

ESTABLISHMENT OF THE FOUNDATION FOR CULTURE AND CIVIL SOCIETY

REPORT ON THE ACTIVITIES OF THE CONSULTANT

View of the Foundation Headquarters

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INTRODUCTION

Analytical premises

A lot of attention is lavished on the political and the humanitarian aspects of Afghanistan's reconstruction, and economic factors are not ignored either. However the social development of Afghanistan is too often reduced to a set of humanitarian problems, while culture receives practically no attention at all. This neglect is a serious one. Afghan society has undergone an accelerated transformation throughout the war, as arguably happens in any country during a protracted conflict. Afghan society is no longer what it used to be either ten or thirty years ago. Afghans throughout the country have become used to listening to international radio broadcasts; many of the young generation have been brought up around the internet cafes and the video-shops in Pakistan and Iran or further abroad; foreigners - women and men, young volunteers and "old hands", idealists and international bureaucrats - have been continuously present; and Afghans have seen their society and many of its values battered by a civil war with contrasting ideological overtones; thus Afghans have been exposed to many new cultural influences while events in their own country caused many of them to examine their own culture and social values with a new, critical look.

This accelerated socio-cultural evolution is often not well understood by those, especially foreigners (but also some Afghan returnees) who currently preside over the destiny of this country. This may lead to inappropriate policies, mistaken political calculations, and the support of a socio-political superstructure that does not necessarily fit the society, failing to capture its aspirations for change. At the same time, many of the Afghans that have individually, or in small groups, undergone a change in perspectives on their own Afghan identity, do not know whether these new perspectives are shared by other Afghans.

This unawareness of social change is partially due to the lack of concurrent development of Afghan culture. Social change typically manifests itself through culture. New social trends however have not had the chance to be expressed through new (or renewed) cultural forms. What is needed is on one hand the support of artistic means of expression (music, literature, theatre, movies, fine arts) and on the other hand, mechanisms to bring these artistic manifestations to the public at large (stages, exhibition halls, radio and TV programs, internet, distribution mechanisms for print). Finally, research in social sciences and culture should also be encouraged, as a reflection on modern Afghan society.

These are the three main functions the Foundation for Culture and Civil Society aspires to have. It will support artists whose work portrays Afghan society - in all its forms (without bias) - and social groups trying to effectuate positive change in Afghanistan, notably by increasing citizen's participation in collective affairs, thus facilitating governance; it will provide a platform to these activities through cultural centers established in Kabul and in the main urban provincial centers, and broadcast them throughout the country and internationally; and it will support research by Afghans and foreigners on social sciences and culture in Afghanistan.

The objective of the Foundation is to increase awareness, among Afghans and foreigners alike, of modern Afghan culture and to deepen the understanding of trends in Afghan society, while increasing a sense of national unity by strengthening national identity.

Report on the activities of

THE CONSULTANT FOR THE ESTABLISHMENT OF THE FOUNDATION FOR CULTURE AND CIVIL SOCIETY

I: BACKGROUND

The consultant was hired in December 2002 to start working on 01 January 2003 on the establishment of a Foundation for Culture and Civil Society. The contract was made by Crown Agents International on behalf of the Afghan Assistance Coordination Authority. Funds for the consultancy came from the Emergency Community Empowerment and Public Works grant of the IDA. The contract was for four months. Terms of Reference are attached in [annex 1](#).

II: ACHIEVEMENTS

1) Establishing the Foundation

- The Consultant organized the establishment of the Foundation for Culture and Civil Society by gathering a group of prominent and proactive Afghans involved in cultural work and in the strengthening of civil society. A list of the Board members is attached in [annex 2](#).
- The Foundation's **bylaws** were agreed on after a two-month process where the original draft made by the consultant went through many versions and corrections by the founding members. A copy of it is attached as [annex 3](#).
- After having studied several **registration** options, the consultant had the Foundation register as a Social Organization with the Ministry of Justice. A copy of the registration document can be found in [annex 4](#).
- The consultant discussed most matters concerning process, structure and budget of the Foundation with the appointed **advisors**, Clare Lockhart (AACA) and Suzanne Schmeidl (Swiss Peace Foundation).
- The founding members **elected** among themselves the members of the Board, and the Board members appointed the Treasurer and Secretary, and elected the Chairman. These three Board members form the Steering Committee, and they are more actively involved in Foundation matters than the other Board members.
- The Board of Directors decided on matters of **procedure** for its meetings, such as quorums, replacements, voting systems and majorities needed to pass important and routine decisions.
- The consultant opened a **bank account** for the Foundation in Islamabad, to which the initial grant from the World Bank was sent. Another account must be set up in the name of the Foundation, however. The consultant is in touch with foreign experts working at Da Afghanistan Bank and as soon as the Afghan Central Bank is in the SWIFT system and money can be transferred directly from foreign accounts to Afghanistan the Foundation will open an account in Da Afghanistan Bank. A financial expert was hired to investigate the current banking market in Kabul.

2) Meetings

- 3 meetings of founding members, and 5 of the Board of Directors (once every 14 days) were organized by the consultant, who took minutes and had them translated and distributed to all founding/Board members. Other meetings were held with the Steering Committee, who has been given the authority by the Board to decide on routine matters. Finally, the founding and Board members split up into working groups that specified the goals and priorities of the Foundation in each sector (culture, civil society, human rights and research). The consultant participated in the working group meetings. Minutes of all meetings were taken by the consultant and his assistant.

The minutes of the election of the Board members and those of the election of the Chairman have been attached in annex 5.

- In the course of establishing the group of founding members, the Consultant had dozens of individual meetings with potential founding members. This process, of requesting suggestions, meeting, and recalibrating the list of founding members after having received input, was done in a structured and transparent manner, through the internet and by personal meetings. The list of people met would be much too long to mention here, but it is noteworthy that Afghan cultural personalities from Mazar and Herat have also been contacted by the consultant, and showed readiness to work with the Foundation.
- About 2 dozen expatriate “Afghanistan experts” were contacted to provide input and advice on the list of founding members. The final list of founding members drawn up by the consultant was distributed to them for comments before making it public.
- The consultant stayed abreast of developments concerning civil society and culture by attending meetings on Swiss Peace’s “Civil Society Network”, on the constitutional process (2 of the Foundation’s Board members have been chosen to be part of the Constitutional Commission) and by visiting all the cultural institutions and galleries in Kabul, and attending cultural events.
- The consultant had meetings with representatives of other foreign organizations working for the development of civil society in Afghanistan to discuss common plans for opening joint regional centers (see below).

3) Setting up the Foundation office

- The consultant had the lease of the building shared with UN Habitat transferred to the name of the Foundation for Culture and Civil Society. UN Habitat will rent half of the premises from the Foundation.
- A Memorandum of Understanding has been drafted by the consultant to regulate the sharing of the premises with Habitat, and will soon be signed by both parties. Already an oral agreement has been reached as to sharing the space between both organizations.
- Furniture has been procured and currently the Cultural Center is being furnished (with a stage etc.). A 2nd hand minivan has been acquired by the Foundation, and before the end of May 2003 the Foundation office will be up and running.
- To facilitate communication an e-mail address has been created (afghan_foundation@yahoo.com) and a P.O. Box has been opened (P.O. Box 5965, Central Post Office, Kabul)
- The terms of reference for the first 4 full-time staff members have been written and agreed upon by the Board of Directors. These include a secretarial assistant to the Board and the consultant /translator, a public information /outreach officer, a general administrator and a director for the cultural center. The recruitment process has been initiated.
- A standard contract has been written, and currently progress is being made on establishing the internal regulations of the Foundation (staff, leave, sickness, emergencies etc.).
- The consultant has kept a written record of all progress, meetings, correspondence, projects and ideas and has had all information relevant to the Board of Directors consistently translated and distributed. Five files have been thus far been filled with documents. Given the foreseeable changes in the Board of Directors and the eventual departure of the consultant, building up the Foundation’s institutional memory has been identified as an important activity that must be sustained by starting out with a clear filing system.

4) Afghan Networks currently associated with the Foundation

- In the selection process of the founding members a delicate balance was reached between gender, age, ethnic, educational and professional background, so that the group of founding members represented different networks which can be mobilized for the Foundation’s activities. Such networks include (roughly)
 - The Artists Union (nominally about 3,000 members mostly in central, north and northeast Afghanistan)
 - Staff of the Ministry of Information and Culture dealing with museums, libraries and historical monuments
 - Women’s groups affiliated to the Ministry of Women’s Affairs
 - The Afghan Professionals Association and Afghan Women Lawyers Association

- The Faculty of Fine Arts
- The Independent Afghan Human Rights Commission
- UN Habitat's social organizers and community forums
- Afghans that worked for the Emergency Loya Jirga
- The International Human Rights Law Group
- Other Afghan human rights NGOs
- The Faculties of Law in Kabul and Mazar-i Sharif
- The University of Herat, and intellectuals in Herat, Ghor and Badghis
- The Afghanistan Research and Evaluation Unit, and some of the associated foreign researchers
- Several theatre groups
- The Kabul University Cultural Council (many students)
- The Academy of Sciences
- The Afghan Chess Association
- The Afghan Writers Association
- Several small groups of young people involved in social and cultural work
- Afghan Films
- The BBC and other international media present in Afghanistan

5) Services provided by the Foundation

- The Consultant organized a survey of the book-market in Kabul concerning culture, history and literature. The report and a list of ca. 70 relevant books that can be found in Kabul have been widely distributed among Afghan and foreign scholars (see [annex 6](#)).
- The Foundation, before being formally operative, has provided services to several foreign organizations such as giving office space or bringing foreign organizations into contact with Afghan specialists.
- Foreign individuals interested in organizing civic or cultural activities/projects have been encouraged by the consultant to write proposals in the hope of securing funding through Foundation intermediation (in such cases the Foundation will provide a structure for and otherwise facilitate their projects, research or other activities and in turn receive some overhead on the projects in question).
- The Foundation has been approached by individuals and international organizations with the request to organize debates around specific questions such as the Constitutional process and the General elections, or to host events such as an introduction to Afghan musicians.
- The consultant is helping several Afghan organizations dealing with culture or civil society to find funding for their projects.
- The consultant has answered queries from abroad regarding Afghan artists and cultural or human rights organizations, and is providing them with some assistance (for example to identify female poets for an event celebrated in Europe or to help organize a lecture in Kabul by a leading English specialist in Greco-Bactrian language).

