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Resource Guide for NGOs in Afghanistan

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Acronyms

ARLO	Afghanistan Rule of Law Observatory
CSO	Civil Society Organization
DFA	De Facto Authorities
IDLO	International Development Law Organization
JSCA	Justice Sector Context Assessment
MOJ	Ministry of Justice
MOEC	Ministry of Economy
MPVPV	Ministry of Promotion of Virtue and Prevention of Vice
UNAMA	United Nations Assistance Mission in Afghanistan
MoU	Memorandum of Understanding
M&E	Monitoring and Evaluation
PDC	Provincial Development Council
SDGs	Sustainable Development Goals
ANDMA	Afghanistan National Disaster Management Authority
TVET	Technical and Vocational Education and Training Authority

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Introduction

Afghanistan's political and societal landscape has undergone significant changes, particularly since August 2021. These shifts have directly impacted the operational environment for non-governmental organizations (NGOs) and civil society organizations (CSOs). This guide aims to provide NGOs and CSOs with the information and strategies needed to navigate this evolving context.

While the terms "NGO" and "CSO" are sometimes used interchangeably, recent legal frameworks introduced by the de facto authority (DFA) often focus specifically on NGOs. However, the principles discussed in this guide are relevant to all non-governmental entities operating in Afghanistan. Section 2 addresses NGO-specific regulations, while the rest of the guide applies broadly to both NGOs and CSOs.

The DFA has reformed the justice system and introduced new legal frameworks. NGOs and CSOs must thoroughly understand these changes to ensure compliance and maintain operational effectiveness. This guide will explore the impact of these legal shifts, including the role of Islamic jurisprudence in NGO and CSO operations.

NGOs and CSOs play a vital role in addressing the needs of the Afghan people, providing essential services, advocating for the rule of law, and contributing to sectors like education, healthcare, and legal aid. They also champion community values, support vulnerable groups, and promote socioeconomic development.

This guide offers detailed insights into operating a non-governmental entity in Afghanistan. It covers topics such as organizational registration, operational challenges, program development, effective management, resource mobilization, networking, and risk management.

Our goal is to provide a valuable resource for leaders, managers, and staff of NGOs and CSOs in Afghanistan. This guide will equip them with the knowledge and tools to adapt, overcome challenges, and make a meaningful impact within the country's changing landscape.

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Section 1: Understanding the Legal and Operational Environment

Afghanistan's legal and operational environment has undergone significant transformations, particularly since the change in government in August 2021. These changes have profound implications for CSOs operating within the country. This section aims to provide a comprehensive understanding of the current legal framework and operational conditions for CSOs in Afghanistan, drawing from factual information and avoiding any sensitive or controversial topics.

1.1 Current Legal Framework Governing CSOs

Under the current administration, the legal landscape governing Civil Society Organizations (CSOs) in Afghanistan has seen considerable restructuring. This new framework significantly draws from Islamic jurisprudence, particularly the Hanafi school of thought, now extensively referenced in the legislation affecting CSOs. The Afghanistan Rule of Law Observatory (ARLO) plays an essential role in this context, providing resources and legislative documents that shed light on these changes and help CSOs navigate the evolving legal environment.

The process of legislative development has evolved to involve government agencies drafting legislation in coordination with Ulema (religious scholars), highlighting the integration of Hanafi jurisprudence. This approach marks a departure from the previous system, which required parliamentary and presidential approval for legislative amendments, prompting CSOs to adjust their operations and strategies to align with the new legal standards and principles.

A particular aspect that illustrates the practical implications of the current legal framework for CSOs relates to their hiring practices. The 2022 Procedure on Coordination and Regulation of NGOs, issued by the Ministry of the Economy, sets specific guidelines for recruiting former government employees. CSOs are advised to exercise caution when considering candidates who have left government roles due to absenteeism, fraud, corruption, or other forms of misconduct. This procedure permits such recruitment under certain conditions, like obtaining permission from the individual's previous government office. This requirement underscores the necessity of upholding high ethical standards and integrity in hiring practices to maintain trust and credibility both within the organization and with external stakeholders.

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To navigate these stipulations successfully, CSOs must prioritize transparency, accountability, and adherence to both legal and ethical principles in their recruitment processes. By doing so, they can mitigate risks associated with hiring individuals who may not meet the organization's standards of conduct and accountability, reinforcing their commitment to promoting positive social change in Afghanistan.

This focus on ethical recruitment, along with the broader legal changes under the current administration, underscores the evolving operational environment for CSOs in Afghanistan. Adapting to these changes is crucial for CSOs aiming to contribute effectively to the country's development and humanitarian efforts while operating within the bounds of the new legal framework.

At the end of this section, we will provide a series of checklists based on recent policies, regulations, decrees, and other documents and mandates issued by the DFA that pertain to CSOs. These checklists are designed to assist CSOs in ensuring compliance and navigating the updated legal requirements effectively.

1.2 Operational Environment for CSOs

The operational environment for CSOs in Afghanistan has become challenging. Key developments include the abolition of certain ministries and commissions that were instrumental in civil society work. Additionally, the Ministry of Promotion of Virtue and Prevention of Vice has introduced new dynamics in the operational context for CSOs, especially those focusing on women's rights and empowerment.

CSOs must navigate these changes while adhering to new regulations and decrees. For instance, the decree dated 24 December 2022, which impacts women's employment in non-governmental organizations, poses specific restrictions for CSOs regarding staffing and program implementation.

1.3 Role of CSOs in Promoting Justice and the Rule of Law

Despite these challenges, CSOs remain pivotal in promoting justice and the rule of law in Afghanistan. Their work providing legal aid, education, and advocacy remains crucial, especially when justice mechanisms are limited or inaccessible. CSOs also serve as vital links between the community and the justice system, helping to bridge gaps and ensure that the needs of various groups, including vulnerable and marginalized populations, are addressed.

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Moreover, CSOs contribute significantly to disseminating legal knowledge and awareness among the Afghan population. Through various programs and initiatives, they educate citizens about their rights and responsibilities under the new legal system, thus fostering a culture of legal consciousness and respect for the rule of law.

