



Concept Environmental and Social Review Summary

Concept Stage

(ESRS Concept Stage)

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BASIC INFORMATION

A. Basic Project Data

Country	Region	Project ID	Parent Project ID (if any)
Afghanistan	SOUTH ASIA	P171657	
Project Name	Incentivizing Reforms in the Attorney General's Office		
Practice Area (Lead)	Financing Instrument	Estimated Appraisal Date	Estimated Board Date
Governance	Investment Project Financing	4/6/2020	5/5/2020
Borrower(s)	Implementing Agency(ies)		
Ministry of Finance	The Attorney General's Office of Afghanistan		

Proposed Development Objective(s)

The project development objective (PDO) is to strengthen the human resources and performance management capacity of the Attorney General’s Office and hence contribute to the enhancement of the prosecutorial capacity of AGO in the medium to long term.

Financing (in USD Million)	Amount
Total Project Cost	20.00

B. Is the project being prepared in a Situation of Urgent Need of Assistance or Capacity Constraints, as per Bank IPF Policy, para. 12?

No

C. Summary Description of Proposed Project [including overview of Country, Sectoral & Institutional Contexts and Relationship to CPF]

This project will use an Investment Project Financing (IPF) instrument with a results-based performance orientation. While not financing any traditional inputs, which will be taken care of under the off-budget EU Justice Support Project, this project will help improve the AGO’s capacity to achieve results by incentivizing their achievement of results defined under Disbursement Linked Indicators (DLIs). The results-based financing will ensure focus on the



implementation of activities that will have an impact on targeted outputs and outcomes, making the project more effective down the results chain.

The AGO has committed itself to a number of human resources management and organizational reform that will improve the operational and functional performance of the AGO as an institution, which in turn will help the fight against corruption and improve the application of the rule of law in general. The project will incentivize successful implementation and completion of the agreed reforms through reimbursement of agreed eligible expenditures to the Government of Afghanistan, linked to the achievement of pre-agreed results (disbursement-linked results) over the two-year project implementation period. This project responds to key interconnected and complementary areas for reform implementation which together support addressing the most pressing challenges and binding constraints within the AGO.

The project's components and subcomponents and their preliminary budget breakdown are presented below:

Component 1: Improved Workforce Management (US\$ 11 million):

This component will focus on gender-balanced, competent and professional staffing for AGO with a higher level of integrity. This will be achieved through the following sub-components:

Sub-Component 1.1: Development of an objective and transparent recruitment and performance management system and professional development (US\$ 4 million): This sub-component will develop recruitment and promotion policies that will lead to the introduction and implementation of a transparent and objective merit-based recruitment system for prosecutors and administrative staff. This sub-component will also focus on putting in place a performance evaluation and management framework for the AGO based on clear, objective, and transparent criteria. This component will also support AGO to independently design and deliver lifelong professional learning programs for prosecutors including specialized training for prosecutors employed in units such as the Elimination of Violence Against Women, Anti-Corruption, Juvenile Justice, and Counter-Narcotics Units.

Sub-Component 1.2: Improved staff integrity, incentive structure and secure working environment for women: (US\$ 7 million): This sub-component will put in place a new HR policy, together with a new salary scale for prosecutors that is aligned with the salary scale for judges. The sub-component will also devise an appropriate mechanism for vetting of the staff hired for and working in AGO, as well as cover the establishment of a functional vetting system that will require regular asset declarations and vetting of all AGO employees. Under this sub-component, the AGO will also establish a functioning Gender Workplace Complaint mechanism with the responsibility of receiving, investigating, and taking action on complaints of gender-based discrimination or harassment in the workplace

Component 2: Strengthened Organizational Performance in select areas (US\$ 5.5 million):

This component will strengthen the AGO Capacity to handle corruption and cases of violence against women and provide better protection to victims and witnesses: The component will incentivize AGO to

- a. efficiently investigate and prosecute domestic violence cases.
- b. effectively investigate and prosecute corruption cases, and
- c. improve service delivery to victims of crime through better protection of victims, witnesses, informants and whistleblowers.