III: PLANS

A: Strategic Planning by the Foundation

The 12 Board members split up in 4 working groups to develop the goals of the Foundation in the following sectors:

- | | |
|-----------------|----------------|
| - Culture | - Research |
| - Civil Society | - Human Rights |

Each working group was composed of 3 to 5 Board members (some of them participated in more than one working group) and 1 to 3 founding members. Each of them produced a paper following a standard format (activities - method - resources needed - ultimate goal). Briefly, the main points made were:

General Principles

- The different working groups will keep taking input from each other, making sure Foundation activities reflect all these different sectors. For example, theatre would be supported by the Foundation on the condition it would incorporate human rights or civil society messages, or if it is based on previous or parallel research.
- Civil society, human rights and research work by the Foundation will seek to be expressed through artistic means. For example, books published by the Foundation would be illustrated by Afghan artists, or a point to be made for strengthening civil society would take the form of a movie or theatre rather than only a conference or a workshop. This will provide work and income for Afghan artists.
- The principles outlined in the Foundation bylaws will always be observed, for example the principle of subsidiarity: support existing organizations rather than taking on projects they could organize within the Foundation.
- After studying the landscape and determining the relevant sub-fields in each of these sectors, meetings should be organized involving the main actors in each sub-field (for example: theatre, publishing, human rights investigation) where the goals to be attained in each of these domains, and a viable strategic plan for action, will be determined collectively. The Foundation will play a facilitating role.
- The Foundation will thus become a place for professional debate. These debates may be enriched by the presence of extraneous specialists, documentary movies or specific performances. Lectures may also be organized.
- The Foundation will try to network Afghan organizations, and then provide an interface between these networks and foreign networks with similar goals
- All activities of the Foundation will preferably be organized and accomplished by Afghans, rather than make use of expensive foreign expertise, which will only be sought after if the capacity really does not exist within Afghanistan.
- Projects and programmes may be devised by the Foundation, and then put out to tender among Afghan NGOs and civil society organizations.
- All activities of the Foundation will be recorded and broadcast as largely as possible. Possibly a slot on national TV could be obtained for the Foundation.
- By becoming as well-known as possible among the Afghan public, the Foundation hopes to gradually find local sponsors that would supplement and eventually replace foreign funding.

Culture

- The Foundation will seek to enrich existing festivals (for example Naw Ruz in Mazar-i Sharif) or support/organize new ones (music, children's theatre, movies)
- The Foundation will support traditional handicrafts by trying to identify the master craftsmen, helping them setting up a workshop and recruiting apprentices (disabled, women, vulnerables) and then helping them find market opportunities.

Civil Society

- Afghans must not only be made aware of the citizen's rights and obligations (the constitutional process, labor rights, women's and children's rights, access to legal defense, public health, traffic behavior etc.) but this awareness should be transformed into responsibility by active programs of involvement and participation. This should have beneficial effects for governance.
- Basing its activities on a profound understanding of Afghan society and culture (and keeping a balance between urban and rural society), the Foundation must encourage sustainable reconstruction activities. Therefore it must establish relations with the government and international institutions and organizations and encourage such sustainable policies.

Human Rights

- The Foundation will prioritize the following human rights activities:
 - Human Rights education in the provinces
 - Effective monitoring and investigation of human rights violations
 - Encourage the spread of a culture of legal defense by supporting those individuals and organizations involved in practical legal defense activities.

- Support Afghanistan-specific legal and human rights research activities
- Freedom of expression
- Promote the rights of minorities and vulnerable groups
- Priority must be given to activities outside Kabul
- The Foundation must acquire a strong voice and openly react to human rights violations.

Research

- The Foundation will endeavor to make research on Afghan social sciences and culture more widely available to Afghan students. This includes
 - Reprinting Afghan classics
 - Publishing fresh research
 - Translating foreign research
 The means to do so will be
 - The Foundation magazine
 - Digitizing Afghan texts and posting them on the Foundation website
 - Publishing books
- The Foundation will organize national competitions in the fields of education and research in order to identify the brightest minds in the country.
- An urgent need is to upgrade research skills among Afghan students and scholars. Whether this can be done using national resources, or whether foreign expertise must be appealed to, remains to be seen. In any case the Foundation will try to multiply linkages between Afghan and foreign institutes of learning.

B: Funding

- Knowing that many international institutions and representatives of foreign governments present in Kabul have some funds for the development of civil society, human rights activities or for culture, the Foundation will establish links with these organizations and embassies in order to secure multiple sources of funding.
- The Foundation hopes to become the co-beneficiary of a large EC grant which would allow it to fund many community and other forms of collective Afghan initiatives. If the Foundation successfully manages to become a grant-making entity it will seek further partnership agreements and funds from large international Foundations.
- As noted above, the Foundation hopes to become gradually less reliant on foreign funding, and increase the level of sponsoring by private Afghan individuals and organizations.

C: Regional Expansion

- Initiating Foundation activities outside Kabul is a priority for all Board members. However, given the difficulties and costs of communication and traveling to the provinces, the Foundation's outreach outside Kabul, and *a fortiori* the initiation of activities in the provinces, depend very much on additional funding. In the initial phase the Foundation will work in Kabul. Only once it has been established and has developed functioning systems, will the Foundation seek to start its activities in the provinces.
- As noted above, the consultant has been working on plans with partners to establish common regional centers. These will become engine-houses for the development of civil society outside Kabul.
- As per the principle of the Foundation adopted in the statutes, only local inhabitants will staff Foundation boards and structures.
- The initial phase of the regional expansion of the Foundation will be the establishment of provincial Foundation committees which will function much like the Board of Directors, while giving access to local networks of Afghans involved in social and cultural activities. These will help select projects and local partners for the Foundation.
- Next, the minimal staff to make the Foundation operational in the provinces will be recruited, as mirror images of the Foundation office in Kabul. Facilities will be made available to the local groups that the Foundation supports (the regional centers).
- Over time the Foundation will duplicate the same structures at the district level.

- To further the organization of communities and local groups the Foundation will encourage the formation of social organizations, and help them with the statutes, structures and the registration. This will also facilitate transfers to local projects.

D: Membership strategy

- The members are the basis of the Foundation. The more it has, the stronger it will be. They will elect the Board of Directors in yearly general assemblies, in procedures that have been established in the statutes. They will also enjoy some advantages, such as staying informed and access to Foundation activities. The conditions, rights and obligations of members are detailed in the Foundation statutes.
- To avoid imbalances, the Foundation membership must correctly represent Afghan civil society and culture. Preference will be given to sponsors, well-reputed cultural and recognized social personalities, and professionals. Therefore candidates for membership must comply to one of the following conditions:
 - Ten years practice of social activities or culture
 - Studying for, or in possession of, a University degree in a field related to social sciences or culture
 - Active participant in an organization that has goals similar to those of the Foundation
 - Being introduced as a representative by a community in the presence of members of the Board of directors (or of the provincial committees, see above)
- The aspirant members will have to become familiar with the Foundation's statutes and sign a declaration that they are qualified to become a member, and that they will attempt to further the Foundation's objectives.
- Application forms will be distributed and collected by Foundation staff, and the Board of Directors will approve or reject candidacies.
- In the first year the Foundation hopes to gain some 100 members in Kabul. In the second year about 1,000 more might become members throughout the country
- Foreigners, although they cannot become members with voting rights, can acquire guest status of the cultural center in Kabul (and eventually in the regional centers) and thus enjoy access to the Foundation's activities.
- Membership fees have been set at 100 Afs/year for students, independent artists, government employees and vulnerables (disabled, widows...) and at 500 Afs for other Afghans. Foreigners could obtain a pass for cultural activities at 100\$/year.

E: The Foundation in 2 years (summer 2005)

The Board members aspire that in 2 years time the Foundation will

- Be well known among Afghans (and foreigners working in Afghanistan) that have an active interest in the social and cultural development of Afghanistan
- Be able to fund projects in the fields of social or cultural development, or research, undertaken by communities and other kinds of social groups.
- Have a well-functioning cultural center in Kabul with frequent cultural activities.
- Have opened regional cultural centers in the four main cities of Afghanistan outside Kabul, and established boards in most provinces and in some districts
- Count with the active participation of at least 1,000 members
- Have established close links with foreign institutions (cultural, research, donors and partners) and be considered a preferred interlocutor for them when dealing with social or cultural issues in Afghanistan.
- Attract researchers from Afghanistan and abroad, who will use facilities and structures offered by the Foundation and in return share the results of their research with the Foundation
- Be an able partner for Afghan governmental institutions in capacity-building, training, linkages with foreign institutions and policy advice in socio-cultural matters
- Have spawned many social organizations throughout the country that model their statutes on those of the Foundation (internal democracy based on membership, accountability, transparency, clear and lean structure)
- Be a hub in a national network of social organizations, community forums and other manifestations of Afghan civil society.