1.4 Assigning Local Legal Experts

To better understand the complexities of Sharia-based law, engaging with local legal experts can offer invaluable insights for navigating the intricate legal landscape in Afghanistan. By tapping into their expertise, CSOs can better understand the nuances and complexities inherent in the current legal framework. These insights are particularly vital given the recent shifts in governance and the increasing influence of Islamic jurisprudence, notably the Hanafi school of thought, on legislative processes. Collaborating with local experts enables CSOs to adapt their operations in accordance with evolving legal standards and principles, ensuring compliance and effectiveness in their endeavors.

1.5 Maintaining Neutrality and Independence:

CSOs must uphold neutrality and independence in their activities to avoid being perceived as aligned with any political faction, refraining from actions that may be construed as partisan or endorsing a specific agenda. This includes steering clear of engagements that could compromise their impartiality or lead to perceptions of bias towards certain interests. Adhering to principles of impartiality not only safeguards the integrity of CSOs but also reinforces their credibility and trustworthiness among stakeholders and beneficiaries. By staying neutral and independent, CSOs can effectively navigate the complex socio-political landscape of Afghanistan, ensuring their ability to serve communities in need while upholding their core values of humanitarianism and social justice.

1.6 Legal Compliance Checklist for CSOs Operating in Afghanistan:

In this final section, we've put together checklists based on the latest legislation and directives from the Ministry of Economy and other DFA agencies. These checklists highlight essential requirements for CSOs to ensure they're complying with the legal standards currently set in Afghanistan. Please remember this is a starting point and not a complete list of all requirements. For detailed legislation and more information, visit the Afghanistan Rule of Law Observatory (ARLO) website.

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1.6.1 Compliance with the "Procedure on Coordination and Regulation of NGOs"

Reference: "The DFA Procedure on Coordination and Regulation of NGOs" issued on 22 October 2022 by the De Facto Authorities (DFA).

General Compliance:

1. Registration and Operational Licensing:

- Register with the Ministry of Economy to obtain an operational license (Article 4).

2. Evaluation and Monitoring:

- Participate in evaluations and monitoring conducted by the Ministry of Economy to scrutinize NGO operations (Article 1).

3. Transparency in Assistance Distribution:

- Ensure transparency and equitable conduct in the distribution of aid across various sectors (Article 1).

4. Coordination with Sectoral Authorities:

- Work in consultation and coordination with sectoral authorities for project implementation and surveys (Article 4).

5. Memoranda of Understanding (MoU):

- Secure and implement MoUs with relevant sectoral authorities before project initiation (Article 4).

Specific Operational Guidelines:

6. Survey and Project Disagreement Resolution:

- Resolve any disagreements on survey locations or identification of beneficiaries in coordination with sectoral authorities, preferring their view if consensus is not reached (Article 4).

7. Urgent and Emergency Project Implementation:

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- Coordinate with sectoral organs and ANDMA for urgent and emergency projects (Article 4).

8. Information Sharing and Reporting:

- Share necessary information obtained from coordinated surveys with the Ministry of Economy and report on budgets, expenditures, and project outcomes annually and quarterly (Articles 4 and 6).

9. Procurement Policies:

- Prioritize domestic sources for necessary items, goods, and materials procurement, resorting to foreign sources only if unavailable domestically (Article 4).

10. Ethical Tendering:

- Refrain from awarding projects to companies under question during announcements and tendering (Article 4).

11. Project Documentation Submission:

- Share signed project documents with the Ministry of Economy for evaluation and approval post-implementation (Article 4).

12. Database Creation:

- Each sectoral authority must create a database for the organization of affairs (Article 4).

13. Sector-Specific Project Implementation:

- Align projects with the sector-specific responsibilities of various Ministries as outlined in Article 5.

Staffing and Operational Conduct:

14. Prohibition on Employing Certain Individuals:

- Do not employ current technical or professional staff from the DFA, staff leaving without agreement, or government employees dismissed for

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absenteeism or committing a crime within specified time frames (Articles 8, 9, and 10).

15. Central and Provincial Office Registration:

- Register the exact address of central and provincial offices with the Ministry of Economy (Article 4).

Additional Requirements:

16. Bank Account Requirement for Employees:

- Open bank accounts for all employees in central and provincial locations, with exceptions for areas lacking banking services (Article 4).

17. Presence of Organization Heads:

- Ensure that heads of organizations are present in the country within a specified timeframe (Article 4).

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1.6.2. Compliance with Letter No: 52/51 from the MOEc

Reference: Letter No: 52/51 from the Ministry of Economy, General Directorate of Non-Governmental Organizations, dated February 23, 2023.

Key Compliance Requirements for NGOs Operating in Provinces:

1. Ensure Proper Registration and Work Permit:

- Register all movable and immovable properties with the Ministry of Economy.
- Obtain the necessary work permit for legal operational status.

2. Adhere to Monitoring and Evaluation (M&E) Standards:

- Conduct thorough M&E of projects, ensuring alignment with development goals and compliance with DFA standards.
- Both domestic and international NGOs are subject to inspection.

3. Comply with Materials Exemption Requirements:

- Seek and comply with the Ministry's determinations on material exemptions.

4. Visa Procurement for Foreign Employees:

- Ensure that visa applications for foreign employees involved in project monitoring are processed through the Ministry of Economy.

5. Obtain Final Approval and Ensure Accountability:

- Secure final project approval from the Provincial Department of Economy.
- Report project outcomes to and be accountable to the provincial directorates.

6. Adhere to Sector-Specific Coordination:

- Coordinate project approvals through relevant DFA departments or ministries overseeing specific sectors, such as health or education.

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7. Sign Memorandum of Understanding (MoU):

- Draft and sign MoUs with sectoral authorities outlining project scope, terms, and conditions.

8. Prohibit Ethnic, Racial, or Political Activities:

- Ensure that activities do not promote specific ethnic groups, racial identities, or political agendas.

9. Utilize Online Registration System:

- Register projects and comply with administrative requirements using the designated online platform.

10. Align Projects with Sustainable Development Goals (SDGs):

- Design and implement projects contributing towards achieving the SDGs.

11. Practice Transparency and Accountability:

- Share essential information related to operations, decision-making, and finances openly with the public and stakeholders.

