



**USAID**  
FROM THE AMERICAN PEOPLE

# Quarterly Performance Report October – December 2012

Rule of Law Stabilization Program – Informal Component (RLS-I)  
Contract Number: AID-306-C-12-00013



An elder from Tarnak Wa Jaldak, Zabul province, takes notes during an inheritance law workshop

27 February 2013

This publication was produced for review by the United States Agency for International Development. It was prepared by Checchi and Company Consulting, Inc.



# Quarterly Performance Report

October – December 2012

Rule of Law Stabilization Program – Informal Component

Contract Number: AID-306-C-12-00013

Submitted 27 February 2013 by:

Michael Sinclair

Chief of Party

USAID/Afghanistan Rule of Law Stabilization Program – Informal Component

4<sup>th</sup> District, Ansari Square

2<sup>nd</sup> Street, House No. 149

Kabul

[msinclair@chechiconsulting.com](mailto:msinclair@chechiconsulting.com)

The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.



# CONTENTS

<b>RLS-I PERFORMANCE DATA TABLE.....</b>	<b>1</b>
<b>RLS-I PERFORMANCE AGAINST TARGETS.....</b>	<b>3</b>
Program Objective 1 – Strengthen / Improve TDR Mechanisms .....	3
Program Objective 2 – Strengthened linkages between formal and informal sectors.....	5
Program Objective 3 – Develop approaches addressing long-term intractable disputes .....	6
<b>RLS-I GRADUATION CRITERIA.....</b>	<b>6</b>
Graduation assessment – East region.....	8
Nangarhar .....	8
Laghman.....	19
Kunar.....	22
Graduation assessment – South Region.....	23
Kandahar .....	23
Zabul.....	28
Uruzgan.....	32
<b>GLOSSARY.....</b>	<b>36</b>



## RLS-I PERFORMANCE DATA TABLE

SO:		Improved performance and accountability of governance													
IR I:		Increased public confidence in the rule of law system													
Sub-IR:		I.1.4 Strengthened traditional dispute resolution and justice in contested areas													
Indicator	Unit	Baseline	Oct – Dec 2012		Jan – Mar 2013		Apr – Jun 2013		Jul – Sep 2013		Oct – Dec 2013		Life of Project		
			Target	Actual	Target	Actual									
<b>Goal-level indicators</b>															
1	# of districts graduating from RLS-I	#	4											20	
2	Incidence of harmful practices ( <i>baad</i> , forced marriage) reported by spinarsy	#	62%											50%	
3	# of elders pledging to cease harmful TDR practices	#	--											3300	
<b>Program Objective I: Strengthened TDR systems</b>															
1.1	# of district/regional assessments completed	#	12			15				2				17	
1.2	# elders graduating from RLS-I core program	#	420											1050	
1.3	% elders responding change in community adjudication	%	15%											25%	
1.4	% of elders reporting successful application of any element of RLS-I training	%	--											15%	
1.5	Change in disputant assessment (Procedural justice, subversion, equity)	Mean, %	3.8; 1.7; 4.1											5%	
1.6	% knowledge gain in learning workshop content	%	-											20%	



Indicator	Unit	Baseline	Oct – Dec 2012		Jan – Mar 2013		Apr – Jun 2013		Jul – Sep 2013		Oct – Dec 2013		Life of Project	
			Target	Actual	Target	Actual								
1.7 # of public advocacy campaigns on human rights supported by USG	#	3											6	
1.8 % knowledge gain among recipients of outreach material	%	5%											10%	
1.9 # Women’s Dispute Resolution Groups (Spinsary) established	#	25			5		10		10				25	
1.10 # disputes resolved by Spinsary Groups	#	486		61			100		100		200		400	
<b>Program Objective 2: Strengthened linkages between formal and informal justice sectors</b>														
2.1 % elders using RLS-I decision book after one month	%	25%		22%									30%	
2.2 # of dispute resolutions documented by elders	#	120		56										
2.3 % elders registering decisions with government	%	35%		23%									40%	
2.4 # of resolutions registered with district institution	#	46		13										
2.5 # of TDR decisions recorded with Huqooq	#	-		124									-	
2.6 # of linkages assessments completed	#	-			5		5		5		2		17	
<b>Program Objective 3: Develop approaches that successfully resolve long-term, destabilizing disputes</b>														
3.1 # longstanding disputes identified	#	23		5	2		2		2				6	
3.2 # longstanding disputes resolved	#	11		1					2		4		6	