F: Priorities

The priorities of the Foundation have been determined by the Board of Directors:

- Establishing a fully functional office space for about 6 people and recruitment
- Opening the Cultural Centre (the inauguration is currently planned for 7 June) and deciding on its programming for the spring and summer 2003
- Through the Cultural Center and an outreach campaign embark on a membership drive
- Securing additional funding (principally the EC grant, also smaller grants from other donors) for Foundation projects
- Identifying the principal partners for the diverse planned Foundation activities, and members for the provincial boards
- Establishing a newsletter and a website and making sure all Foundation activities are widely reported in the national media.
- Initiate pilot projects in the domains of human rights, civil society and research
- Making partnerships with other organizations for the implementation of projects that will strengthen civil society and support cultural initiatives, especially in the regions.

G: Partnerships and funding

The consultant has held discussions with representatives of the following organizations:

- ❖ UN Habitat for community forums' civil society work
 - UN Habitat has requested the Foundation to help it organize cultural and civic events with its urban based community forums (that fall outside the NSP framework)
 - Civic education about constitutional process, rights and obligations, women and children, public health, garbage disposal, environment, traffic, first aid, etc. ("awareness-raising that turns into responsibility through participation")
 - This education is done in a cultural or playful manner, through performances, art, video or creative games, followed by open discussions among the people present.
 - The discussions and events are recorded and may be disseminated thru radio, print or internet. They can also document research and analysis
 - The community forums can develop their own cultural or civic activities by creating social organizations which can then be integrated into the national Foundation network
- ❖ European Commission for a grant to support community initiatives in culture and civil society work
 - The consultant has continued discussions with the EC and partner organizations CARE and Swiss Peace Foundation to become the co-beneficiary of a 2.75 million Euro grant that will allow the Foundation for Culture and Civil Society to become a grant making entity, in order to support local cultural or civic activities throughout Afghanistan.
- ❖ CARE for building Foundation capacity to fund grassroots organizations (this is dependent on the EC grant mentioned above)
 - Training community members in project management, monitoring, accounting, project writing and assessment, and liaising with the Foundation
 - Idem on donor relations: reporting, funding cycle, etc.
- ❖ Swiss Peace Foundation for networking with NGOs and other civil society organizations in Afghanistan on civic issues such as the constitutional process, elections preparedness, gender issues etc.
- ❖ Internews and IMPACS for developing community radios
 - Internews and IMPACS would implement their programme to set up about 24 local community radio stations in the Afghan provinces through the structure of the Foundation. Eventually the Foundation would ensure the "Afghanization" of the project, and hopefully its sustainability.
 - Link this broadcasting opportunity with other civil society projects for multiplier effect
 - Exchange radio programs among regions: music, local debates, talk shows etc. This will not only provide programming solutions to community radios but also reinforce understanding among regions (part of the national reconciliation process)

- ❖ Alternatives for Web Portal. This Canadian NGO specializes in IT solutions for local NGOs and civil society groups in developing countries. The services offered by them include:
 - Access to rudimentary e-mail and easily up-loadable websites
 - This will allow the networking between civil society in different regions through e-mail (simple solution with Thuraya-laptop modems) and the creation of websites for our main civil society partners (including the Foundation itself)
 - Possibly make an extranet between regional offices?
 - E-mail-sourced Foundation website with videos, mp3 music, news, research and analysis
 - Links with similar organizations affiliated to “Alternatives” in the rest of the world
 - In conjunction with the consultant’s project for Direct Donor Involvement through the Internet the Alternatives network could become a source of funding and long-term sustainability of the Foundation.
- ❖ Cooperation with the Ministry of Women’s Affairs for helping them organize their regional women’s groups (through Cheryl Ray). Substantial funds are available for this project. The Foundation could help these regional women’s groups organize themselves and initiate activities in the fields of culture and civil society.
- ❖ Funding by the Open Society Institute may be secured for the Foundation’s projects, for example the oral history project. Links have been established with researchers in several US universities that could guide this project.
- ❖ The National Democratic Institute has approached the Foundation with a project to organize a national conference on economy and democracy.
- ❖ The Foundation has been taking the lead in organizing the establishment of regional civil society centers with partners such as Aina, Swiss Peace Foundation, ARIC, SPACH and other interested NGOs. These would be integrated, “one-stop shopping” centers for many civil society and cultural activities - including for example e-mail access, a cultural center, and publishing activities - with office space for rent for Afghan organizations working on civil society-related issues.
- ❖ The Canadian government and/or DfID might fund a legal research center for Afghan Women and Children through the Foundation. Foundation board members are involved in this project.
- ❖ Visiting Arts for directory of artists and cultural personalities and institutions in Afghanistan. These directories compiled by the Foundation would also be made available to other organizations (such as the Biographical Dictionary of Afghanistan which is currently being updated)
- ❖ Mini Mobile Circus Campaign for mutual collaboration in organizing performances with and for children, based on passing messages to them about basic issues such as health, civic behavior, narcotics etc.
- ❖ UNDCP for funding civil society activities that bring to the public messages about narcotic substances abuse.
- ❖ Williams Afghan Media Project and Afghan Resource and Information Center (ARIC, headed by Mrs. Nancy Dupree) for the establishment of documentation centers in Afghanistan
- ❖ Sport Sans Frontieres has requested Foundation assistance in helping set up community structures to manage the sport facilities they plan to establish in Kabul, and to help them plan the expansion of this project in the provinces.

IV: CONCLUSION AND NEXT STEPS

The process of establishing the Foundation has taken more time than initially planned, mainly because the selection process of the founding members was done in a careful and transparent way. This slow, gradual process was however better than rushing the creation of the Foundation. It allowed the consultant to ensure that the group of Founding Members truly represents different aspects of current socio-cultural trends while at once constituting a team of people that can work together for commonly shared objectives.

A satisfactory balance was achieved with regards to the composition of the Board of Directors. The main drawback of this selection has been that since most of the Board members are highly solicited and busy people, the attendance to the Board meetings has been rather disappointing (usually 6 to 8 people). To remedy this, the Steering Committee was given more power. The three members of the Steering Committee are deeply involved and pro-active in cultural and civil affairs.

Writing, re-writing and re-translating the statutes also took more time than expected, but again with the positive result that they are very well thought-out and can now be used as a model for other social organizations.

Thanks to the many contacts of the consultant and of the Board members, the existence of the Foundation is already widely known, despite not having started any practical activities. The outreach potential of the Foundation is great, and will receive a boost with the opening of the Cultural Center.

The Consultant has found widespread support among Afghans and foreigners who may be considered "Afghanistan experts" for the creation and the objectives of the Foundation. From the Minister of Information and Culture to intellectuals in Mazar there has been a very enthusiastic response to the concept of the Foundation.

The members of the Board, together with the other founding members, have carefully developed the strategic objectives of the Foundation, and on that basis they have established the priority activities.

As one can judge by the list of partnerships discussed, the response from the international community, and particularly donors, has also been positive. It will take time however to translate this general sympathy into contracts and partnership agreements, and that will be one of the Consultant's next priorities.

The Consultant will plan his coming consultancy in such a way that at the end of it, the Foundation will be autonomous, only needing occasional help from outside. This means finding qualified people to direct the different units of the Foundation (together they will form the Executive Committee) and generating enough support from the international community to carry the Foundation through its first years. Partnership agreements will also help keep the Foundation on track. In the long run, as mentioned above, the strength and autonomy of the Foundation will come from a wide and active membership, which will partially be the result of the Foundation's own civil society strengthening programs. In other words, the Foundation's activities should generate support for its continued existence.

ANNEX 1

FOUNDATION FOR CIVIL SOCIETY AND CULTURE TERMS OF REFERENCE FOR THE ADVISOR ON CIVIL SOCIETY AND CULTURE

General

The Advisor on Civil Society and Culture will oversee the creation of the Foundation for Civil Society and Culture.

The Foundation will

- encourage Afghan initiatives to develop civil society and national culture, providing grants at the community level to encourage and support such activities.
- be a center for research on Afghan culture and civil society by providing facilities for researchers both national and foreign, by undertaking its own activities to map Afghan culture and by organizing/producing cultural manifestations through the Cultural Center, which will be an integral part of the Foundation.
- collaborate closely with the relevant national and international institutions, helping the national Afghan institutions to develop in a coordinated, integrated fashion.
- consist of a management team, supervised by a Board, which will implement the decisions taken by the members of the Foundation. The members ultimately own the Foundation, in the name of the Afghan public and in particular the cultural communities and national civil society, which they must represent in a balanced way.
- not discriminate in any way on grounds of ethnicity, social class, gender or other, and always strive to promote Afghan national unity, tolerance and respect for the various cultures co-existing in Afghanistan, with particular attention to the regions outside Kabul. To provide maximum outreach the Foundation will start, immediately after its inception, developing regional boards to oversee support to regional cultural and civil society initiatives.
- endeavor to train Afghans in all activities pertinent to the Foundation, in particular cultural management, but also acquisition of skills in the various cultural and social branches that the Foundation supports, in order to make the Foundation non-reliant on foreign expertise and skills.
- be set up as, and seek to remain, a lean and flexible structure, where the minimum amount of available funds are used for the functioning of the Foundation itself, and the greatest amount possible for actual support of culture and civil society initiatives.
- be established as an Afghan non-governmental organization with possibilities for participation of the concerned sectors of the Afghan Government, without sacrificing its independence.
- be funded by the international community but, in its drive for autonomy and self-sustainability, also seek Afghan funding from the private and public sectors alike.