12. Avoid Activities in Conflict with Islamic Hijab and Laws:

- Ensure compliance with directives concerning the Islamic Hijab and other DFA-enforced laws, especially regarding the employment of women in NGOs.

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1.6.3. Compliance with MOEC's Circular No. 208 on NGO Operations

Reference: Circular No. 208: Guidance of Minister of Economy for Provincial Directorates of Economy and Non-Emirate Organizations to Explain Their Duties.

Key Compliance Requirements for NGOs Operating in Afghanistan:

1. Alignment with Societal and Sectoral Priorities:

- Ensure that donors consider societal needs, sector priorities, and sustainable goals before project announcement.

2. Provincial-Level Monitoring and Needs Alignment:

- Monitor projects to align with the specific needs and priorities of the province where they are implemented.

3. Cost-Proportionate Project Results:

- Projects must yield results proportionate to their costs.

4. Approval and Reapproval Requirements:

- Secure approval from sectoral authorities for project implementation and progress.
- Obtain reapproval from the Economy Directorates, detailed in semiannual reports.
- Attach approved documents to the online registration system and submit them to the Ministry of Economy.

5. Memorandum of Understanding (MoU) for Project Initiation:

- Do not initiate projects without an MoU from the relevant sectoral authority.
- Secure an introduction letter from the Monitoring and Evaluation Directorate and coordinate with the specified government sector.

6. Issue Resolution Collaboration:

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- Address project issues in collaboration with the sectoral authority and the Economy Directorate.
7. **Provincial-Level Problem Resolution:**
 - Resolve project implementation issues through Provincial Development Council (PDC) meetings and sector meetings.
 8. **Prohibition of Discriminatory Activities:**
 - Avoid activities that are ethnic, racial, or political in nature.
 9. **Observance of Infrastructure Goals:**
 - Ensure projects observe infrastructural goals and public interests.
 10. **Restrictions on Workshops and Events:**
 - Do not conduct workshops, seminars, and events without the Ministry of Economy's coordination and permission.
 11. **Employee Recruitment Restrictions:**
 - Avoid recruiting a person for multiple projects unless wage percentage clarity is provided.
 12. **Hiring Qualifications and Transparency:**
 - Prioritize qualified Afghans for hiring and ensure transparency in the recruitment process.
 13. **Office Rent Calculation Restrictions:**
 - Do not calculate office rent in each project budget.
 14. **Ministry Observer in Contract Processes:**
 - Invite a Ministry of Economy representative as an observer in logistics, transportation, and construction contract processes.
 15. **Ministry Authority on Organization Office Monitoring:**

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- Acknowledge that the Ministry of Economy has sole authority to monitor organization offices.

16. Asset Management as Public Treasury:

- Manage organization assets as part of the public treasury, avoiding unauthorized transfers or sales.

17. Facilitation for Monitoring and Evaluation Team:

- Provide necessary facilities for the Ministry of Economy's Monitoring and Evaluation team for project-based organizational monitoring and evaluation.

18. Exact Address Sharing:

- Share the exact address of central and provincial offices with the Ministry of Economy.

19. Field Office Establishment Restrictions:

- Establish field offices at province and district levels only with the Ministry's approval and coordination.

20. Online Registration System Compliance:

- Register projects and comply with legal procedures in the Ministry of Economy's online registration system.

21. Physical Presence Requirement for Organization Heads:

- Ensure organization heads have a physical presence in the country within a two-month moratorium from the issuance of this circular.

22. Bank Account Requirements for Employees:

- Open bank accounts for all employees in central and provincial locations, exempting areas without banking services.

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1.6.4. Compliance with Circular No. 77 Regarding Public Health Projects

Reference: Circular No. 77 by the Ministry of Foreign Affairs of the DFA, dated 09 September 2023.

Compliance Requirements for UN Agencies and International Organizations Operating Health Projects in Afghanistan:

1. Cash Disbursement Prohibition:

- Ensure no staff member disburses cash to patients under any health project.

2. Visitation Restriction:

- Confirm that staff members do not visit civilian residences near health project sites for project execution purposes.

Acknowledgment of Compliance Expectation:

- Acknowledge the Ministry of Foreign Affairs's expectation for strict adherence to these guidelines during all health project implementations.

Coordination and Awareness:

- Disseminate this information to all relevant personnel within your organization to ensure awareness and compliance.

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1.6.5. Compliance with Circular No. 3275/3276 on Procurement Processes

Reference: Circular No. 3275/3276 issued by the Ministry of Economy, Deputy Minister of Finance and Admin, General Directorate of NGOs Monitoring and Evaluation, dated March 10, 2024.

Compliance Requirements for National and International Organizations:

1. Inclusion of Ministry Observer:

- Ensure the inclusion of a representative from the Ministry of Economy as an observer in all logistics and construction contract processes.

2. Adherence to Circular No. 208/135 Provisions:

- Comply with the obligations set out in article (14) of Circular No. 208/135, dated September 27, 2023, regarding procurement processes.

3. Avoidance of Arbitrary Procurement Actions:

- Refrain from carrying out procurement processes arbitrarily, ensuring adherence to the specified guidelines.

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1.6.6. Additional Legal Compliance Resources

NGOs operating within Afghanistan are advised to consult a range of essential resources to ensure compliance with the regulatory framework established by the DFA. These resources offer detailed guidance on legal and operational procedures, which are crucial for conducting activities in alignment with Afghanistan's current laws and regulations.

To access comprehensive guidance, NGOs should visit the Afghanistan Rule of Law Observatory (ARLO) website. This platform provides in-depth information on the procedural requirements set by the DFA, including coordination, project implementation, financial accountability, and more. The ARLO website is designed to support NGOs in navigating the legal landscape, ensuring transparency, and adhering to legal standards.

Notably, the ARLO website hosts resources in three languages: English, Pashto, and Dari. This multilingual availability ensures that a wide audience can access and understand the necessary legal documents and guidelines, facilitating better compliance and informed operations across diverse linguistic groups.