## RLS-I PERFORMANCE AGAINST TARGETS

### Program Objective I – Strengthen / Improve TDR Mechanisms

<i>Indicator 1</i>	Number of districts graduating from RLS-I
<i>Target:</i>	20 (life of project)
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. Assessment of graduation and handover of Phase 1 and Phase 2 districts will take place during the Jan-March quarter.
<i>Indicator 2</i>	Incidence of harmful practices reported by <i>spinsary</i>
<i>Target:</i>	12% reduction (life of project)
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. <i>Spinsary</i> groups will be interviewed at baseline during the January – March 2013 quarter, with follow-up in September 2013 – November 2013. This indicator will be reported in the final evaluation and program reports.
<i>Indicator 3:</i>	# elders per district pledging to cease harmful TDR practices
<i>Target:</i>	3,300 (100 per district)
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. Elders will be offered the opportunity to make a formal pledge or commit to a code of conduct by the capstone network meetings of the second tranche districts, currently scheduled to take place in September-October 2013, as well as at the handover network meetings for Phase 1 and Phase 2 districts.
<i>Indicator 1.1:</i>	Number of regional / district assessments completed
<i>Target:</i>	17
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. Assessments will be submitted during the January – March 2013 quarter.
<i>Indicator 1.2:</i>	Number of elders graduating from RLS-I core program
<i>Target:</i>	1,050 (75 per district)
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. Graduation data will be reported for the April-June quarter once the program cycle has concluded for Phase 1 and Phase 2 maintenance districts and the first tranche of new Phase 3 districts.
<i>Indicator 1.3:</i>	% elders reporting change in adjudication
<i>Target:</i>	25%
<i>Actual:</i>	--
<i>Variance:</i>	Not applicable. Baseline data collection took place in November – December 2012. Midline data collection will take place in April-May 2013, and endline data collection in October 2013. Based on this schedule, this indicator will be

reported on for the April – June 2013 quarter, the final performance report, and the evaluation report.

*Indicator 1.4:* % elders reporting successful application of any element of RLS-I training  
*Target:* 15%  
*Actual:* --  
*Variance:* Not applicable. Baseline data collection took place in November – December 2012. Midline data collection will take place in April-May 2013, and endline data collection in October 2013. Based on this schedule, this indicator will be reported on for the April – June 2013 quarter, the final performance report, and the evaluation report.

*Indicator 1.5* Change in disputant assessment  
*Target:* 5% improvement against baseline  
*Actual:* --  
*Variance:* Not applicable. Endline data collection from disputants will take place in October 2013 and be reported in the final evaluation and program reports.

*Indicator 1.6:* % knowledge gain among participants of learning workshops  
*Target:* 20% improvement over baseline  
*Actual:* --  
*Variance:* Not applicable. Baseline data collection took place in November – December 2012. Midline data collection will take place in April-May 2013, and endline data collection in October 2013. Based on this schedule, this indicator will be reported on for the April – June 2013 quarter, the final performance report, and the evaluation report.

*Indicator 1.7:* Number of public advocacy campaigns on human rights supported by USG  
*Target:* 6 districts (life of project)  
*Actual:* --  
*Variance:* Not applicable. Outreach will commence during the January 2013 – March 2013 quarter.

*Indicator 1.8* % knowledge gain among recipients of outreach material  
*Target:* 10% (life of project)  
*Actual:* --  
*Variance:* Not applicable. Baseline data collection for evaluation of the RLS-I outreach program will take place in January 2013, with follow-up data collection in September – October 2013. This indicator will be reported during the July – September 2013 quarter report.

