

14 February 2022

Committee Secretary
Senate Foreign Affairs, Defence and Trade References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Secretary,

Save the Children – Response to Questions Taken on Notice re: Australia’s Engagement in Afghanistan

Thank you again for the opportunity to engage in discussion of Australia’s engagement in Afghanistan through the recent supplement submission and opportunity to appear as a witness at the public hearing on 2 February 2022. Below, please find responses from Save the Children to questions taken on notice during the hearing.

Chair (Senator Kitching) request for negotiated documents to get a better understanding of what has to be done for organisations to have locally engaged staff, particularly as it relates to female staff.

Attached to this email, please find the following communications from Afghanistan authorities to Save the Children and other INGOs providing operational direction. These messages provide insights into communications coming from local and national authorities outlining processes and expectations, particularly as they relate to staffing and exemptions for taxation:

- *Attachment A_20211129* - Directorate for record and registration of NGOs from the Ministry of Economy providing permission for all female staff to return to work with Sharia Hijab and clarifying no restriction on recruitment of female staff to NGOs.
- *Attachment B_20210829* - Notice from Public Health Head announcing orders to all governmental employees including male and female, in which they have to be present for their duties and do their duties regularly.
- *Attachment C_20211005* - Acting Minister of Ministry of Economy notifying entities asking for various percentage of taxation and other charges is against the norms, rules and regulation agreed with UN, international and national humanitarian organizations.
- *Attachment D_20210921* - Request from Economy Director from Balkh Province for all national/international NGOs to attend coordination meeting in economy directorate of Balkh with participation of deputy governor of Balkh Province (Mawlawi Saifullah).
- *Attachment E_202201* – Ministry of Economy’s monitoring and control plan of NGO activities for distribution of urgent humanitarian assistance, including food and non-food stuffs.

Chair (Senator Kitching) request for on the ground views on or observations of the use of cryptocurrency.

On the ground analysis has found that Afghanistan remains, increasingly so, a cash-based economy and is turning towards neighboring currencies (e.g., Pakistani and Iranian currencies) rather than the adoption of cryptocurrency. Save staff in Afghanistan have not observed use of cryptocurrency in the communities we serve. While some degree of cryptocurrency exchange by individuals and families in Kabul has been reported, our staff note the lack of a robust and reliable electrical and internet infrastructure, making adoption untenable for deployment of programmatic operations across 10 provinces.

Colleagues in Afghanistan have noted that they will not use cryptocurrency given the lack of adoption, inadequate infrastructure, and mounting regulatory issues surrounding cryptocurrency in many countries. Many Afghanistan experts fear that a move towards cryptocurrency will only serve to support the Taliban and will not support the citizens of Afghanistan who cannot use cryptocurrency for daily needs.

Save the Children has explored buying USD on *binance.com* from its international bank accounts. Our Afghan staff found this would require transferring the money to the account of a money changer in Kabul, and the money changer would then pay out cash to the NGO. However, the money changer requires a written contract with each transaction, supporting the transparency of the transaction. Per our testimony, Save the Children has formal contracts with four *hawala* agents who have been through due diligence processes.

The solutions we advance in Afghanistan must consider the short- and long-term impacts of the complicated issues around funding and cash liquidity, and whether these solutions allow Australia to meet its obligations of applying a principled humanitarian approach that alleviates suffering and provides humanitarian assistance where it is needed most. We urge the Australian Government to leverage all diplomatic mechanisms through advocating to the UN Security Council, the Human Rights Council, and Ambassadors to Washington, to ensure that the banking system in Afghanistan is restored.

We are happy to engage further with you on these and other topics should further questions arise.

Yours sincerely,

Mat Tinkler
Chief Executive Officer (acting)

Attachments with this email include:

Attachment A – Directorate for record and registration of NGOs

Attachment B – Coordination Presidency of the Provinces Presidency Health of Faryab Province
General HR Department

Attachment C – Provincial Communication and Coordination Department- Report and Travel sub-unit

Attachment D – Invitation for NGOs (non-governmental organizations) coordination meeting

Attachment E – Monitoring and control plan of NGOs activities and distribution of urgent humanitarian assistance food stuffs and non-food stuffs



د افغانستان اسلامي امارت
د وزارت اقتصاد
د ریاست له خوا د موسسات غیر دولتي
آمریت ثبت و راجستر موسسات غیر دولتي



امارت اسلامی افغانستان

نمبر دوسیه: ۴۴۸

۱۴۴۳ / ۱ / هـ ق

تاریخ صدور: ۱۴۰۱ / ۸ / ۱۴

قابل توجه تمام انجوها و موسسات غیردولتي!