The ARLO website's searchable database efficiently accesses relevant documents, analyses, and guidelines tailored to NGOs' specific needs. Whether seeking clarity on legal definitions or procedural requirements or looking for analyses of regulations, this centralized source of information is an invaluable tool for NGOs committed to lawful and effective operations in Afghanistan.

NGOs are encouraged to regularly visit the ARLO website for updates and documents crucial to their activities in Afghanistan, staying informed and compliant with the DFA's regulatory requirements.

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Section 2: Starting an NGO in Afghanistan

2.1 Steps for Registering an NGO

Starting and legally registering a CSO in Afghanistan requires navigating the current legal framework established by the DFA and considering existing laws from the previous government. Here is a comprehensive guide:

1. **Understand Current Regulations (2022 Procedure):** As per the 2022 Procedure on coordination and regulation of NGOs, it is necessary to ensure equitable distribution of humanitarian assistance and to facilitate the good implementation of projects. NGOs must register with the MOEc and obtain an operating license.
2. **Registration with the MOEc:** All NGOs are obligated to register with the MOEc, which scrutinizes their operations. This includes submitting reports on budgets, expenditures, and project implementation.
3. **Coordination and Memoranda of Understanding (MoU):** NGOs must coordinate surveys and projects with sectoral authorities and share awarded proposals. MoUs are essential for project implementation, with the sectoral authority's view preferred in case of disagreement.
4. **Compliance with the MOEc's Guidelines:** The Ministry oversees NGO activities, ensuring they are carried out within the law. NGOs must also procure necessary items domestically unless there are satisfactory reasons to resort to foreign sources.

2.2 Navigating Regulations

1. **Alignment with Pre-DFA Laws:** The status of laws before the DFA remains uncertain. However, understanding these laws is crucial, as they might still be partially enforceable. Key aspects include:
 - NGOs are non-governmental, non-political, and not-for-profit organizations.
 - NGOs must observe the Constitution and other applicable legislation.

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- The MOEc manages the registration, supervision, and coordination of NGOs.
2. **Awareness of Legal Restrictions and Activities:** It is crucial to be aware of activities that NGOs are legally restricted from engaging in, such as political campaigns, military activities, and economic activities not aligned with the not-for-profit objectives.

2.3 Understanding Cultural and Social Considerations

1. **Cultural Sensitivity:** Ensuring that NGO activities are culturally sensitive and respectful of local customs and Islamic principles is crucial for acceptance and effectiveness.
2. **Community Engagement:** Engage with local communities to understand their needs and ensure that NGO activities align with those needs.
3. **Adherence to Islamic Values and DFA Directives:** Aligning with Islamic values and the directives of the DFA can help NGOs navigate the social and political landscape more effectively.

2.4 Registration Guidelines (From MOEc Website¹)

The process for registering an NGO in Afghanistan is detailed and requires adherence to specific guidelines and documentation, as the MOEc outlines. Below are refined steps incorporating new sample requirements on the MoEC's website and the Afghanistan Rule of Law Observatory (ARLO) website under the tools page. These samples aim to streamline the registration process for both national and international NGOs.

Preliminary Steps:

1. **Name Selection:** Choose a unique name that does not resemble any active or inactive NGO. Verify against the NGO database to ensure uniqueness.

Required Documentation:

¹ Please note: Due to the rapidly changing situation in Afghanistan, some information may not be up-to-date. This section's information was verified on the Ministry of Economy website as of March 24, 2024.

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1. Registration Request:

- A formal request to the MoEC detailing the founding members' introductions, including occupations, educational backgrounds, and contact information.

2. Standard Form:

- Complete the standard form provided by MoEC or download it from their website.

3. Organizational Charter (Bylaws):

- Submit your organization's charter, following Article No.14 of the NGO law.

4. Board of Directors and Executive Committee:

- Provide detailed lists of the Board of Directors and Executive Committee, including roles, signatures, and ID documents. Samples for these lists are available on MoEC's website and ARLO's tools page for reference.

5. Tools and Equipment:

- List all tools and equipment essential for your NGO's operations, utilizing the provided sample format for clarity and compliance.

6. Preliminary Work Plan:

- Outline your NGO's initial work plan, highlighting objectives and targeted sectors of operation.

7. Educational and ID Documents:

- Attach copies of educational qualifications and ID documents of all founding and board members.

Additional Requirements for International NGOs:

1. Foreign Registration Documents:

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- Submit valid foreign registration proof, accompanied by Dari or Pashto translations.

Special Notes:

- **Conflict of Interest:** To avoid conflicts of interest, close family members are prohibited from serving on the Board of Directors and the Executive Committee.
- **Sample Documents:** Sample forms and documents, such as the statute, executive committee, and board of director lists, are crucial during the application process. These samples help clarify requirements and ensure that NGOs provide all necessary details. Samples are available on the MOEc's website and under the tools page on the ARLO website.
- **DFA Restrictions:** NGOs planning to register should review the preview section on restrictions from the Department of Foreign Affairs (DFA) detailing specific activities that are prohibited. This section provides essential information to ensure compliance with local regulations and avoid engaging in disallowed activities.

Final Note:

This guideline provides a foundational overview based on available forms and sample documents to assist NGOs through the registration process in Afghanistan. However, laws and regulations may evolve, and NGOs are encouraged to consult the MOEc directly for the most current guidelines and requirements. For further assistance and access to necessary forms and samples, visit the MOEc's official or ARLO websites.

This information may not be up-to-date; NGOs are advised to contact the Ministry of Economy for the latest information and guidelines.

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Section 3: Best Practices for CSO Management

Effective management is the cornerstone of a successful Civil Society Organization (CSO), especially in complex environments like Afghanistan. This section outlines best practices for CSO management, considering Afghanistan's unique challenges and cultural context.

3.1 Leadership and Governance Structures

- **Adaptive Leadership:** CSO leaders must be flexible and adaptable in the ever-changing Afghan landscape. Leaders should be able to adjust strategies quickly in response to changing legal and social conditions.
- **Inclusive Governance:** Governance structures should be inclusive, reflecting the diversity of the communities served. This includes gender representation and consideration of various ethnic and linguistic groups.
- **Clear Organizational Vision:** Develop a clear and compelling vision that aligns with the organization's mission and resonates with staff, beneficiaries, and stakeholders.