*Indicator 1.9* # women’s dispute resolution groups (*Spinsary*) established  
*Target:* --  
*Actual:* --  
*Variance:* Not applicable. *Spinsary* groups will be established starting in the January – March 2013 quarter. Twenty-five groups are targeted for the life of project.

**Indicator 1.10** # disputes resolved by *Spinsary* groups  
**Target:** --  
**Actual:** 45  
**Variance:** None. The *spinsary* group decisions reported for this quarter are from Phase 1 and Phase 2 districts that were not included in the targeting in the Phase 3 performance data table. RLS-I will measure *spinsary* decisions for Phase 3 *spinsary* groups in the April 2013 – June 2013 quarter. The life-of-project target is 400 disputes resolved.

## Program Objective 2 – Strengthened linkages between formal and informal sectors

**Indicator 2.1:** % elders using RLS-I decision books after one month  
**Target:** 30% (life of project)  
**Actual:** 22%  
**Variance:** Slightly below target. This is likely due to oversampling Phase 1 districts during the period reported, which typically have lower usage rates compared to Phase 2 districts.

**Indicator 2.2:** # of disputes documented by elders  
**Target:** --  
**Actual:** 56  
**Variance:** The elders sampled during the reporting period recorded a total of 56 disputes in the RLS-I decision books.

**Indicator 2.3:** % elders registering decisions with government  
**Target:** 40% (life of project)  
**Actual:** 23%  
**Variance:** Below target. This is likely due to oversampling Phase 1 districts during the period reported, which typically have lower registration rates compared to Phase 2 districts.

**Indicator 2.4:** Number of resolutions registered with district institution  
**Target:** --  
**Actual:** 13  
**Variance:** Of the 56 decisions recorded during the reporting period, 13 were also registered with the district government.

**Indicator 2.5:** # of TDR decisions recorded with *Huqooq*  
**Target:** --  
**Actual:** 124  
**Variance:** For the period March – May 2012, *Huqooq* national case statistics indicated 124 decisions resolved by TDR actors (15% of all *Huqooq* decisions). This figure does not include Zabul and Uruzgan due to data quality issues with GIRA reporting.



*Indicator 2.6:* # linkages assessments completed  
*Target:* --  
*Actual:* --  
*Variance:* Not applicable. The target for the January 2013 – March 2013 quarter is five justice linkages assessments.

### **Program Objective 3 – Develop approaches addressing long-term intractable disputes**

*Indicator 3.1:* Number of longstanding, potentially destabilizing disputes identified and taken before TDR actors for resolution.  
*Target:* 40 (life of project)  
*Actual:* 5  
*Variance:* None. The identified disputes reported here are from Phase 1 and Phase 2 districts and were not included in the targeting for the Phase 3 proposal.

*Indicator 3.2:* Number of longstanding, potentially destabilizing disputes resolved in intervention districts by TDR actors  
*Target:* 15 (life of project)  
*Actual:* 1  
*Variance:* Not applicable for this quarter in Phase 3 districts. However, one longstanding dispute from among those identified during Phase 2 was resolved with the help of RLS-I participants.

## **RLS-I GRADUATION CRITERIA**

District graduation refers to the point at which an RLS-I district achieves specified program objectives and is ready to continue to pursue those objectives without further RLS-I assistance or with only limited “maintenance” support for a limited period of time. RLS-I has two sets of criteria for determining district graduation.

The first set of district graduation criteria emphasizes procedure based on program inputs. That is, has a critical mass of program participants passed through the RLS-I core curriculum? Have formal-informal justice linkages been established? Are RLS-I participants taking advantage of networking meetings to collaborate on long-standing disputes and to share their experiences? The procedural criteria pertain mainly to the stabilization hypothesis – that strengthening TDR systems in communities with nascent or absent formal justice sector institutional presence will reduce the likelihood of such communities resorting to competing forms of governance and justice (for example, power brokers or the Taliban) and will prepare the way for a complementary and mutually supportive relationship between the formal and informal justice sectors. RLS-I will assess graduation criteria based on program inputs for each new Phase 3 district at the conclusion of implementation of the core program and again after a period of maintenance programming.

