
About this Report

Strengthening the rule of law is an important objective for citizens, governments, donors, and civil society organizations around the world. To be effective, however, strengthening the rule of law requires clarity about the fundamental features of the rule of law as well as an adequate basis for its evaluation and measurement. This report presents select findings from the World Justice Project's nationally representative General Population Poll, conducted in Afghanistan in August and September 2017.

The General Population Poll was conducted through face-to-face interviews in 3,773 urban and rural households distributed proportionally across the 34 provinces of Afghanistan. This poll was designed to capture data on the experiences and perceptions of ordinary people on a variety of themes related to the rule of law, including government accountability, bribery and corruption, crime, and access to justice.

Overall, this report represents the voices of over 3,700 people in Afghanistan and their experiences with the rule of law in their country.

The data derived from the General Population Poll are presented in this report as 10 thematic briefs, each one highlighting a different facet of the rule of law as it is experienced by the population in Afghanistan. These briefs touch upon issues of accountability, corruption, fundamental rights, crime, justice – criminal, civil, and informal – as well as gender. The thematic briefs are designed to call attention to Afghanistan's situation from a national perspective, while simultaneously illuminating key changes over time and comparisons to other South Asian countries, as well as the unique perspectives of various sub-populations of interest, such as women and respondents across the six regions of Afghanistan.

Executive Findings

- 01 Perceptions of Government Accountability:** There is a high perception of impunity in Afghanistan. Fewer than one in four Afghans (21%) think that a high-ranking government officer publicly proven to be embezzling government funds would be prosecuted and punished. At the national level there has been a slight increase in the number of respondents who believe an investigation would be opened without reaching a conclusion (50%). The perception of government accountability varies across Afghanistan, with the Southwest region having the most positive perception of accountability (36%) and the Northern region having the least positive perception (14%). Compared to peer countries in South Asia, perceptions of accountability in Afghanistan are equal to those in Pakistan (21%) and better than those in India (19%), but worse than those in Bangladesh (45%), Sri Lanka (31%), and Nepal (26%).
- 02 Corruption Across Institutions:** Afghans believe that a fair number of authorities are involved in corrupt practices. Judges and magistrates were identified as the most corrupt authorities by respondents (62%), with a moderate increase in perceived levels of corruption since 2013. Since 2013, perceptions of corruption have increased the most for national government officers, with nearly half of Afghans (49%) believing that most or all are involved in corrupt practices as compared to 34% in 2013.
- 03 Bribery Victimization:** Petty bribery is pervasive in Afghanistan. Half of the respondents polled have paid a bribe to process a government permit (50%) and more than one third have paid a bribe to receive assistance from the police (35%). Of all the services captured in the General Population Poll, Afghans pay bribes least often to receive medical attention from public hospitals (22%). Petty bribery varies greatly by region and by service, but on average, petty bribery is the least pervasive in the Southwest and in the Capital.
- 04 Fundamental Freedoms:** Afghans have moderate views on their fundamental freedoms. More than three quarters (77%) of respondents agree or strongly agree that people can join together to draw attention to an issue or sign a petition, and more than half (57%) agree or strongly agree that people are free to join any unforbidden political organization. Roughly two thirds believe that the media can express opinions against the government and that religious minorities are free to observe their holy days (68% and 69%, respectively). While Afghans' views on fundamental freedoms in the country have worsened since 2013, perceptions of religious freedoms have remained steady since 2016 and perceptions of political and media freedoms have improved in the last year.
- 05 Crime Victimization:** Households in Afghanistan experience high rates of crime. In the past three years, 19% of households have experienced a burglary, 14% a murder, and 12% an armed robbery. There are large differences in victimization rates across the six regions of Afghanistan, with the highest burglary (28%) and armed robbery (23%) rates reported in the Western region, and the highest murder rate (21%) reported in the Southwest region. Meanwhile, respondents in the Capital region reported the lowest rates of all three crimes, with 13% of households experiencing a burglary, 2% experiencing a murder, and 2% experiencing an armed robbery. At the national level, reported rates of murder and armed robbery have decreased since 2013, while there has been a slight increase in burglary rates.

06 Criminal Justice: Corruption is deemed to be a serious and growing problem for the criminal justice system in Afghanistan. Corruption was cited as the number one problem facing both investigative services and criminal courts in Afghanistan. Since 2013, Afghans' views on whether police act according to the law (71%) and whether they are punished if they violate the law (55%) have improved. Their views on whether police respect the basic rights of suspects (49%) and whether they are involved in corrupt practices (40%) have worsened since 2013, but have improved since 2016. As for perceptions of courts in Afghanistan, views on how often the courts guarantee everyone a fair trial (46%) have seen only minor changes in the last four years, while perceptions of corruption among judges and magistrates (62%) have worsened since 2013.

07 Access to Civil Justice: More than half of those surveyed (61%) experienced a legal problem in the last two years, with problems relating to land (27%), housing (24%), and family (22%) being among the most commonly reported disputes. Of those who experienced a legal problem, nearly one third (31%) reported that a party involved in the dispute resorted to violence and less than half (42%) turned to an authority or third party to adjudicate, mediate, or help resolve the problem. In terms of problem status, 62% reported that their legal problem is done while 38% reported that their legal problem was still ongoing. Afghans whose legal problem was not yet resolved reported lower levels of satisfaction with the resolution process as well as lower levels of legal capability, confidence, and access to expert help. Nearly half (49%) experienced a hardship as a result of their legal problem, with a relationship breakdown being the most common hardship reported.

08 Legal Awareness: Afghans have a moderate amount of legal knowledge. Out of 10 true or false statements about legal rights, the average respondent answered 6.5 correctly. The greatest percentage of respondents were able to correctly answer questions related to women's legal rights, with between 67% and 88% responding correctly depending on the question. The smallest percentage of respondents identified the correct answer for questions related to land rights, with between 31% and 80% responding correctly depending on the question. Women have slightly higher levels of legal awareness as compared to men, and higher levels of educational attainment also correlated with better legal knowledge.

09 Women in Afghan Society: There are minor differences in men and women's views regarding the rights of women when it comes to inheritance and divorce, but the perception gap grows for questions related to women's role in the community and household dynamics. For example, 57% of female respondents agreed that women should be able to work outside of the home, whereas only 42% of men shared this view. Similarly, 55% of women agreed that a man does not have the right to hit his wife and should be stopped, while only 44% of men agreed with this statement. When asked about legal identification and literacy, 96% of male respondents reported possessing a National ID card and 53% were able to read and write. For female respondents, only 54% possess a National ID card and 23% could read and write.

10 Trust in Afghanistan: Afghans have a high degree of trust in fellow citizens, with 80% reporting that they have a lot or some trust in other people living in Afghanistan. Across institutions, Afghans have the most trust in the police (65%) and the least trust in the courts (43%). Since 2013, there has been a moderate decline in respondents' reported level of trust in the courts.