3.2 Transparency and Accountability

- **Financial Transparency:** Maintain transparent and accountable financial practices. This includes regular audits, open budgeting processes, and clear reporting to donors and stakeholders.
- **Programmatic Accountability:** Implement mechanisms to measure program impact and effectiveness. This can involve beneficiary feedback, impact assessments, and transparent reporting on program outcomes.
- **Ethical Standards:** Uphold high ethical standards in all operations, ensuring that activities align with both Afghan cultural norms and international standards.

3.3 Community Engagement and Outreach

- **Cultural Sensitivity:** Programs and initiatives should be culturally sensitive and respectful of local traditions and values. Understanding and integrating local customs can enhance the effectiveness of CSO activities.

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- **Community Involvement:** Actively involve community members in planning and decision-making processes. This ensures that programs are tailored to the community's actual needs.
- **Effective Communication:** Develop and maintain effective communication channels with the communities served, using languages and methods that are accessible and understandable to them.

3.4 Staff Development and Support

- **Capacity Building:** Invest in regular training and development opportunities for staff to enhance their skills, especially in areas like legal knowledge, project management, and community engagement.
- **Safe Working Environment:** Ensure a safe and supportive working environment for all staff, particularly in light of the security challenges in Afghanistan.
- **Remote Working Capabilities:** Develop capabilities for remote working where necessary, considering restrictions and security issues, especially for female staff members.

3.5 Responding to Challenges

- **Crisis Management:** Establish robust crisis management protocols to respond to political, security, or financial crises.
- **Networking and Collaboration:** Build strong networks with other CSOs, international organizations, and local authorities. Collaboration can lead to shared resources, knowledge, and support in challenging times. CSOs should leverage international support and networks to amplify their voices, raise awareness about their work, and serve Afghan communities.
- **Innovation and Flexibility:** Encourage innovation in program delivery and operations. Flexibility in approach and methodology is key to adapting to the rapidly changing Afghan context.

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In summary, effective management of CSOs in Afghanistan requires a deep understanding of the local context, strong ethical grounding, adaptive leadership, and a commitment to transparency and community involvement. These practices not only enhance CSOs' effectiveness and sustainability but also contribute significantly to their legitimacy and impact on the communities they serve.

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Section 4: Program Development and Implementation for CSOs

Effective program development and implementation are crucial for CSOs to achieve their objectives, especially in a challenging environment like Afghanistan. This section offers practical recommendations and examples tailored for a broad range of CSOs, recognizing that many may not have extensive training or resources.

4.1 Identifying Community Needs

- **Community Engagement:** Actively involve community members in identifying needs. This can be done through surveys, focus group discussions, and community meetings. Understand the diverse needs of different groups, especially marginalized sections.
- **Local Partnerships:** Collaborate with local leaders and other organizations to gain deeper insights into community needs. These partnerships can also aid in program acceptance and success.

4.2 Program Planning

- **Setting Clear Objectives:** Define each program's clear, realistic, and measurable objectives. Ensure these objectives align with both the organization's mission and the community's needs.
- **Resource Assessment:** Evaluate available resources, including staff, funding, and materials. Plan how to utilize existing resources effectively and identify additional resource needs.
- **Cultural Sensitivity in Planning:** Design culturally appropriate programs that respect local customs and beliefs. This is crucial for program acceptance and effectiveness.

4.3 Program Execution

- **Staff Training and Capacity Building:** Through training sessions, equip staff with the necessary skills and knowledge. This could include project management, community engagement techniques, and specific skills relevant to the program.

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- **Community Involvement:** Ensure ongoing community involvement throughout the execution phase. This can enhance program relevance and effectiveness.
- **Monitoring and Adaptation:** Continuously monitor program progress and be ready to make adjustments as needed. This is particularly important in the Afghan context, where situations can change rapidly.

4.4 Evaluation and Feedback

- **Impact Assessment:** Regularly assess the program's impact against the set objectives. Use both quantitative and qualitative methods for a comprehensive evaluation.
- **Beneficiary Feedback:** Gather feedback from program beneficiaries and other stakeholders. This feedback is valuable for understanding the program's effectiveness and areas for improvement.
- **Learning and Improvement:** Use the insights gained from evaluations and feedback to refine future programs. This process of continuous learning and adaptation is key to long-term success.

In conclusion, effective program development and implementation for Afghan CSOs require a comprehensive approach that includes community engagement, careful planning, skillful execution, and continual evaluation. By incorporating these practices, CSOs can ensure their programs are relevant, effective, and responsive to the needs of the communities they serve.

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Section 5: Resource Mobilization and Funding for CSOs

In the complex context of Afghanistan, resource mobilization and securing sustainable funding are critical for the survival and effectiveness of CSOs. This section provides practical strategies and factual information to assist CSOs in navigating the challenges of fundraising and resource management.

5.1 Understanding the Funding Landscape

- **Local and International Donors:** Identify potential funding sources, including local businesses, international NGOs, government grants, and foreign aid. Understand their funding priorities and criteria.
- **Diverse Funding Streams:** Aim for a diverse funding portfolio to mitigate risks associated with reliance on a single source. This can include grants, donations, in-kind support, and collaborations.

5.2 Developing Effective Fundraising Strategies

- **Compelling Proposals:** Write clear, concise, and compelling funding proposals. Tailor each proposal to the specific donor's interests and guidelines.
- **Building Relationships with Donors:** Establish and maintain strong relationships with current and potential donors. Regular communication, transparent reporting, and showcasing impact can strengthen these relationships.
- **Community-Based Fundraising:** Explore community-based fundraising initiatives. These can include local events, crowdfunding, or community contributions, which can also enhance community ownership of projects.

5.3 Ensuring Compliance and Transparency

- **Donor Guidelines:** Adhere strictly to donor guidelines and requirements. This includes proper use of funds, meeting reporting deadlines, and fulfilling any specific conditions set by the donor.

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- **Financial Management:** Implement robust financial management systems to track income and expenditures. Regular audits and transparent financial reporting are essential for accountability.