Component 3: Strengthened Case Load Management (US\$ 3.5 million):

This component will help AGO to establish case standards based on which different types of cases will be defined and distributed among the prosecutors at different levels. This component will also incentivize AGO to come up with a plan to clear the backlog cases.

Sub-Component 3.1. Development of Case Standards (US\$ 1.5): This component will support the development of a system to ensure a more efficient distribution of prosecutors' workload, taking into consideration the thematic and geographical distribution of cases. Caseload standards and management plan will be developed to ensure more efficient processing of different types of cases and therefore leaving minimal backlog.

Sub-Component 3.2: Backlog cases clearance plan prepared and implemented (US\$ 2): The AGO will identify and track all backlog cases, develop a multiyear plan to clear all backlog cases and monitor the implementation of the clearance plan.

D. Environmental and Social Overview

D.1. Project location(s) and salient characteristics relevant to the ES assessment [geographic, environmental, social] The geographical coverage for this project is focused on the Attorney General's Office located in different parts of Kabul City. However, the reforms will have country wide impacts in all 34 provinces.

D. 2. Borrower's Institutional Capacity

The Afghan government pursues several reform programs within the justice sector, to improve access to justice that is currently hampered by lack of accountability and the required institutional capacity including the Afghan Attorney General's office.

The changes are centered on improving the Attorney General's human resource management through assessing the justice officials' performance reviews and improving on recruitment practices which currently lacks the required systematic approach. In addition, the Attorney General Office is also considered to be a national hub for resolving complaints of different nature. However, due to the large volume of cases/complaints the Attorney General Office is not able to respond to these complaints in a stipulated time frame. Therefore, the project will pursue initiatives to improve the GRM system within the organization.

II. SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL (ES) RISKS AND IMPACTS

A. Environmental and Social Risk Classification (ESRC)

Moderate

Environmental Risk Rating

Low

The project is not expected to pose any adverse or irreversible environmental impacts due to the nature of the project, the tasks that are anticipated to be undertaken and the project will not have any physical footprint, therefore, the project is rated as low risk, from Environmental aspects.

Social Risk Rating

Moderate

Public Disclosure



Overall, the project is expected to promote reform in the entity HR procedures and processes by ensuring transparency and accountability. The project is not expected to involve physical works that cause land acquisition impacts, labor influx risks, community health and safety risks and impacts on cultural heritage. However, the project activities is expected to cause GBV risks, particularly sexual exploitation and abuse (SEA), and Workplace Sexual Harassment (WSH) risks in relation to reforming process and possible risks for considering the high qualification criteria which will limit the engagement of civil servants to meet the criteria. Other social risk include prejudice or discrimination toward individuals or groups in recruitment, retirement, service delivery to victims of crime and other reforms to be supported under this project. Envisaged stakeholder engagement and information disclosure, which will require a establishment of robust GRM system for project beneficiaries or any other interested stakeholders. The overall social risk rating is considered to be Moderate.

B. Environment and Social Standards (ESSs) that Apply to the Activities Being Considered

B.1. General Assessment

ESS1 Assessment and Management of Environmental and Social Risks and Impacts

Overview of the relevance of the Standard for the Project:

Considering there are no significant environment and social impacts anticipated under the project, however, different stakeholders might be interested to be informed by the reforms that are envisaged under the project.

Areas where “Use of Borrower Framework” is being considered:

The government’s framework is not comprehensive enough to respond to the issues pertaining to accountability and transparency of recruitment processes. Therefor, the project will comply with the World Bank’s new Environmental and Social Framework and its Environmental and Social Standards, particularly the provisions of ESS10 (stakeholder engagement plan and establishment of GRM).