The second set of district graduation criteria focuses on evidence of program impact through changes in TDR adjudication and associated reduction in harmful practices. Here, the key measures are reduction in harmful practices and other rights violations, reduced influence of local power brokers who might

otherwise subvert the integrity of the TDR system, and progress toward perceptual benchmarks on measures such as the proper relationship between the formal and informal justice sectors and the desirability of certain standards of TDR adjudication and outcomes. RLS-I will evaluate the achievement of district graduation criteria related to program impact, or societal change, through the program impact evaluation as well as qualitative research.

RLS-I cannot bring about social and behavioral change on its own, but also depends on broader social, cultural, and economic development within Afghan communities. Furthermore, district graduation is not an objective judgment based solely on data, but requires consultation among all stakeholders based on examination of available data sources and stakeholders' expert opinion.

Each category of RLS-I district graduation criteria is described in the following table:

Criterion	Threshold	RLS-I data source
<b>Procedural graduation criteria</b>		
Full RLS-I core program implemented	Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)	Database
Protocols for dispute referral and registration established	Yes/no	Monitoring reports
Consistent recording of TDR decisions on RLS-I forms	At least 30% usage rates of RLS-I decision books in Phase 2 or Phase 3 districts	Monitoring reports
Consistent registration of recorded TDR decisions by formal justice sector officials	At least 40% of elders who record decisions also report registering decisions with government	Monitoring reports
Cohort of female RLS-I participants in the district	Minimum 20-30 women reached in South; 30-60 reached in East	Monitoring reports
Evidence of participants' collaboration to address disputes, especially legacy disputes	Collaboration on a minimum of one long-standing dispute per district	Qualitative research, monitoring reports
Benchmarks of disputant perceptions met in disputant cases	Improvement over baseline	Impact evaluation
Benchmarks of knowledge and attitude met in elder interviews	Improvement over baseline	Impact evaluation

Criterion	Threshold	RLS-I data source
<b>Impact level graduation criteria</b>		
Benchmarks of disputant perceptions met in disputant cases	Improvement over baseline	Impact evaluation
Benchmarks of knowledge and attitude met in elder interviews	Improvement over baseline	Impact evaluation
Demonstrated involvement of women in TDR processes	Improvement over baseline	Impact evaluation; qualitative research; monitoring reports
Attempts to avoid harmful practices in resolution of cases	Awareness of alternatives documented in minimum two villages	Qualitative judgment from RLS-I based on pre-assessment, ongoing monitoring, and post-assessment

Preliminary status of graduation criteria based on programmatic inputs follows.

## Graduation assessment – East region

### Nangarhar

*District:* Bati Kot  
*Program Phase:* One  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 538 total participations have been tracked for Phase 2 and Phase 3, with an additional several hundred elders reached estimated for Phase 1.  
*Variance:* None. Bati Kot satisfies this criterion based on the mass outreach model of Phase 1.

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 273 total female participations have been tracked for Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1.  
*Variance:* None. Bati Kot satisfies this criterion of 30-60 women reached in East region.

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* Two State-TDR coordination meetings were held during Phase 2, with at least one coordination meeting conducted during Phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be

registered with the district. Both formal and informal justice actors recognized and accepted the distinction between *haq-ul abd* and *haq-ullah*, and discussed strategies for mitigating the relative strengths and weaknesses of each sector.

**Variance:** None. Bati Kot satisfies this criterion for graduation.

**Criterion:** Consistent recording of TDR decisions on RLS-I forms

**Target:** 25% usage rate (15% for Phase I districts)

**Actual:** No data sample.

**Variance:** Not applicable. A sample of decision books will be reviewed during the January 2013 – March 2013 quarter.

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials

**Target:** 35% registration rate (15% for Phase I districts)

**Actual:** No data sample.

**Variance:** Not applicable. A sample of decision books will be reviewed during the January 2013 – March 2013 quarter.

**Criterion:** Evidence of collaboration to address longstanding, potentially destabilizing disputes

**Target:** Collaboration on at least one longstanding dispute

**Actual:** RLS-I program participants identified and collaborated on resolving a longstanding land dispute over private and government lands and the construction of a canal that aggravated conflict between two tribes as well as the seasonal migration of Kuchis. To date, the dispute has not been resolved and low-level skirmishes among all parties continue.