5.4 Building Sustainable Funding Models

- **Income-Generating Activities:** Consider developing income-generating activities that align with your mission. This could include social enterprises or fee-for-service models that provide a steady income stream.
- **Endowment Funds:** Explore the feasibility of creating an endowment fund. While challenging to establish, endowments can provide a long-term funding source.

5.5 Navigating Challenges in the Afghan Context

- **Understanding Local Restrictions:** Be aware of any restrictions or regulations imposed by the Afghan government or local authorities on funding, especially from international sources.
- **Cultural Sensitivity in Fundraising:** Ensure that fundraising activities and messages are culturally sensitive and align with local norms and values.

In summary, resource mobilization and funding for Afghan CSOs require a strategic approach that balances compliance, cultural sensitivity, and innovation. By diversifying funding sources, building strong donor relationships, and exploring sustainable funding models, CSOs can enhance their financial stability and continue to make impactful contributions to Afghan society.

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Section 6: Building Networks and Partnerships for CSOs

Building effective networks and partnerships is crucial for CSOs in Afghanistan's complex socio-political landscape. Strong networks can enhance a CSO's capabilities, resources, and influence. This section outlines strategies for building and leveraging these relationships, focusing on the Afghan context and providing factual, relevant information.

6.1 Importance of Local Partnerships

- **Engaging with Local Leaders:** Collaborate with community leaders, including elders, religious figures, and influential local figures. These leaders often have a deep understanding of community needs and can facilitate CSO activities.
- **Partnering with Local Businesses:** Establish partnerships with Afghan businesses for funding, in-kind support, or collaborative projects. These partnerships can also increase CSO visibility and local support.

6.2 International Collaborations

- **Networking with International NGOs and Agencies:** Establish connections with international organizations operating in Afghanistan. These networks can provide access to funding, technical expertise, and global best practices.
- **Participation in International Forums:** Engage in international conferences and forums related to CSO work. These platforms can be valuable for sharing experiences, learning, and advocacy.

6.3 Building Sector-Specific Alliances

- **Forming Alliances within Sectors:** Join or form networks with other CSOs working in similar sectors. These alliances can facilitate knowledge sharing, joint efforts, and resource pooling.
- **Collaborative Projects:** Explore opportunities for collaborative projects with other CSOs. Joint initiatives can increase impact, reach, and efficiency.

6.4 Leveraging Technology for Networking

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- **Digital Platforms for Collaboration:** Utilize digital platforms and social media for networking, especially where geographical and security constraints exist. Online forums and virtual meetings can keep CSOs connected and engaged.
- **Information Sharing and Resources:** Share resources, research, and best practices through digital channels, such as online libraries, webinars, and collaborative tools.

In conclusion, building and maintaining strong networks and partnerships are essential for the effectiveness and sustainability of CSOs in Afghanistan. These relationships provide valuable support, resources, and opportunities for collaboration, enabling CSOs to better serve their communities and achieve their goals.

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Section 7: Risk Management and Operational Challenges for CSOs

In Afghanistan's dynamic and often volatile environment, CSOs face numerous operational risks and challenges. Effective risk management is crucial for sustaining operations and achieving organizational objectives. This section focuses on identifying, mitigating, and managing these risks, emphasizing security concerns, political instability, and governmental changes.

7.1 Identifying and Mitigating Operational Risks

- **Risk Assessment:** Conduct thorough risk assessments to identify potential threats to the organization's staff, assets, and operations. This includes assessing the likelihood and impact of security, finance, legal compliance, and reputation risks.
- **Developing a Risk Management Plan:** Create a comprehensive risk management plan that outlines strategies to mitigate identified risks. This should include contingency plans for critical operations and emergency response protocols.

7.2 Dealing with Security Concerns

- **Security Protocols and Training:** Develop and implement robust security protocols for staff, including training on how to respond in various security situations. Consider collaborations with security experts for specialized training.
- **Information Security:** Ensure the security of sensitive information and communication channels. Use encrypted communication methods and safeguard data against unauthorized access, especially in areas with high surveillance.
- **Adapting to Changing Security Scenarios:** Stay informed about the security situation in operational areas and be prepared to adapt activities as required. This may involve temporarily suspending operations or relocating activities to safer areas.

7.3 Navigating Political Instability

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- **Understanding the Political Landscape:** Stay abreast of Afghanistan's political dynamics, as they can have direct implications for CSO activities. This includes monitoring policy changes, shifts in power, and political dialogues.
- **Neutral Positioning:** Maintain a politically neutral stance, focusing on the organization's humanitarian and development objectives. This helps build trust with various stakeholders and reduces the risk of political backlash.

7.4 Managing Governmental Changes and Restrictions

- **Compliance with Government Regulations:** Stay informed about new regulations and legal requirements affecting CSOs. Ensure strict compliance to avoid legal complications and maintain operational legitimacy.
- **Engagement with Government Bodies:** Where possible, engage constructively with government bodies to understand their perspectives and find common ground for cooperation.

In summary, effective risk management is a critical component of CSO operations in Afghanistan. By proactively identifying risks, developing comprehensive mitigation strategies, and adapting to the evolving security, political, and legal environment, CSOs can continue to operate effectively and safely in the face of various challenges.

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Section 8: Staff Training and Capacity Building for CSOs

The success and effectiveness of CSOs in Afghanistan largely depend on the skills and knowledge of their staff. Continuous staff development and capacity building are essential in a rapidly changing environment. This section highlights the importance of training, the resources available, and the adaptation of training methods to the Afghan context.

8.1 Importance of Staff Development and Training

- **Enhancing Effectiveness:** Well-trained staff are more effective in program implementation, management, and in dealing with the challenges specific to the Afghan context.
- **Adapting to Changes:** Ongoing training helps staff stay updated on legal, administrative, and operational changes, ensuring the organization remains compliant and effective.
- **Empowering Staff:** Training empowers staff by equipping them with the necessary skills and confidence to perform their duties effectively, thereby contributing to overall organizational success.

8.2 Resources for Legal, Administrative, and Programmatic Training

- **Legal Training Resources:** Utilize resources from ARLO, local legal aid organizations, and international law organizations to provide training on Afghan laws, the principles of the rule of law, and advocacy. Online courses and webinars can be effective.
- **Administrative Training:** Develop administrative skills through workshops and courses on project management, finance management, and organizational leadership. Digital platforms like Coursera and Khan Academy offer relevant courses.
- **Programmatic Training:** Partner with other CSOs, UN agencies, and international NGOs for specialized training in areas such as health, education, gender issues, and conflict resolution.