Duties of the Advisor

The Advisor on Civil Society and Culture will be responsible for setting up the Foundation along the lines laid out above. The advisor will:

1. Write the Statutes of the Foundation, in agreement with practice both in Afghanistan and abroad. The statutes will first be revised by the World Bank and legal experts working for the Afghan Government, and then will need to be formally approved by the Founding Assembly.
2. Register the Foundation, and explore the usefulness and possibility of obtaining a Presidential Decree to establish the official existence of the Foundation.
3. Take care of issues such as the rental contract, utilities, insurance etc.
4. Devise ways of transferring funds to the Foundation, hold them there, and transfer them to the beneficiaries. The advisor will look into the possibility of establishing an endowment. The financial mechanisms used must be secure, transparent and flexible.
5. Hire an assistant/driver to support him/her and hire a legal/financial consultant until points 1 to 4 above have been satisfactorily solved
6. Write a project proposal and a complete budget for the various branches of the Foundation's activities for the first year, and raise and receive the seed funds for the Foundation
7. Set up the Foundation and Cultural Center
 - establish the management structure and write the Terms of Reference and contracts for the various posts
 - establish recruitment procedures and then recruit the staff
 - procure and install the essential equipment needed for the Foundation and the Cultural Center
 - set up the different Units of the Foundation, the administration, the Cultural Center and the guesthouse
8. Start a dissemination campaign to inform the Afghan public of the establishment of the Foundation and embark on a membership drive. At least 60 initial members representing all different regions and ethnic groups of Afghanistan, and a balanced variety of cultural and social communities, must be invited to the Founding Assembly
9. Establish cordial relations with the concerned national and regional institutions and authorities and inform them of the Foundation's statutes and goals.
10. Establish partnerships with the National Solidarity Programme, the Swiss Peace Foundation, Aina Media and Culture Center and identify other potential partners, whose goals and methods coincide with those of the Foundation. Together with these partners the Advisor will plan the establishment and development of regional and community cultural/civil society structures.
11. Coordinate the writing of manuals for the project selectors and supervisors, for fund disbursement and auditing
12. Organize the Founding Assembly of the members and chair it until the Board and its Chairman have been elected.
13. Be actively involved in the management of the Foundation until suitable candidates have been found and trained to manage different parts of the Foundation.

ANNEX 2

FOUNDATION BOARD MEMBERS INFORMATION SHEET

Function	Name	Origin	Sex Age	Current Position	Interests	Outreach potential	Telephone
Chair	Mir Ahmad Joyenda	Hazara, Baghlan	M 51	Deputy Director Afghanistan Research and Evaluation Unit	Cultural Heritage, Cultural Research	Gvt, Ismaili minority and international researchers	070 276637
Treasurer	Hangama Anwari	Tajik, Kabul	F 26	Human Rights Commission member. Founder, Women and Children's Legal Research Unit	Human Rights, Civil Society, Legal Research	International HR groups, UN Habitat community forums	070 288504
Secretary	Timur Shah Hakimyar	Tajik, Kabul	M 42	Head, Afghan Artists' Union. Movie Director	Modern Culture, Social Organizations	3000 affiliated artists throughout Afghanistan	070 278905
Member	Safia Siddiqi	Pashtun, Kabul	F 40s	Advisor, Ministries of 1:Rural Rehabilitation and Development and 2:Women's Affairs	Gender, Civil Society	Ministries she works for and women's groups	070 288634
Member	Nafisa Kabuli	Tajik, Kabul	F 30s	Head, Children's Justice Dept, Provincial Court of Kabul	Justice, Family Law, Legal Research	Judicial community, esp. women lawyers	070 277034 (family)
Member	Sami Hamed	Tajik, Mazar	M, 40s	Member, Cooperation Center for Afghanistan and Director, Mediothek	Writers, Civil Society	Writers and intellectuals, esp. in Mazar-i Sharif	070 298636
Member	Farid Hamidi	Pashtun, Kabul	M 20s	Human Rights Commission member	Human Rights, Legal Research	Law students, youth organizations	070 275092
Member	Nader Nadery	Baluch, Nimroz and Kabul	M 20s	Field Coordinator, International Human Rights Law Group	Civil Society, Human Rights, Legal Research	International HR groups, donors, media in Kabul and government	070 276784
Member	Omara Khan Massudi	Pashtun, Logar	M 50s	Director, National Museums of Afghanistan (MoIC)	Cultural Heritage, Handicrafts	National cultural institutions	070 290333
Member	Dr. Alam Ishaqzai	Pashtun, Jalalabad	M 40s	Head of Social Sciences Dept, Academy of Sciences. Member of Constitutional Commission	Research in Social Sciences	Researchers & intellectuals in Kabul and Jalalabad	-
Member	Dr. Yaqub Wahidi	Uzbek, Samangan	M 60s	Literature and Linguistics, Academy of Sciences and National Archives. Member of Constitutional Commission	Linguistics and Literary Research	Researchers & intellectuals in Kabul and Mazar	-
Member	Dr. Zarif Azhar	Aimaq, Ghor and Herat	M 50s	Professor, Faculty of Law	Legal Research, Civil Society, Culture	Researchers & intellectuals in West Afghanistan and Kabul University	070 292651

ANNEX 3

STATUTES OF THE FOUNDATION FOR CULTURE AND CIVIL SOCIETY

In the name of God, the Compassionate, the Merciful

OBJECTIVES

The Foundation for Culture and Civil Society, henceforth referred to as “the Foundation”, has been established to promote the development of Afghan culture and civil society.

The Foundation will support the people of Afghanistan in their efforts to develop their local culture as an integral part of the national culture, and encourage the cultural exchange between Afghan communities. A Cultural Centre will be established in Kabul, and later in other regions of Afghanistan, to provide opportunities for artists to show their work to the public.

Civil society initiatives in all areas of Afghanistan will be encouraged by the Foundation, taking into consideration local cultural sensitivities. These initiatives include, but are not restricted to, those favouring the rule of law, the understanding and the respect of human rights, the development of professional, social and cultural associations, the position of women, free media and the defence of the environment.

The Foundation will not discriminate in any way on grounds of ethnicity, social class, language, gender, religion or other, and will always strive to promote Afghan national unity, tolerance and respect for the various cultures co-existing in Afghanistan.

Although it will remain independent of the government, the Foundation will support the development of national institutions dealing with civil society and cultural matters. It may provide advice, professional expertise and training to such institutions, according to the Foundation principles.

The Foundation will undertake and encourage scholarly research in the social sciences and Afghan culture.

Chapter 1: GENERAL ORDERS AND PRINCIPLES

Article 1

The Foundation is a social organization set up according to the provisions of the Law on Social Organizations, the Constitution of Afghanistan and the teachings of Islam. The Foundation will function as a non-for-profit organization; all its acts and finances will be transparent.

Article 2

The activities and projects of the Foundation will respect the following principles

- 1) The Foundation will not duplicate the work of any other organization operating in Afghanistan. It will rather provide technical, logistical and/or financial support to organizations implementing projects that follow the objectives of the Foundation
- 2) When implementing its own projects, the Foundation will always seek to benefit from the capacity and resources of other organizations by subcontracting (parts of) the project in question to these partner organizations.

3) In all its activities the Foundation will attempt to reach the largest number of communities in Afghanistan, notably in the provinces. The Foundation will try to use local capacity instead of bringing it in from outside when working in the communities, or in the provinces

Article 3

The oral proceedings and written documents produced by the Foundation will be in both Dari and Pashto, but other regional languages may also be used if necessary.

Chapter 2: MEMBERSHIP

Article 4

a) The Foundation will have the following kinds of members:

- founding members
- honorary members
- elected members
- common members

b) All members will have to sign a binding declaration of adhesion to the Foundation's principles. Common and elected members will have to pay a membership due, to be revised on a yearly basis. Honorary and founding members are exempt from paying membership dues.

Article 5

Common members must have their candidacy approved by the Board of Directors. From the moment the candidate applies until the confirmation of his/her membership he/she will have the status of "candidate member".

Common members enjoy membership rights, from the day their membership is confirmed and they pay their dues. They then can renew their candidacy by paying the yearly membership fee, without new confirmation by the Board of Directors.

Elected members are elected among the common members to attend the General Assembly. More information on them is found in Article 14.

Article 6

Honorary members receive their honorary membership from the Board of Directors for a period of two years, although the Board may decide to extend that period as it wishes. They do not have to apply for membership but they must sign the declaration of principles.

The Board may appoint honorary members at its discretion, without there ever being more than 10% of total membership at any time, to avoid an imbalance with the elected members at the General Assembly.

Founding members enjoy the rights of honorary members, for their lifetime.

Article 7

Membership is not transferable to any other person by any means.

Article 8

Any member may lose his or her membership if ever the Board of Directors decides this person has violated the principles of the Foundation or if the member has committed a crime under Afghan Law. The Board of Directors will give written notice to the member that his/her membership has been revoked.

Chapter 3: FOUNDATION STRUCTURE

Article 9

The Foundation consists of a Board of Directors, an Advisory Board, an Executive Committee and different Units. Membership of one of the three steering organisms precludes membership of the others.

