,401	-11,401	
	ACTIVITY05 Supporting to Administrative Structure	91,500	4,233	87,267	
	ACTIVITY06 Project Management	164,200	236,014	-71,814	
<b>UNDP Total</b>		<b>650,000</b>	<b>700,393</b>	<b>- 50,393</b>	
Denmark	ACTIVITY01 Enhancing Parliamentary Capacity	272,000	405,197	-133,197	63%
	ACTIVITY02 Strengthening Parliament Oversight	385,000	63,484	321,516	
	ACTIVITY03 Strengthening Dialogues between People and Parliament	192,000	58,518	133,483	
	ACTIVITY04 Strengthening Capacity for effective Decision/ Policy Making	225,000	23,345	201,655	
	ACTIVITY05 Supporting to Administrative Structure	194,000	30,320	163,680	
	ACTIVITY06 Project Management	220,001	355,756	-135,755	
	UNDP GMS 7%	112,000	70,498	41,502	
<b>Denmark Total</b>		<b>1,600,000</b>	<b>1,007,118</b>	<b>592,882</b>	
<b>Grand Total</b>		<b>2,250,000</b>	<b>1,707,511</b>	<b>542,489</b>	<b>76%</b>

**Annex 01: Annual Work Plan 2008**