**Variance:** None. Bati Kot satisfies this criterion for graduation.

**Criterion:** Avoiding harmful practices

**Target:** Program participants seek alternatives to *baad*

**Actual:** RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad*. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

**Variance:** None. Bati Kot satisfies this criterion for graduation.

**SUMMARY:** Bati Kot has summary measures on all graduation criteria except for a sampling of decision books tracking to estimate the usage and registration rate of elder decisions. However, staff, program participants, and district actors report that steady collaboration and registration of decisions between elders and the district government.

**DETERMINATION:** Bati Kot has graduated from RLS-I assistance. The volunteer elder networks have expressed interest in replicating RLS-I activities such as the learning workshops, networking, and collaboration with the state. Where feasible, RLS-I will continue to monitor the activities of volunteer elders in graduated districts.

*District:* Kama  
*Program Phase:* One  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 478 total participations for Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1. A total of 36 elders have attended at least three learning workshops during Phase 2 and Phase 3.  
*Variance:* None. Kama satisfies this criterion for graduation.

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 739 total participations in Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1.  
*Variance:* None. Kama satisfies this criterion for graduation.

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* One State-TDR coordination meeting took place in Phase 2, and at least one meeting took place in Phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.  
*Variance:* None. Kama satisfies this criterion for graduation

*Criterion:* Consistent recording of TDR decisions on RLS-I forms  
*Target:* 25% usage rate (15% for Phase I districts)  
*Actual:* Of a sample of 12 elders, 25% had recorded at least one decision.  
*Variance:* None. Kama satisfies this criterion for graduation

*Criterion:* Consistent registration of recorded TDR decisions by formal justice sector officials  
*Target:* 35% registration rate (15% for Phase I districts)  
*Actual:* Of the elders who had recorded a dispute, 67% had also registered at least one of the disputes with the district government.  
*Variance:* None. Kama satisfies this criterion for graduation

*Criterion:* Evidence of collaboration to address longstanding disputes  
*Target:* Collaboration on at least one longstanding dispute  
*Actual:* RLS-I program participants identified and collaborated on resolving a longstanding involving a footpath between two rivers that developed into a blood feud. There was a government decision on various skirmishes between the families, but no resolution of the original dispute. Eventually a well-known informal justice actor who was an RLS-I participant was delegated the task of brokering a lasting solution. After investigation and elaborate compensation



based on the history of the dispute, this the two families reconciled after 31 years of enmity and conflict.

*Variance:* None. Kama satisfies this criterion for graduation.

*Criterion:* Avoiding harmful practices

*Target:* Program participants seek alternatives to *baad*

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows. Similarly, staff report that other harmful practices, such as the misuse of *machalga*, is also decreasing.

*Variance:* None. Kama satisfies this criterion for graduation.

**SUMMARY:** Kama satisfies all graduation criteria

**DETERMINATION:** Kama has graduated from RLS-I assistance. The volunteer elder networks have expressed interest in replicating RLS-I activities such as the learning workshops, networking, and collaboration with the state. Where feasible, RLS-I will continue to monitor the activities of volunteer elders in graduated districts.

*District:* Khas Kunar

*Program Phase:* One

*Criterion:* Full RLS-I core program implemented

*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase I)

*Actual:* 369 total participations, with an additional several hundred reached estimated for Phase I.

*Variance:* None. Khas Kunar satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district

*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East

*Actual:* 230 total female participations for Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase I.

*Variance:* None. Khas Kunar satisfies this graduation criterion.