Article 10

The Board of Directors consists of 12 members and is elected by the yearly General Assembly.

- a) Each of the 12 seats is reserved for one of the branches of activity of the Foundation: 3 for Civil Society, 3 for Culture, 3 for Research and 3 for Human Rights
- b) Of the 12 members, one is Chairman; one is Treasurer, and one Secretary. These three office holders share the financial responsibility of the Foundation according to the Afghan Law on Social Organizations.
- c) The Chairman will be elected directly by the General Assembly but the two other posts are to be decided internally, by the members of the Board
- d) The Board of Director's function is to provide general guidance to the Foundation's development and activities, and ensure the Executive Committee follows the principles of the Charter and the wishes of the members, such as expressed in the General Assembly. They appoint the directors of the Foundation's units and branches and confirm the membership of applying individuals. They may create or abolish Units and take all other important decisions
- e) The Board of Directors convenes once a month, although they can decide to convene more or less frequently. The three office holders must be prepared to take an active interest in the Foundation's daily activities and their presence might be required more frequently

Article 11

The Advisory Board has an open membership, reserved to the main donors and main implementing partners, and others deeply involved in the set-up of the Foundation

- a) New members to the Advisory Board are invited by the chairperson. The Board will initially consist of the main donors and stakeholders of the Foundation and decide on its chairperson internally.
- b) The function of the Advisory Board is to allow donors and implementing partners to question the Foundation's activities, suggest changes, and voice their concerns, objectives and priorities. Both the Board of Directors and the Executive Committee must take into full account the counsel given by the Advisory Board
- c) Meetings for the Advisory Board are called for by its chairperson. He/she may draw on Foundation staff and funds to organize and take minutes of its meetings.

Article 12

The Executive Committee is composed of the General Manager and the directors of the different units, currently the General Services Unit (headed by the Administrator), the Research Unit and the Cultural Center.

- a) The General Manager chairs the Executive Committee
- b) The Executive Committee oversees the daily operation of the Foundation. Its function is to coordinate and plan the Foundation's activities. It is responsible for managing the Foundation according to the decisions of the Board of Directors and the counsel of the Advisory Board
- c) The members of the Executive Committee may be represented by their assistant if they are unable to attend a meeting
- d) The Executive Committee meets at least once a week, but more frequent meetings may be called for on decision of its members

Article 13

The recruitment policies of the Foundation will be transparent, based on equal opportunities for all applicants and the public announcement of the more important positions. Guidelines for recruitment will be developed and approved by the Board of Directors. The General Manager and the Administrator are responsible for all recruitment under the level of Unit director (see above).

CHAPTER 4: GENERAL ASSEMBLY

Article 14

Once a year a General Assembly will be convoked by the Board of Directors. They may decide to convene the General Assembly in the Foundation headquarters in Kabul or in one of the operative regional centers.

All members may participate in the General Assembly. However, to avoid the inconvenience of large numbers, when the total membership surpasses 100 members, the Board of Directors may decide to hold elections among subscribing members at the regional level.

In that case the common members of each region may elect a number of representatives proportionate to the total number of common members in that region, as given by the Board of Directors. Candidates must declare their candidacy, and then all present members can vote by secret ballot for one or more of the candidates. Those with the most votes are then called "elected candidates".

The Foundation will pay for the transport of the elected members from their domicile to the General Assembly and back.

Article 15

At the General Assembly members of the Executive Committee will present the Foundation's accomplishments over the past year, and the objectives for the next year. The Treasurer of the Foundation will present a detailed financial report to the members, the Secretary will discuss membership issues, and the Chairman will discuss other, general issues.

During the presentations all present members may engage in an open discussion of the Foundation's work and plans. Then, when the presentations and the discussions are finished, all present members will elect the new Board of Directors.

Any present member of the Foundation may become candidate for the Board, including current Board members. Non-members invited to attend the General Assembly may not vote.

Each candidate must specify for which position he/she is applying, and whether he/she desires to become Chairman or not. Ballots are then prepared, and then each present member may vote, by secret ballot, for each of the 12 positions, specifying which of the 12 persons voted for gets the Chairman vote.

The newly elected Board of Directors is then presented to the General Assembly. The Chairman must make a speech outlining his/her ideas for the coming year.

In its first meeting after the General Assembly the newly elected Board must decide who will become the Treasurer, and who the Secretary.

Chapter 5: MISCELLANEOUS PROVISIONS

Article 16

None of the members of the Board of Directors or the Advisory Board may derive any financial benefit from the Foundation. They will receive no salaries or other form of indemnities for the sake of being Board member. However they may be paid for services or expenses made for the Foundation. Moreover, any organization they direct or have interests in will not be favored over other competitors in case they apply for Foundation funding for their activities. They will receive the funding only if they can prove beyond any doubt that their organization can accomplish the project in question more efficiently.

Any Board member that disregards this rule should be expelled by other Board members. If the Board does not take any action the matter will be brought to the General Assembly, for the members to decide.

Article 17

The Foundation will receive funding from a variety of sources, among others The World Bank and membership fees. Some of the funding might go to specific projects, while other funding will be core funding for the Foundation's activities. Membership fees, and donations by private individuals, will constitute part of the core funds.

Each Unit will be responsible for the administration of its own funds. Their financial reports must be approved by the director of the Unit and the General Manager, and submitted to the Treasurer for his/her countersigning.

Expenses incurred by the Executive Committee, the Board of Directors, the Advisory Board and the General Assembly must be accounted for by the General Services Unit, which manages the core funds. This Unit also oversees the development of the regional offices, although the specific units (Project, Research, Cultural Centre, etc.) in the regions must report to the "mother" unit in central headquarters, for an integrated accounting system.

The Foundation's accounts are open to public scrutiny, unless the person desiring to inspect the accounts is considered to have hostile motives. A refusal to see the accounts may be appealed. The final decision then rests with the Board of Directors.

Article 18

Any amendment to these Statutes must be approved by the Board of Directors, and then submitted to the vote of the General Assembly. A $\frac{2}{3}$ majority of those participating in the voting is required to accept the amendments to these Statutes. The amendments will then be presented to the Department of Social Organizations of the Ministry of Justice. Only when this Department accepts the amendments will they take effect.

Article 19

Any social organization or Afghan non governmental organization that wishes to integrate with the Foundation must receive the approval of $\frac{2}{3}$ of its members, if it is based on membership, or $\frac{2}{3}$ of its Board of Directors, if it has no members. The Board of Directors of the Foundation must approve the merger. If it is seen as changing the nature of the Foundation, the matter must wait until the next General Assembly, where at least $\frac{2}{3}$ of the Foundation members present must approve the merger.

Article 20

The Foundation for Culture and Civil Society will be established in Kabul. Its headquarters will be located in the house 869 located on Salang Watt street, in the Deh Afghanan area of Kabul. It plans to open local and/or regional offices in different parts of Afghanistan.

Article 21

The Foundation will have its own emblem and stamp.

Article 22

If the Foundation needs to be dissolved for whatever reason, the decision will be taken by the General Assembly with a $\frac{3}{4}$ majority. If the General Assembly cannot be convened, the Board of Directors may take this decision, with a $\frac{3}{4}$ majority. In that case the assets of the Foundation will go to, in the following order,

- settling any debts incurred by the Foundation
- reimbursing private Afghan donors with the funds they provided to the Foundation
- reimbursing donors with the funds not used, or not properly accounted for
- reimbursing members with their membership fees, insofar this is a practical possibility

The remaining assets will go first to indemnification of partners or implementing agencies that suffer negative consequences from the Foundation's dissolution. When all the debts and inconveniences have been solved, the Foundation's Board of Directors will draw up a list of remaining assets, to distribute them among other social organizations that share the same objectives as the Foundation. This list will be communicated to the Department of Social Organizations of the Ministry of Justice for their approval.

Approved and signed by the Founding Members

Date 11 March 2003

Function	Name		
Member 1	Hangama Anwari	Member 9	Dr. Alam Ishaqzai
Member 2	Abdurrahman Hotaki	Member 10	Hamid
Member 3	Mir Ahmad Joyenda	Member 11	Safia Siddiqi
Member 4	Omara Khan Massudi	Member 12	Farid Hamidi
Member 5	Timur Shah Hakimyar	Member 13	Rahraw Omarzad
Member 6	Nader Nadery	Member 14	Dr. Yaqub Wahidi
Member 7	Zarif Azhar	Member 15	Prof. Alam Hussain Zadeh
Member 8	Nafisa Kabuli		