تمام کارمندان طبقه انات موسسات محترم غیردولتي ميتوانند با حفظ حجاب اسلامي انجام وظايف نمايند. هيچ نوع مانع در استخدام و کار طبقه انات در موسسات غیردولتي وجود ندارد.

با احترام

الحاج قاري دين محمد حنيف

سرپرست وزارت اقتصاد

Islami Emirate of Afghanistan

Ministry of Economy

Directorate for record and registration of NGOs

Date: 29/11/2021

Case/letter # 648

To the attention of all Non-governmental Organizations!

All female staff of Non-governmental Organizations (NGOs) may return to work with Sharia Hijab adopted. There is no restriction in recruitment and work of female staff for Non-governmental organizations.

Regards,

Alhaj Qari Din Mohammad Hanif

Acting Minister of MoEC

Islamic Emirate OF Afghanistan
Ministry of Health
Coordination Presidency of the Provinces
Presidency Health of Faryab Province
General HR Department

1

Date 29/08/2021

Dear SAF office!

A Letter with number (14916) dated 28/06/2021 is issued by the management of administrative and technical staff of the General Directorate of Recruitment and Appointments, the General Directorate of Human Resources, and the official of the Ministry of Public Health which is arrived as bellow.

Hereby, it is ordered that Based on recent general amnesty announcement by the Islamic Emirate of Afghanistan and given order to all governmental employees including male and female, which they have to be present as pervious on their duties and do their duties regularly. The relevant employees of the health centers and facilities in the Kabul city and other provinces are obliged to be present on their duties based on working timeline from 8 -4 o'clock, in order to provide a better service on the prevention and health for the Afghanistan people. All public health and other health facilities would be active and have two shift duties.

Hence, it is requested from the all head of central, provincial departments and other health facilities to cooperate strictly with the health sections, if anyone neglect and careless in this regards, would apply a strict disciplinary actions.

Hereby, all the first and second units of the central and provincial public health departments should take immediate action and preform accordingly.

This is informed in written for the further information and actions.

Sincerely:

Khan Mohammad Hemat

Faryab Public health Head

Copy to:

1. PPH
2. PHCs
3. COVID-19 health facilities
4. DAART
5. SCI
6. MSI clinic
7. RCY health center
8. AADA
9. CHA
10. WORLD VISION
11. Addicts Health Section
12. Department of General Management Monitoring of Rules

Islamic Emirate of Afghanistan

Ministry of Economy

Directorate of Minister Office

Provincial Communication and Coordination Department- Report and Travel sub-unit

5 October 2021

Ref/1127/1077

To: Respected provincial directorates of Economy

Subject: Cooperation and Coordination with WFP and all other International and National humanitarian organization regarding Transportation and Distribution of humanitarian food assistance.

As you are aware that respected WFP and other International and National humanitarian organizations will be transporting/delivering humanitarian food assistance from Kabul to other provinces when required and will be distributing these assistances to needy people in all provinces.

During transportation of these humanitarian assistance on roads, Respected Mujahideen and other related entities asking for various percentage of taxation and other charges, this act is against the norms, rules and regulation agreed with UN, international and national humanitarian organizations.

As UN and other International and National humanitarian assistance is exempted from all form of custom/taxation and other charges, therefore, after checking relevant available documents of these kind of cargo and vehicles. If they are related to the organizations mentioned above, then extend full support to them, to enable them to deliver food and all other assistances to vulnerable people in all provinces and districts without wasting time.

We expect all UN, International and National humanitarian organizations to implement their humanitarian assistance in close coordination with provincial directorates of Economy.

Through this letter, all Provincial Directorates of Economy are instructed to take necessary actions in this regard in close coordination with their respective provincial governor office.

Qari Din Mohammad Hanif

Acting Minister of Ministry of Economy

Copy: Directorate of Foreign Relations and Management of Non-Governmental Organizations

Afghanistan Islamic EMARAT

Ministry of Economy

Balkh economy directorate

Deputy section of development activities administration and monitoring

General Management of monitoring from NGOs activities

Subject: Invitation for NGOs (non-governmental organizations) coordination meeting

To attention of all national/international NGOs based in Balkh Province

It is to held a coordination meeting for national/international NGOs activity on Sunday (19 Sept 2021) at 9:00 AM in economy directorate of Balkh with participation of deputy governor of Balkh Province (Mawlawi Saifullah) and national/international NGOs in charges.