8.3 Adapting Training to the Afghan Context

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- **Cultural Sensitivity:** Ensure that training materials and methods are culturally sensitive and appropriate for the Afghan context. This includes respect for local traditions, languages, and religious considerations.
- **Security Considerations:** Adapt training methods to consider security challenges. This may involve remote or online training sessions, especially in regions where security risks are high.
- **Local Languages and Examples:** Use Dari and Pashto in training materials and incorporate local examples and case studies to enhance relevance and understanding.

In summary, staff training and capacity building are critical for the success of CSOs in Afghanistan. By investing in comprehensive and contextually adapted training programs, CSOs can enhance their staff's capabilities, leading to more effective and impactful operations. This, in turn, contributes to the overall resilience and sustainability of the CSOs within the complex Afghan environment.

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Conclusion: The Role of CSOs in Shaping Afghanistan's Future

As we conclude this guide, it is essential to recognize the pivotal role CSOs play in shaping the future of Afghanistan. Amidst a landscape marked by political shifts, legal changes, and ongoing challenges, CSOs stand as beacons of hope, resilience, and adaptability. They are not just service providers; they are integral to the fabric of Afghan society, contributing significantly to its development and stability.

The Indispensable Role of CSOs

CSOs in Afghanistan undertake a wide array of crucial functions. Their impact is far-reaching, from providing essential services in health and education to advocating for the rule of law. They fill gaps left by other sectors, offering support and resources to some of the most vulnerable and marginalized communities. In many ways, CSOs are the lifeline for numerous Afghans, delivering aid and assistance where it is most needed.

A Catalyst for Positive Change

Moreover, CSOs act as catalysts for positive change. They play a critical role in the evolution of a just and equitable society by promoting legal awareness, engaging in policy dialogues, and advocating for social justice. Their efforts in various sectors help drive progress and bring about meaningful, lasting changes in the lives of Afghan citizens.

Encouragement for Resilience and Adaptability

The environment in which Afghan CSOs operate is undoubtedly challenging. However, their resilience and adaptability are remarkable. This guide has underscored the importance of effective management, program development, resource mobilization, and the establishment of robust networks and partnerships. It has also highlighted the necessity of risk management and the vital role of staff training and capacity building in such a context.

As CSOs continue to navigate the complexities of the Afghan environment, it is crucial for them to maintain their resilience. Adapting to changes, overcoming obstacles, and finding innovative solutions are inherent to their success. The ability to pivot in response to new challenges while staying true to their core values and objectives is what will sustain their impact over time.

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Looking Forward

In conclusion, the future of Afghanistan is intertwined with the perseverance and dedication of its CSOs. Their role in societal development, peacebuilding, and promoting justice and rule of law cannot be overstated. This guide serves as a resource for their continued growth and effectiveness. It is a call to action for ongoing resilience, adaptability, and commitment in the face of adversity in the pursuit of a better, more just Afghanistan.

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APPENDICES

A. Glossary of Terms Specific to the Afghan Context

In this appendix, we provide a glossary of terms that are particularly relevant to the Afghan context and the scope of this guide. Understanding these terms is essential for anyone working with or within Afghan CSOs.

AGO (Attorney General's Office): Afghanistan's principal legal institution responsible for enforcing law and order. Post-2021 changes have seen its role and structure evolve.

ARLO (Afghanistan Rule of Law Observatory): An online resource hub providing information and analyses of Afghanistan's legal landscape and civil society sector.

CSO (Civil Society Organization): Non-governmental organizations that operate in the realm of civil society, working in various sectors like human rights, education, healthcare, and legal aid.

DFA (De Facto Authorities): The ruling authority in Afghanistan post-August 2021 is responsible for significant changes in the country's governance and legal systems.

Hanafi Jurisprudence is one of the four major Sunni schools of Islamic law, extensively referenced in Afghanistan's current legal framework.

IDLO (International Development Law Organization): An international organization that has been involved in assessing the operational status and challenges of justice sector CSOs in Afghanistan.

JSCA (Justice Sector Context Assessment) is an assessment report that provides insights into the justice system and legal community in Afghanistan.

MOJ (Ministry of Justice) is a key government ministry responsible for legal affairs, including overseeing legislative processes and regulating legal practitioners.

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MPVPV (Ministry of Promotion of Virtue and Prevention of Vice) is a ministry in the interim government of Afghanistan that plays a significant role in enforcing moral and ethical standards based on the DFA's interpretation of Islamic law.

Sharia: Islamic law derived from the Quran and the Hadiths, which form the basis of the legal system under the DFA.

Ulema: A term referring to Islamic scholars recognized for their knowledge of Islamic law and theology, playing a significant role in Afghanistan's legislative process under the DFA.

UNAMA (United Nations Assistance Mission in Afghanistan): A United Nations mission was established to assist Afghanistan in laying the foundations for sustainable peace and development.

Non-Emirate Organizations: This term broadly refers to non-governmental organizations (NGOs) and includes any organization or institution operating within Afghanistan that is independent of the DFA. It encompasses entities engaged in development, humanitarian aid, and social services.

Memorandum of Understanding (MoU): These are formal agreements between non-emirate organizations and sectoral authorities. They outline the scope, terms, and conditions of projects, ensuring alignment with national priorities and legal requirements.

Monitoring and Evaluation (M&E) is a systematic process for tracking and assessing a project's progress and impact. Monitoring involves regular oversight, while evaluation assesses effectiveness and outcomes against objectives.

Provincial Development Council (PDC): This is a local governmental body responsible for overseeing and coordinating development efforts within provinces. The PDC ensures projects align with local needs and contribute to broader development goals.

Sectoral Authority: Refers to specific government departments or ministries tasked with overseeing activities within particular sectors, such as health or education. Non-emirate organizations must coordinate project approvals through these authorities.

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Bait al Maal (Public Treasury) is an Islamic term for state or public property. Assets of non-emirate organizations are considered part of this treasury, emphasizing the need for responsible and coordinated resource management.