The key social risks include; GBV risk (sexual exploitation and abuse (SEA), and Workplace Sexual Harassment), prejudice or discrimination toward individuals or groups in recruitment, service delivery to victims of crime and other reforms to be supported under this project. The project will conduct GBV risk assessment, including the development of a GBV Action Plan to prevent GBV risks. AGO will also establish an internal (special) complaint committee for addressing complaints linked to GBV issues. Aside from this, the project will develop and apply measures to promote equality and nondiscrimination in employment, including improving the access of all people to AGO services. An effective GRM will be established to address complaints in an effective and efficient way.

ESS10 Stakeholder Engagement and Information Disclosure

The project will develop stakeholder engagement plan (SEP) which will also include Grievance Redress Mechanism (GRM) and communication strategy. The SEP will be consulted and disclosed with key stakeholders from the project preparation throughout implementation. Consultation activities will be held with project affected and interested parties. The project will include measures to strengthen the social accountability, citizen engagement and customer responsiveness. This will include: (i) effective consultations, (ii) establishing a functional grievance redress mechanism (GRM). The project will include Citizen Engagement Indicators in the project documents. The SEP with consultation strategy will be prepared, consulted and disclosed by appraisal. The SEP will address timing and



methodologies for meaningful and participatory consultations, including arrangements for information disclosure to all stakeholders. The SEP is a living document which will be updated throughout the project cycle.

B.2. Specific Risks and Impacts

A brief description of the potential environmental and social risks and impacts relevant to the Project.

ESS2 Labor and Working Conditions

The project will be implemented through the Attorney General Official structure (civil Servants), therefore, other types of workers described in the ESS2 will not be involved.

ESS3 Resource Efficiency and Pollution Prevention and Management

As there is no physical work anticipated under this project, which involve use of resources that could result in pollution. thus, this standard is not applicable.

ESS4 Community Health and Safety

This standard is not applicable, due to the fact there is no physical work or any other types of activity which may impact the community health and safety.

ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

This standard is not relevant, because the project activities does not require land for the project activity's implantation.

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

This standard is not relevant, because the project does not involve any activity that will impact biodiversity and other natural resources.

ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

This standard is not relevant as there are no Indigenous People that meet the criteria of ESS7 in the country that could potentially benefit or be adversely affected by the Project's activities.

ESS8 Cultural Heritage

This standard is not relevant as the project will not have any impact on the cultural heritage.



ESS9 Financial Intermediaries

AGO is responsible for implementing and supervision of the project, therefor this standard is not relevant.

C. Legal Operational Policies that Apply

OP 7.50 Projects on International Waterways No

OP 7.60 Projects in Disputed Areas No

III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE

A. Is a common approach being considered? No

Financing Partners

Common approach is not being considered under the project.

B. Proposed Measures, Actions and Timing (Borrower's commitments)

Actions to be completed prior to Bank Board Approval:

The borrower is expected to complete Environment and Social Commitment Plan "ESCP" and Stakeholder Engagement Plan "SEP" prior to project appraisal.

Possible issues to be addressed in the Borrower Environmental and Social Commitment Plan (ESCP):

Issues to be addressed in the Environment and Social Commitment Plan are the implementation of the Stakeholder Engagement Plan "SEP" and and the development/strengthening of Grievance Redress Mechanism "GRM" under the project.

C. Timing

Tentative target date for preparing the Appraisal Stage ESRS 16-Jan-2020

IV. CONTACT POINTS

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Public Disclosure



Borrower/Client/Recipient

Borrower: Ministry of Finance

Implementing Agency(ies)

Implementing Agency: The Attorney General's Office of Afghanistan

V. FOR MORE INFORMATION CONTACT

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VI. APPROVAL

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Practice Manager (ENR/Social)	David Seth Warren Recommended on 06-Dec-2019 at 09:15:14 EST
Safeguards Advisor ESSA	Agi Kiss (SAESSA) Cleared on 06-Mar-2020 at 20:47:36 EST