Thus, it is requested from all national/international NGOs in charges to attend the session on aforementioned date/time/place.

Regards,

Mulla Abdul Shokor "Jawad"



Emarat Islamic Afghanistan
Ministry of Economy

**Monitoring and control plan of NGOs activities for
distribution of urgent humanitarian assistance food
stuffs and non-food stuffs**

January, 2022

Preparation and arrangement: Walizada

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Preface:

This guideline has been arranged to maintain the transparency and ensuring the fairness of distribution of humanitarian assistance of NGO institutions. The basis for the implementation of the procedure for the distribution of humanitarian aid and provides effective mechanism to help adapt the effectiveness of contracts and understanding for government departments. In this plan, in addition to the mentioning of the basis, its goals and its implementation area, a general evaluation of the existing and current situation has been conducted, and at the end, the basic cases and obligations are mentioned for better management of the contract and the memorandum of government departments with NGOS institutions.

Based:

This is a comment on the decision of the meeting number) 14) dated 9/5/1443 coincided to 9/19/1400 Cabinet of the Islamic Emirates of Afghanistan given the paragraph) 2) Article 44) law of the NGOs of the Ministry of Economy has been arranged to adjust the United Nation humanitarian assistance and relief.

Agenda and topic: humanitarian assistance project

Cabinet decision	Time of completion
Cabinet meeting With chair of acting minister of economy Qari den Mohammad, disasters Management acting minister Mula Mohammad Abbas Akhond, refugee and repatriations acting minister Haji Khalil u Rahman Aqani, Acting president for General Presidency of the Red Crescent of Afghanistan matiul Haq Khalis, martyrs and disabled acting minister, Rural rehabilitation and development acting minister and public health acting minister. This meeting has decided and made each ministries responsible for Transparent and fair distribution of Humanitarian assistance to vulnerable areas and the people in urgent needs, preventing from arbitrary distribution of Humanitarian assistance by NGOs and making review of previous representative plan for better monitor and control of Humanitarian assistance and sending it back to cabinet meeting for approval.	Urgent

Objectives:

This plan has been arranged in order to obtain the following purposes and intentions:

1. Ensure the assurance of the responsibilities and obligations of NGOs in the distribution of humanitarian assistance and its outcomes;
- 2- Creating effective Mechanism for management and control of NGO's institutions;
- 3- Transparency and preventing of fraud and waste of the United Nations and other international institutions humanitarian assistance and ensuring the fair distribution of humanitarian assistance With the consideration of the balanced development in vulnerable areas;
4. The method of setting up contracts and understanding of government relevant departments with NGOs non-governmental institutions to survey and diagnose people in need, prioritizing vulnerable areas, determining the index of New and urgent projects and preventing from Repetitious distribution of Humanitarian assistance in areas.
- 5- Preventing arbitrary actions of implementation from national and international non-governmental organizations;
6. Draw the roll of offices and supervisory references for the activities of non-governmental institutions in the distribution of humanitarian assistance.

Implementation area:

This plan has been arranged to protect the transparency and adjustment of the United Nations humanitarian assistance and the fair distribution of relief and the humanitarian aid to the people in need, and it's only applicable to the humanitarian aid projects (food stuffs and non-food stuffs) with the help of UN and other international organizations implemented by domestic and international NGOs.

Examining the current situation and its problems:

As it is clear, the operation of non-governmental institutions has been subject to many problems and challenges in the last twenty years, which has also

affected the effectiveness of projects. With the victory of the Islamic Emirate in the country, according to political problems and political considerations, the United Nations and the foreign donor are currently implementing humanitarian projects directly through non-governmental institutions. The implementation of recent project and humanitarian assistance by the international community did not have enough effectiveness through institutions. Some of important problems in the implementation of project by non-governmental institutions are:

- 1- High operational cost in the implementation of projects that are about 30-40%.
- 2- Lack of transparency and accountability in implementation of projects.
- 3- The absence of effective mechanism for monitoring and controlling projects.
- 4- Lack of proper and technical knowledge and experience of non-governmental institutions in the implementation of projects in emergency and urgent situation.
- 5- Lack of access of non-governmental institutions to the proper figure, Data and information about the needy.
- 6- Lack of effective Mechanism for survey of people in need, poor and stabilization of vulnerable areas.
- 7- Injustice and lake of transparency in the distribution of Humanitarian assistance and observance of balanced development in the implementation of projects.
- 8- Lake of support and coordination from the people because of bad history and performances of NGOs.