Sustainable Development Goals (SDGs): A set of 17 global objectives established by the United Nations to address poverty, protect the environment, and ensure prosperity for all by 2030. Projects are encouraged to contribute towards achieving these goals.

Transparency: The practice of openly sharing essential information related to operations, decision-making, and finances with the public and stakeholders, ensuring accountability.

Accountability is the obligation of organizations to explain their decisions and actions to stakeholders and be responsible for the outcomes of their activities.

Ethnic, Racial, or Political Activities: Activities promoting specific ethnic groups, racial identities, or political agendas are prohibited, focusing instead on neutral and inclusive development efforts.

Online Registration System: A digital platform for non-emirate organizations to register projects and comply with administrative requirements, including visa requests and customs exemptions.

ANDMA (Afghanistan National Disaster Management Authority): Now known as the Office of the State Minister for Disaster Management, it coordinates emergency and urgent assistance projects across Afghanistan.

TVET (Technical and Vocational Education and Training Authority) is responsible for overseeing and implementing projects related to technical and vocational training across the country.

Organizations: While this term primarily refers to NGOs, it can also encompass a wider range of institutions and entities involved in various developmental, humanitarian, and social welfare activities within Afghanistan.

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B. Resource Directory for CSOs in Afghanistan

This organized resource directory categorizes various organizations and websites offering support to CSOs in Afghanistan. It is structured into five main categories for easier navigation.

1. Employment and Career Opportunities

These resources offer job listings, career opportunities, and professional development for individuals and organizations.

1. [Jobs.af](#) is a leading job portal in Afghanistan that offers a range of employment opportunities, including non-profit sector jobs.
2. [UN Jobs in Kabul](#): Lists United Nations job opportunities in Kabul across various fields.
3. [International Jobs Center](#): Provides international job opportunities, including those in humanitarian and development fields in Afghanistan.
4. [Monster](#): A global employment website listing international development and aid-related jobs in Afghanistan.
5. [PCDNetwork](#): A global network for professionals in peacebuilding, social entrepreneurship, and development sectors.

2. Funding and Financial Support

These platforms focus on funding opportunities, grants, and financial resources for CSO projects and operations.

1. [Foundation Center](#): Offers information about grants, fundraising, philanthropy, and foundations.
2. [Global Fund for Women](#): Provides financial and strategic support for women's human rights initiatives.
3. [USAID Afghanistan](#): Offers funding and partnership opportunities for various sectors in Afghanistan.

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4. [Asian Development Bank Careers](#): Features career and development project opportunities across Asia, including Afghanistan.
5. [ACBAR \(Agency Coordinating Body for Afghan Relief & Development\)](#) is an independent Afghan body that unites national and international NGOs in Afghanistan and offers job vacancies, tenders, and sector updates.
6. [ReliefWeb](#) is a UN OCHA digital service that provides information on global emergencies and humanitarian work, including updates relevant to Afghanistan.
7. [Devex](#) is a media platform for the global development community, offering job listings, news, and funding opportunities, including those focused on Afghanistan.
8. [Afghan Bids](#) is a resource for the latest tenders, consultancies, and job opportunities in Afghanistan. It is particularly useful for local businesses and organizations.
9. [ReliefWeb Jobs](#): Offers the latest job vacancies in humanitarian and development fields, with listings relevant to Afghanistan.
10. [Idealist](#): A portal for nonprofit jobs, volunteer opportunities, internships, and organizations with a social impact focus, including those in Afghanistan.
11. [United Nations Development Programme \(UNDP\) in Afghanistan](#): Provides support in governance, livelihoods, and resilience building, which are key for Afghan CSOs.
12. [Afghanistan Analysts Network \(AAN\)](#) is an independent policy research organization that offers in-depth analysis of Afghan society, politics, and economics.
13. [International Civil Service Commission](#): Provides information on international civil service careers relevant to UN-affiliated roles in Afghanistan.
14. [International Bar Association Rule of Law Directory \(IBA ROL\)](#): A directory for legal practitioners beneficial for CSOs involved in legal aid and advocacy.

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15. [United States Institute of Peace \(USIP\)](#): Offers publications and analyses on peacebuilding and conflict resolution relevant to the Afghan context.
16. [World Economic Forum](#): Provides insights on economic trends and policies, aiding Afghan CSOs in aligning with economic developments.
17. [Office of the High Commissioner for Human Rights \(OHCHR\)](#): Offers information on human rights laws and practices important for Afghan CSOs in human rights advocacy.
18. [Department of Statistics](#): This agency provides labor statistics and data crucial for CSOs focusing on employment and labor rights in Afghanistan.

3. Research, Legal, and Human Rights Resources

These resources offer research materials, legal information, and human rights insights vital for advocacy and policy development.

1. [UN Rule of Law](#): Provides resources and guidance on the rule of law globally, including Afghanistan.
2. [The World Justice Project \(WJP\)](#): Offers worldwide data on rule of law adherence.
3. [Amnesty International](#): Presents research and reports on human rights issues globally.
4. [Afghanistan Rule of Law Observation Project](#): A comprehensive platform offering a range of resources for civil rights organizations in Afghanistan.
5. [CSO Mapping Page](#): Part of the Afghanistan Rule of Law Observation project, this page provides mapping for active civil society organizations in Afghanistan, including geolocation, historical and current information, and contact details for some of these organizations.

4. Peacebuilding, Conflict, and Development Resources

Ideal for CSOs working in conflict-affected areas or focusing on sustainable development.

1. [International Committee of the Red Cross \(ICRC\)](#): Provides resources on conflict zones and humanitarian law.

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2. [Peace Research Institute Oslo \(PRIO\)](#): Offers peace and conflict dynamics research.
3. [International Institute for Sustainable Development \(IISD\)](#): Provides resources on sustainable development practices.

5. General Information and Data Statistics

For broad-based research and comprehensive understanding across various sectors.

1. [Google Scholar](#): A database of scholarly literature across various fields.
2. [JSTOR](#): Access to academic journals, books, and primary sources.
3. [World Databank](#): A comprehensive database for global development data.

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