*Criterion:* Protocols for dispute referral and registration established

*Target:* State-TDR coordination meetings resulting in verbal agreement

*Actual:* One State-TDR coordination meeting took place in Phase 2, and at least one meeting took place in Phase I. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district. However, there were some difficulties identified by state actors, who complained about lack of support from elders and occasional usurpation of the authority of the state to handle criminal cases.



**Variance:** Protocols are established; however, the relationship between formal and informal could be improved.

**Criterion:** Consistent recording of TDR decisions on RLS-I forms

**Target:** 25% usage rate (15% for Phase I districts)

**Actual:** Of 15 elders sampled, 20% had recorded at least one dispute in the RLS-I decision book.

**Variance:** None. Khas Kunar satisfies this graduation criterion

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials

**Target:** 35% registration rate (15% for Phase I districts)

**Actual:** Of three elders who had recorded a dispute, 67% had also registered at least one dispute with the district government.

**Variance:** None. Khas Kunar satisfies this criterion for graduation

**Criterion:** Evidence of collaboration to address longstanding disputes

**Target:** Collaboration on at least one longstanding dispute

**Actual:** No longstanding dispute identified for Khas Kunar

**Variance:** No collaboration as elders have not identified a longstanding dispute

**Criterion:** Avoiding harmful practices

**Target:** Program participants seek alternatives to *baad*

**Actual:** RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

**Variance:** None. Khas Kunar satisfies this graduation criterion

**SUMMARY:** Khas Kunar has summary measures on all graduation criteria except for collaboration on a longstanding dispute. However, even in the absence of this criterion, staff, program participants, and district actors report steady collaboration between formal and informal justice actors on dispute referral both from elders to the district, and from the district to elders.

**DETERMINATION:** Khas Kunar has graduated from RLS-I assistance. The volunteer elders have expressed interest in replicating RLS-I activities such as the learning workshops, networking, and collaboration with the state. Where feasible, RLS-I will continue to monitor the activities of volunteer elders in graduated districts.

**District:** Rodat

**Program Phase:** One

**Criterion:** Full RLS-I core program implemented

**Target:** Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)

<i>Actual:</i>	591 total participations in Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1. A total of 46 elders have attended at least three learning workshops.
<i>Variance:</i>	None. Rodat satisfies this graduation criterion.
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	829 total female participations for Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1.
<i>Variance:</i>	None. Rodat satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	One State-TDR coordination meeting held in Phase 2 and Phase 3, with at least one additional coordination meeting held in Phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or <i>Shari'ah</i> , that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district. However, there were some difficulties identified by informal actors, who complained about too much interference from external state actors such as provincial council members or parliamentarians whenever the elders referred disputes to the district for resolution.
<i>Variance:</i>	None. Rodat satisfies this graduation criterion.
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	Of 14 elders sampled, one elder had recorded a total of three disputes, for a district usage rate of 7.1%
<i>Variance:</i>	Rodat does not yet satisfy this graduation criterion
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	The elder who had recorded three disputes did not register any of them with the district government, for a 0% registration rate.
<i>Variance:</i>	Rodat does not yet satisfy this graduation criterion
<i>Criterion:</i>	Evidence of collaboration to address longstanding disputes
<i>Target:</i>	Collaboration on at least one longstanding dispute
<i>Actual:</i>	Rodat elders have not identified any longstanding dispute
<i>Variance:</i>	No collaboration as elders have not identified a longstanding dispute.
<i>Criterion:</i>	Avoiding harmful practices
<i>Target:</i>	Program participants seek alternatives to <i>baad</i>

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

*Variance:* None. Rodat satisfies this graduation criterion

**SUMMARY:** Rodat is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration between elders and the district government, and registration of more common disputes. Rodat also does not meet the graduation criteria of dispute documentation and registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal justice sectors is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Rodat has graduated from RLS-I assistance; however, the volunteer elder network for Rodat must be encouraged to pay special attention to the issue of dispute documentation and registration.