ANNEX 4: REGISTRATION DOCUMENT OF THE FOUNDATION

ANNEX 5

**Executive Minutes of the
FOUNDING ASSEMBLY OF THE
FOUNDATION FOR CULTURE AND CIVIL SOCIETY**

*Tuesday 11 March 2003, 14 pm to 16.30 pm
At the Foundation/NSP premises*

Present:	Mrs. Nafisa Kabuli	Head, Children's Justice department, Provincial Government of Kabul
	Mr. Abdurrahman Hotaki	Director, Afghanistan Organization for Human Rights and Environment Protection
	Mr. Nader Nadery	Afghanistan Field Coordinator International Human Rights Law Group
	Ms. Hangama Anwari	Member of the Human Rights Commission
	Mr. Zarif Azhar	Faculty of Law and Political Science University of Kabul
	Mr. Omara Khan Massudi	Director of the National Museums, Ministry of Information and Culture
	Ms. Safia Siddiqi	Head, Foreign Relations Department Ministry of Women's Affairs
	Mr. Mir Ahmad Joyenda	Deputy Director Afghanistan Research and Evaluation Unit
	Dr. Alam Ishaqzai	Head of the Social Sciences Department Academy of Sciences of Afghanistan
	Mr. Rahraw Omarzad	Director, Gahnameh-e Honar Arts Magazine Professor, Faculty of Fine Arts
	Dr. Yaqub Wahidi	Department of Linguistics and Literature Academy of Sciences of Afghanistan
	Mr. Timur Shah Hakimyar	Head of the Artists Union of Afghanistan
	Mr. Farid Hamidi	Member of the Human Rights Commission
	Mr. Hussain Zadeh	Head of the Cultural Council, Kabul University Professor, Faculty of Fine Arts
	Mr. Hamid	Researcher in International Law Academy of Sciences of Afghanistan Chess champion of Afghanistan
Guests:	Ms. Suzanne Schmeidl	Country Manager, Swiss Peace Foundation
	Mr. Colin Reynolds	Consultant, Swiss Peace Foundation
	Ms. Rosaini Suleiman	Country Representative, Article XIX
And	Mr. Robert Kluyver	Consultant
	Mr. Omar Sharifi	Assistant and Translator

Introduction

To start with, the consultant commented on the list of founding members, which had hitherto not been established formally. Of the 24 members listed (see invitation):

- 3 had indicated their inability to attend (*Mrs. Gilani, Prof. Abd Ali, Habib Rahiab*),
- 3 had said they hoped to attend the second part of the meeting despite prior engagements - but none of them came (*Siddiq Barmak, Sami Hamed and Sherazuddin Siddiqi*) and
- 3 did not attend for unstated reasons (*Dr. Hossain Ramoz, Nasrullah Stanakzai and Fazl Haq*).

We decided to proceed with the meeting despite the reduced numbers (15 people present).

Approval of the Statutes and of the Emblem

The first item on the agenda was the approval of the Foundation statutes

- Some reservations were still made about the statutes, despite the prolonged consultation process undertaken by the drafting committee and the consultant's assistant over the last month. For example, Ms. Anwari objected to the use of the term "cultural center" for the regional branches of the Foundation. Mr. Hamidi noticed that no appeal system had been devised for members whose membership is revoked. Mr. Azhar said that some points of punctuation and verb tenses could be improved. But the assembled founding members agreed that these were relatively minor matters.
- More importantly, some of the founding members showed concern over the conditions for membership.
- Finally, another founding member noticed that the rights of those working in the Foundation, especially their entitlement to protection, insurance etc. had not been mentioned in the statutes. The Consultant objected that this matter should be dealt with in the internal regulations.

- ⇒ It was decided that the Board members would form a committee to
- write a final version of the statutes for dissemination purposes (as a model for other social organizations) but that the current draft is good enough to be signed
 - establish the conditions for membership, and the declaration that members must sign
 - write the internal regulations and the recruitment and procurement guidelines.
- The consultant, however, will have to take the lead and make draft proposals.

The second item on the agenda was the approval of an emblem. Several drawings were made by founding members or their acquaintances. However one of them, made by the graphic artist Rahraw Omarzad, met with overwhelming approval. It was put to the vote, and all members agreed, by consensus, on this emblem, calligraphy of the word "Bunyad".

At 15.00 the signing ceremony started. All 15 members present signed the Foundation statutes. Thereafter practical information was collected on all founding members, for the purpose of registration.

Election of the Board of Directors

The next item on the agenda was the election of the Board of Directors.

- The original list, made by the consultant, was rejected not on basis of content, but of method. The founding members thought they should be entitled to elect the Board members themselves. The consultant therefore decided to organize an election among the founding members.
- They agreed that even the absent members should be allowed to stand for election (but not, of course, vote). Only two who had shown no interest in being Board members were taken off the list.
- It was also decided that the election should be secret. The consultant had prepared ballots to that effect.

- In agreement with the statutes, three seats each were allocated to Civil Society, Human Rights, Culture and Research. Then each of the founding members indicated his/her preference to become Board member in one of these categories.
- Before proceeding to vote, and in order to accommodate the objections of some of the founding members who deemed that they did not know enough about each other to cast their votes, a round of presentations was made. One founding member, considering he still did not have enough information about the founding members, abstained from voting.
- Thereafter each person filled out his/her bulletin in a secluded place. For each of the four categories, they could fill in three names. The ballots were collected by the consultant, opened by his assistant who read them aloud while two of the founding members kept track of the results on a tally board.

The result of the elections was:

Civil Society		Human Rights		Culture		Research/Dissemination	
Safia Siddiqi	13	Hangama Anwari	13	Mir Ahmad Joyenda	14	Dr. Alam	13
Nafisa Kabuli	13	Nader Nadery	11	Omara Khan Masudi	8	Hamid	13
Sami Hamed	9	Farid Hamidi	9	Timur Shah Hakimyar	6	Dr. Yaqub Wahidi	11
Fatima Gilani	5	Abdurrahman Hotaki	7	Dr. Zarif Azhar	6	Sherazuddin Siddiqi	3
		Habib Rahiab	2	Dr. Hussain Ramoz	4		
		Abd Ali	0	Siddiq Barmak	2		
				Hussain Zadeh	1		
				Rahraw Omarzad	0		
<i>Invalid votes</i>	2		0		1		2

- The draw between Timur Shah Hakimyar and Dr. Zarif Azhar was resolved by lottery. The guest Ms. Rosaini drew one of two slips of paper with the names of the candidates. Mr. Hakimyar won.
- Each of the elected members of the board will submit a short autobiography that will be made available to the public, first of all to the members of the Foundation.
- In the next meeting, tentatively planned for Saturday 15 March, the members of the Board will decide amongst themselves who will take the functions of Chairman, Treasurer and Secretary.
- To remedy the admittedly imperfect nature of these elections, the Board of Directors will commit itself to holding a General Assembly as soon as the membership of the Foundation exceeds 200.

End of the Meeting

The last items on the agenda (next steps and formation of the committees that will develop different parts of the Foundation) were put off to the next meeting, because it was 16.30 and several of the founding members had urgent other commitments.

However, before leaving, the Consultant informed the founding members that the registration process with the Ministry of Justice would start the following day.

His assistant distributed some documents with information about the proposal for joint regional development with other organizations geared towards building civil society and culture and other proposed projects.

Executive Minutes of the
FIRST MEETING OF THE BOARD OF DIRECTORS OF THE
FOUNDATION FOR CULTURE AND CIVIL SOCIETY

—

ELECTION OF THE CHAIRMAN, TREASURER AND SECRETARY

—

Saturday 15 March 2003, 15.30 pm to 17.00 pm
At the Foundation/NSP premises

Present:	Mrs. Nafisa Kabuli	Head, Children's Justice department, Provincial Government of Kabul
	Ms. Hangama Anwari	Member of the Human Rights Commission
	Mr. Omara Khan Massudi	Director of the National Museums, Ministry of Information and Culture
	Mr. Mir Ahmad Joyenda	Deputy Director Afghanistan Research and Evaluation Unit
	Dr. Yaqub Wahidi	Department of Linguistics and Literature Academy of Sciences of Afghanistan
	Mr. Timur Shah Hakimyar	Head of the Artists Union of Afghanistan
	Mr. Farid Hamidi	Member of the Human Rights Commission
	Mr. Hamid	Researcher in International Law Academy of Sciences of Afghanistan
	Mr. Nader Nadery	Chess champion of Afghanistan Field Coordinator International Human Rights Law Group
And	Mr. Robert Kluyver	Consultant, Foundation for Culture and Civil Society
	Mr. Omar Sharifi	Assistant and Translator

Introduction: Rules Governing Decision-making by the Board

Three out of 12 Board members could not attend this meeting. Dr. Alam was in Jalalabad, Mr. Sami Hamed could not be contacted despite multiple efforts, and Ms. Safia Siddiqi, although she had assured the consultant of her presence, did not attend and could not be reached.

The meeting started with a discussion on whether the election of the chairperson could proceed in the absence of three Board members. The consultant argued that all Board members should be present for such an important decision. However all present Board members objected that it would be very difficult to get all 12 members together. They argued that with the presence of $\frac{3}{4}$ of the members there was a sufficient quorum to take decisions. The consultant then said that decisions taken at this meeting would only be valid if there was a large, clear majority behind the decisions (in such a way that it would not be affected if the three absent members voted against).

The assembly then agreed on the following rules governing Board meetings:

- The required quorum for any Board meeting to take valid decisions is $\frac{2}{3}$ of the members, i.e. at least 8 Board members must be present
- Important decisions must be taken with a $\frac{2}{3}$ majority of the present members. Very important decisions must be taken with a $\frac{2}{3}$ majority of all Board members (i.e. at least 8 votes). Normal,

routine decisions must be taken with a ½ majority of present Board members. In case of a draw, the Chairman has the deciding vote.

- Normally, voting is done by secret ballot, unless Board members agree on an open vote.
- The presence of the Chairman is required at all meetings.

Election of the Office Holders

The consultant then explained the functions of the three office holders. He made it clear that these three office holders are accountable for the Foundation under Afghan law.