Actions taken:

For the better implementation of humanitarian assistance projects through non-governmental institutions, the observance of transparency, the balanced development in distribution and survey of the vulnerable areas the following actions have been taken:

(A). Arrangement of procedure of coordination for the distribution of the humanitarian assistance:

In order to adjust the management of humanitarian assistance, Arrangement of procedure of coordination for the distribution of the humanitarian assistance and the Technical committees has been made. These committees have been conducted at the Central level under the chair of the Ministry of Economy, with the coordination of state ministry for disasters Management , the Ministry of public Health, the Ministry of refugee and repatriations, ministry of labor, social affairs, martyrs and disabled, ministry of Rural rehabilitation and development and the General Presidency of the Red Crescent of Afghanistan, in order to provide transparency, justice and the fairly distribution of humanitarian aid to the people in need, Stabilization of vulnerable areas, and Reporting of NGOs activities and other related affairs at the center and the provincial level .The list of members of the committees and the area of their responsibilities have been made in a separate procedure under the supervisory of cabinet and leadership of Islamic Emirate of Afghanistan .

B) Monitoring mechanism of NGOs Activities:

Monitoring from implementation of project by NGOs will be in the two following ways.

First) Ministries and sector offices.

Government Ministries and sectors offices after each contract with NGOs are required to, given the goals, the plan and the expected results through reporting in every quarter of the year, seriously monitor the effective implementation of the contract, the activities of the institutions and regularly receive reports of each contract. If needed the related representative of government Ministries and sector offices should have closed monitoring of projects. The representatives should also be active in the process from choosing up to the submission.

Second) Technical committee of management and control of NGOs activities:

This committee will review all reports from Ministries and sectors offices if needed the committee can asked representative of related institutions and agreement to join committee meeting and response to the questions and the parties of contract must also have accurate answer to the questions of technical committee.

Third) Reporting mechanism:

Non-governmental organization according to The law of NGOs are required to submit their quarterly, six months and annual reports to the related Ministries and sectors offices of ministry of economy (technical committee).

Reports of NGOs are in two parts:

In first part, reports should contain implementation project and plans of Humanitarian assistance according to the goals, objectives and results of agreements

And to see up to what extent the objectives and material of contract are implemented.

The second part contain financial reports that is according to consumption codes of dedicated budgets.

Fourth) Submission mechanism:

Related Sector offices are required to stay in touch with institutions and technically monitor the development of the projects, receiving back the projects from NGOs after the completion and implementation. The institutions are also required according to the agreement after the completion of projects to inform the ministry of economy sector offices from submission of project and its related documents through a written report.

Alternative point:

For better implementation of humanitarian assistance projects by NGOs the following alternative points are important.

- According to the article of 4Th NGOs law ministry of economy is the official authority and reference for Registration, monitoring and activities arrangement of NGOs in Afghanistan, This is a comment on the decision of the meeting number) 14) dated 9/5/1443 coincided to 9/19/1400 Cabinet of the Islamic Emirates of Afghanistan given the paragraph) 2) Article 44) law of the NGOs of the Ministry of Economy has been arranged to adjust the United Nation humanitarian assistance and relief.

- According to the paragraph 2 article 33 Law of NGOs, All institutions are required to Facilitate the visiting and monitoring of projects by committee members of ministry of economy and related sector offices.

- All domestic and international non-governmental institutions

Are required to do all the purchases from domestic markets. If the required equipment and items are not available in domestic markets, the institutions with suitable reasons can supply it from international markets.

- All domestic and international NGOs are required to make list of each humanitarian assistance project with List of the people who benefits from these projects and the area under coverage then share it with Ministries and sector offices.

- Urgent and emergency project should be selected and implemented in coordination with sector offices and national commission for disasters Management.



- NGOs are required to send proposal documents of each projects to the Ministries and sector offices for study and confirmation before starting of their work. After review and confirmation by sector offices, these documents should be sent to the ministry of economy for Registration.

Disasters Management acting deputy minister

Refugee and repatriations acting deputy minister

Acting president for General Presidency of the Red Crescent of Afghanistan

Martyrs and disabled acting deputy minister

Rural rehabilitation and development acting minister

Public health acting minister

Qari Den Mohammad Hanif

Chair of acting minister of economy