- The Secretary builds up the institutional memory of the Foundation. He must see to it that proper records are taken of all important decisions and events in the Foundation and that the files and the administration generally (except accountancy) are well organized. The Secretary must take particular care that administrative handovers are well carried out to avoid lapses of institutional memory.
- The Treasurer has the same functions as the Secretary in the field of finances and accounts. On top of this the treasurer must oversee all contracts, protocols and agreements signed by the Foundation, and must validate financial accounts, statements and reports prepared by Foundation staff by countersigning them.
- The Chairperson must chair the meetings of the Foundation, and must generally act as the representative of the Foundation, for example by attending events where the Foundation is invited, meeting important visitors, being present in important meetings with donors and partners, etc. The Chairperson has ultimate responsibility over the Foundation's activities.

The consultant stressed that the three office-holders would be asked to participate more actively in daily affairs of the Foundation than other Board members, and thus had to have a bit of time to devote to the Foundation. However, all practical work (such as taking of the minutes, preparing financial reports and organizing Board meetings) will be done by Foundation staff.

He asked the Board members to keep into account the specific duties of the office holders when voting, and to keep in mind a certain balance (gender, professional background, ethno-linguistic...).

Only one of the present members, Mr. Mir Ahmad Joyenda, proposed himself for the post of Chairperson. All 9 members agreed on his candidacy. This satisfied the requirements mentioned above, i.e. more than $\frac{2}{3}$ of all Board members.

The election of the two other office-holders was done by nomination by others and reaching a consensus. Thus Ms. Hangama Anwari was chosen as Treasurer, and Mr. Timur Shah Hakimyar as Secretary. All present members agreed on these nominations.

The World Bank Grant

The Chairman then signed a previously prepared agreement with The World Bank for a grant of US\$ 200,000.- This grant will be used as core funding to set up the office and run it for a year, including equipment and salaries for all core staff and consultancies for one year. About US\$ 22,000 may be used to initiate projects.

The Chairman read out the grant agreement to the Assembly, and the consultant commented on it.

The Consultant

The consultant then made it clear to the assembly what his own functions are. From now onwards he will work as a consultant for the Board of Directors. His main task will be to

- develop projects, including consultation with founding members, project writing, fundraising and - if time permits, i.e. if his consultancy is extended - overseeing the (start of) the implementation of these projects.

Other tasks will be to

- establish internal regulations and procedures (for the staff and for the Board), recruitment procedures, and to initiate the recruitment of Foundation staff
- write the conditions for membership and the members declaration, and organize the making of membership cards, databases etc.
- set up the Advisory Board
- organize the procurement of the necessary equipment, and to set up the office
- fulfill the functions of vacant staff posts, including that of General Manager, until the right people are found to staff these posts (the General Manager and the Unit Directors will be appointed directly by the Board of Directors, while other staff is recruited by the General Manager)
- develop plans for joint regional expansion (together with other civil-society oriented organizations) and travel to the regions to study practical implementation of these plans
- in all of these tasks the consultant will coordinate closely with the Board of Directors and its chairman.

Projects

The Consultant then mentioned some of the projects that the Foundation could implement, ranging from opening the Cultural Center to the implementation of an EC grant for support to community-level initiatives in the fields of culture, human rights and civil society.

Most discussion focused on the plans for regional expansion. Some of the members suggested a gradual “top-down” expansion, setting up regional centers first, then provincial centers, and then district centers. However, in view of the likely development of the Foundation’s activities outside Kabul (whereby specific local projects will be supported by the Foundation) others thought it would be better to set up local boards where projects are being implemented. This bottom-up approach, that draws on the UN Habitat experience of setting up community forums, found the favor of all present members.

However the establishment of regional centers for culture and civil society is independent of this mechanism for setting up local boards; it is rather meant to promote this kind of development than be the result of it.

Other projects mentioned will be discussed more in detail with working groups.

Working Groups

The consultant then suggested that, to deal with the many issues facing the Foundation and eventual projects, working groups could be set up including the founding members. The suggested working groups are

1. Membership working group
2. Rules and procedures working group
3. Cultural Center working group

4. Human Rights and Legal Research working group
5. Civil Society outreach working group
6. Research and publication working group

The membership of each working group will be established by the consultant, after having received input from all individual Board and founding members.

The consultant will assist each working group in establishing its priorities, writing projects, submitting them to the Board of Directors, seeking donors to fund these projects, recruiting and procuring for the project, monitoring its implementation, and develop standards to evaluate the project.

Future Meetings

The Assembly decided to further meet once every two weeks, on Saturday at 2 pm. The next meeting will thus be held on Saturday 30 March, thereafter on Saturday 14 April, 29 April etc.

End of Meeting

ANNEX 6

STUDY OF THE BOOK MARKET IN SOCIAL SCIENCES AND LITERATURE IN KABUL

The following list includes about 70 books on Afghan history, literature, language, art and culture - written in Dari or Pashtu - that can currently be found in Kabul bookstores. Most of them have been written by Afghan authors but some are translations of foreign books.

This list has been prepared after visiting the following bookstores between 15 and 22 April 2003:

- Behzad bookstore Shahr-e-now.
- A. Abdul Hai Habibi bookstore Chicken Street, Shahr-e-now.
- Sabah bookstore Sedarat square, Shahr-e-now
- Hamid bookstore Third Microrayon.
- Third Microrayon bookstore Third Microrayon
- Alama Saljuqi bookstore Shahr-e-now.
- Abdul Salaam Bashari bookstore Karte Parwan.
- Nomani bookstore Karte Parwan
- All booksellers (13) next to the Ministry of Information and Culture (Deh Afghanan)
- 4 mini bookstores Khairkhana.

The researcher browsed through available books at length and then spoke with booksellers and their clients about available and rare books, and about these that are most popular nowadays.

MAIN FINDINGS:

After speaking with booksellers I found out that most of the people in Kabul (of all ethnic groups) are interested in buying books, but their choices are different. Currently the most popular subject in the given domain of research is 20th century history, presumably because of a more liberal publishing atmosphere (throughout the 20th century different regimes have exercised different kinds of censorship).

Authors are mostly Afghans scholars, but Iranian authors' books are also very popular among Afghans. Some translations of foreign works by Iranian scholars are also available.

Most of the books that can be found are written in recent years and published in Kabul or Pakistan.

Prices usually range from 200-500 Afs; books published in Pakistan are cheaper than those published in Afghanistan. But books published in Iran are highly expensive. In addition, generally books published or republished in Pakistan are more available, while the artistic, cultural and historical books published in Kabul are less available.

The majority of books are written in Farsi (Dari), but some Pashtu books are also available.

After research and observation in different bookstores I found out that the most popular books are as following:

Bestsellers:

- 1: Afghanistan in the course of history (first volume)-Mir G. M. Ghubar
- 2: Afghanistan in the course of history (second volume) - Mir G. M. Ghubar
- 3: Afghanistan in the past five centuries - Mir. M. Sidiq Farhang
- 4: Army and politics- Gen. M. Nabi Azimi

Also Popular

- 5: Rise and fall of the People's Democratic Party of Afghanistan - Dastgir Panjshiri
- 6: From the Fall of Kingdom to rise of Taliban - A. Hamid Mubarez
- 7: History of Iranian Literature - G. Maladic
- 8: Herat's monuments - Hussein
- 9: The Hazaras of Afghanistan - S. Askar Musavi
- 10: Behzad Art School - Rahimi

List of History, Literature and Culture Books found in the Kabul Bookstores

Prepared by Mr. Omar Sharifi for the Foundation for Culture and Civil Society

Title	Author	Date	Publisher	Price	Freq.	Subject	Lang.	Remarks	
Art and Culture									
1	Epistle Regarding Mazar and Herat	F.SALJOQI	1999	Sabah, Kabul	?	Rare	Information about historical monuments in Herat and Mazar-e-Sharif	Dari	
2	The Monuments of Herat	A.HUSSEINI	?	Governmental printing press	?	Rare	Archeological study of Herat's monuments (15th century)	Dari	Popular
3	Art and Culture in the Kushan Period	G.ROSENFELD	1978	Governmental printing press	?	Rare	Art and culture of Afghanistan in the Kushan period (40-220 AD)	Dari and Pashtu	
4	Ancient art and culture of Afghanistan	B.RAWLINSON	1967	Governmental printing press	?	Rare	Greco-Bactrian and later art and culture of Afghanistan	Dari	
5	Behzad Art School	A.K.RAHIMI	1991	Ariana printing press (Kabul)	300	Rare	Afghan miniaturists in the Timurid period (15th century AD)	Dari	Popular
6	History of art of portraiture and painting	A.N.WAZIRI	1957	Governmental printing press	?	Rare		Dari	?
7	Islamic art	Dr. DEMAND	1957	Iran	300	Rare	Islamic arts in Iran, Central Asia and Afghanistan	Dari	?
8	Shah Bahar	A.A.KUHZAD	1965	?	?	Available	Information about the famous Zoroastrian temple of Shah Bahar in Balkh	Dari	?
9	Bactrian art	J.HACKIN	1939	Governmental printing press	?	Rare	Art and culture of Bactria in the time of Greco-Bactrian empire (256-120 BC)	Dari	?
10	Important Buddhist Centers in Afghanistan	M.A.IBRAHIMI	1982	Governmental printing press	150	Available		Dari	?
11	List of Calligraphic Documents in the National Archives		1983	Governmental printing press	400	Available		Dari	Popular
12	Historical Monuments of Herat	HUMAYUN	?	Governmental printing press	200		Archeological study of Herat monuments (12th - 15th century)	Dari	Popular
13	Ancient Herat	F.SALJOQI	?	Governmental printing press	200	Available	Cultural and social history of Herat	Dari	
14	Ancient Kabul	N.M.POPALZAI	?		150	Available		Dari	

Title	Author	Date	Publisher	Price	Freq.	Subject	Lang.	Remarks	
15	Timurid Art	A.HAI.HABIBI	1974	Iran	?	Rare	Art and culture in time of Timurids(15th century AD)	Dari	Popular
16	Kushan Art and Civilization	Z.SAFI	1982	Governmental printing press	150	Available		Pashtu	
17	The Inscription of Surkh Kotal	ZEYAR	1990	Education publishing house (Kabul)	350	Rare	Analysis of King Kanishka's famous inscription in Surkh Kotal (Baghlan), second century AD	Pashtu	
Literature and Language									
1	History of Iranian literature	G.MALADIC	2001	Iran	400	Available	Information about Farsi literature in Iran and Afghanistan	Dari	
2	"Diwan Senaii"	SINAI GHAZNAWI	1981	Iran	300	Available	Poems of Sana'i Ghaznavi the famous Afghan poet	Dari	
3	"Diwan Jami"	N.AHMAD	2000	Iran	250	Available	Poems of Jami, famous Afghan poet	Dari	
4	Folkloric Dictionary of Dari literature	A.AFGHAN NAVIS	1990	Governmental printing press	250	Available	Folkloric dictionary of Dari language	Dari	
5	Nooristani Language Alphabet	?	1995	Peshawar, Pakistan	100	Available		Dari	
6	Pashtunkhwa Poetry	J.DARMISTTER	1977	Governmental printing press	100	Available	Poems of famous Afghan and Pakistani Pashtuns	Pashtu	
7	Hazara Dari Dictionary	SHARISTANY	1981	Governmental printing press	?	Available		Dari	
8	History of Dari to the 10th Century AD	A.Q.QAYUM	1986	Governmental printing press	300	Rare		Dari	
9	Folkloric Dari Literature	?	1993	Peshawar, Pakistan	100	Available		Dari	
10	Pashtu Proverbs	BINAWA	1977	Governmental printing press	200	Rare		Pashtu	
History									
1	Afghanistan in the last five centuries	M.SIDIQ. FARHANG	2000	Peshawar, Pakistan	400	Available	Afghanistan's social and political history from 1500 to 1989	Dari	Popular
2	Brief history of Afghanistan	A.HAI.HABIBI	1978	Governmental printing press	150	Available	A brief social and political history of Afghanistan from 550 BC to 1901AD	Pashtu	

	Title	Author	Date	Publisher	Price	Freq.	Subject	Lang.	Remarks
3	History of Afghanistan after the Kushans	A.HAI.HABIBI	1978	Governmental printing press	500	Rare	Early Afghan Islamic political and administrative systems, socio-economic affairs and intellectual life	Dari	Popular
4	Afghanistan in the course of history	M.G.M.GHUBAR	2000	Peshawar, Pakistan	400	Available	Complete social, political economic and administrative history of Afghanistan from the early ages to 1950s	Dari	Best seller
5	Army and politics	M.N.AZIMI	1999	Peshawar, Pakistan		Available	Information about the political and military events from 1978 to 1992	Dari	Best seller
6	Appearance of the first constitution	S.MANSOOR	1997	Peshawar, Pakistan	200	Rare	Information about the first democratic movements in Afghanistan	Dari	Popular
7	A look at world history	J.L.NEHRU	1970	Iran	300	Available	Social and political analysis of the world history	Dari	Popular
8	Afghanistan in the light of history	A.A.KUHZAD	1963	Governmental printing press	?	Rare	Afghanistan's social and political history from early times to the end of the 19th century	Dari	Popular
9	The Ghorids	M.G.M.GHUBAR	1959	Governmental printing press	?	Rare	Social, political and economic affairs of Afghanistan in the 12th century (Ghorid dynasty)	Dari	
10	Ahmad Shah Abdali	M.G.M.GHUBAR	1969	Governmental printing press	?	Rare	Events of Ahmad Shah Abdali's reign, the founder of (modern) Afghanistan	Dari	
11	History of Civilization	V.DORANT	?	Iran	6500	Rare		Dari	
12	The Khwarezm Shahs	Pr. BARTOLD	1987	Governmental printing press	?	Rare	Social, political and economic history of Central Asia and Afghanistan during the Khwarezm Shah dynasty (12 th to 13th century)	Dari	
13	History of Bukhara	M.J.NARSHAKHI	1982	Governmental printing press	?	Rare	History of the Samanid dynasty in central Asia and Afghanistan (10th century AD)	Dari	Popular
14	Historical geography of Ghor	KABUL UNIVERSITY	1981	Governmental printing press	250	Rare	Information about historical places and monuments in the province of Ghor (especially 12th century)	Dari	

	Title	Author	Date	Publisher	Price	Freq.	Subject	Lang.	Remarks
15	History of Mazar-e-Sharif	J.N.MOHAMAD	1992	Balkh publishing house (Mazar)	?	Rare	Short history of Northern Afghanistan	Dari	
16	History of the Ancient East	A.WALI and ZARGHONA	1987	Governmental printing press	?	Rare	Economic and political history of Egypt, Western Asia, Iran and Afghanistan	Dari	
17	Afghanistan in Prehistoric Times	N.TALOQANI	1981	Governmental printing press	100	Available	Research about prehistoric civilization in Afghanistan	Dari	
18	“Seraj-ul Tawarikh”	F.M KATEB	1952	Governmental printing press	300	Available	History of Afghanistan from King Ahmad Shah to King Abdul Rahman	Dari	Popular
19	“Kabul Shahian”	M.O.SIDQI	1978	Governmental printing press	300	Rare	History of the Hindu kings of Kabulistan from the 5th to the 9th century AD	Dari	Popular
20	Kushan Empire	A.A.KUHZAD	1939	Governmental printing press	?	Rare	Political and social history of the Kushans (40-220 AD)	Dari	
21	“Tarikh-e Baihaqi”	A.M.BAIHAQI	1941-1991	Governmental printing press	300	Available	History of Ghaznavi dynasty of Afghanistan (962-1186 AD)	Dari	Popular
22	Later Ghaznavids	K.A.BOSWORTH, translated by A.W FANAYI	1988	Governmental printing press	120	Available	Splendor and decay of the later Ghaznavids in Afghanistan and northern India (1040-1186)	Dari	Popular
23	Babur Shah's period	ACADEMY OF SCIENCE OF AFGHANISTAN	1984	Governmental printing press	300	Rare	The Life of King Babur shah, the founder of the Mongol dynasty of India	Dari	
24	Afghanistan in the Middle Ages	M.Z. DROW GAR	1990	Governmental printing press	400	Rare	Political, administrative and social history of Afghanistan in the Middle Ages	Dari	
25	“Khulasat-ul Akhbar”	KHUND MIR	1965	Governmental printing press	400	Rare		Dari	
26	Mongol history	A.I.AHSTIANY	1967	Iran	400	Available	Available	Dari	
27	Social and Political History of Central Asia	Pr. BARTOLD	1964	University publishing house	150	Rare	Rare	Dari	Popular
28	The Tajiks	GHAFUROV	1983	University publishing house (Kabul)	?	Rare	Political, social and economic history of Tajik people in Central Asia and Afghanistan	Dari	Author from Tajikistan
29	“Tarikh-e Gardizi”	A.H. GARDIZI	1983	Iran	?	Rare	History of Khurasan from the early ages to 10th century AD	Dari	
30	The Hazaras of Afghanistan	S.A MUSAVI	1999	Iran	50	Available	Political, social and economic life of the Hazaras	Dari	

	Title	Author	Date	Publisher	Price	Freq.	Subject	Lang.	Remarks
31	Religious Ideas in the Kushan Period	ABDUL GHAFOOR	1989	Governmental printing press	?	Rare		Dari	
32	Ariana and Afghanistan	N.TORWAYANA	1944	Governmental printing press	?	Rare		Dari and Pashtu	
33	Mundigak civilization and its relation with the Sindh and Mesopotamia	ZEMARAI	1989	Governmental printing press	?	Rare	Research about the Mundigak culture and its relations with other major Asiatic civilizations like Moenjo Daro and Sumer	Pashtu	
34	“Hudud al Alam”	?	1963	Governmental printing press	?	Rare	Geography of Khurasan (former Afghanistan)	Dari	
35	Cities of Ariana	M.O.SIDQI	1974	Governmental printing press	150	Available	Geography of Ariana (ancient Afghanistan)	Dari	
36	Historical geography of Ghazni	M.W. ZALMAI	?	Governmental printing press	150	?	Description of the historical monuments in Ghazni	Pashtu	
37	History of Seistan	?	1978?	Iran	100	Available	History of Seistan from the Arab invasion to the fall of the Khwarezm Shahs	Dari	
38	Human history	M.R.ROHIN	1986	Governmental printing press	200	Available		Pashtu	
39	The rise and fall of Democratic People’s Party of Afghanistan	D.PANJSHIRI	1999	Peshawar, Pakistan	200	Available	History of the communist party of Afghanistan	Dari	Popular
40	Ghaznavids and Ghazni	G.J.JALALI	1972	Governmental printing press	300	Rare	History of the Ghaznavid dynasty of Afghanistan (962-1186 AD)	Dari	Popular
41	From fall of kingdom to the rise of the Taliban	A.H.MUBAREZ	1996-1998	Peshawar, Pakistan	150	Available	History of Afghanistan from 1973 to 1996	Dari	Popular
42	The Coup d’Etat of Thaur (April 1978)	M.A.SISTANI	1997	Peshawar	150	Available	Analysis of the communist era	Dari	