*District:* Ghani Khail (Shinwar)

*Program Phase:* One

*Criterion:* Full RLS-I core program implemented

*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)

*Actual:* 678 total participations in Phase 2 and Phase 3, with an additional several hundred reached estimated for Phase 1. A total of 49 elders have attended at least four learning workshops.

*Variance:* None. Ghani Khail satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district

*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East

*Actual:* 308 female participations in Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1.

*Variance:* None. Ghani Khail satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established

*Target:* State-TDR coordination meetings resulting in verbal agreement

*Actual:* One State-TDR coordination meeting held in Phase 2 and Phase 3, with at least one additional coordination meeting held in Phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.

<b>Variance:</b>	None. Ghani Khail satisfies this graduation criterion
<b>Criterion:</b>	Consistent recording of TDR decisions on RLS-I forms
<b>Target:</b>	25% usage rate (15% for Phase I districts)
<b>Actual:</b>	A sample of 9 elders did not record any disputes in the RLS-I decision books, for a 0% usage rate.
<b>Variance:</b>	Ghani Khail does not yet meet this graduation criterion
<b>Criterion:</b>	Consistent registration of recorded TDR decisions by formal justice sector officials
<b>Target:</b>	35% registration rate (15% for Phase I districts)
<b>Actual:</b>	With no recorded disputes, the registration rate is also 0%
<b>Variance:</b>	Ghani Khail does not yet satisfy this graduation criterion
<b>Criterion:</b>	Evidence of collaboration to address longstanding disputes
<b>Target:</b>	Ghani Khail elders have not identified any longstanding dispute
<b>Variance:</b>	No collaboration as elders have not identified a longstanding dispute
<b>Criterion:</b>	Avoiding harmful practices
<b>Target:</b>	Program participants seek alternatives to <i>baad</i>
<b>Actual:</b>	RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to <i>baad</i> and other harmful practices. Furthermore, the impression among all parties is that <i>baad</i> is decreasing as awareness of alternatives to <i>baad</i> grows. However, there was a recent dispute in Ghani Khail that involved the use of exchange marriages between families ( <i>badal</i> ). The dispute was resolved without this harmful practice, but its potential use remains a matter of concern.
<b>Variance:</b>	Ghani Khail meets this graduation criterion, however continued vigilance on the part of the elder network is recommended.

**SUMMARY:** Ghani Khail is missing a summary measure of collaboration on a longstanding dispute, and does not yet meet graduation criteria based on dispute documentation and registration. Program staff report that Ghani Khail elders will typically document a dispute (with or without the RLS-I decision books) but not typically register the dispute with the government. A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage. Furthermore, Ghani Khail elders are more likely to settle criminal disputes according to local tradition rather than refer to the district government. This likely reflects the fierce attachment to local custom that is characteristic of districts of Shinwar.

**DETERMINATION:** Ghani Khail elders are supportive of the RLS-I program and work towards its objectives. On the other hand, a strong attachment to local custom that is characteristic of Shinwar districts also poses additional obstacles. Ghani Khail may be considered graduated from RLS-I assistance, but intensive monitoring of the volunteer network is needed to ensure that existing gains are expanded and

the existing issues with dispute referral, documentation, and registration are addressed.

*District:* Dara-i-Nur  
*Program Phase:* Two  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 855 total participations for Phase 2 and Phase 3. A total of 107 elders have attended at least five learning workshops.  
*Variance:* None. Dara-i-Nur satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 911 female participations in Phase 2 and Phase 3. A total of 92 women attended at least four learning workshops.  
*Variance:* None. Dara-i-Nur satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* Two State-TDR coordination meetings were held in Phase 2 and Phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district. One notable trend for Dara-i-Nur was that elders in the first coordination meeting voiced criticism of weak government enforcement power. However, in the second coordination meeting five months later, the elders were much more supportive and positive in discussing dispute coordination, referral, recording, and registration.  
*Variance:* None. Dara-i-Nur satisfies this graduation criterion

*Criterion:* Consistent recording of TDR decisions on RLS-I forms  
*Target:* 25% usage rate (15% for Phase I districts)  
*Actual:* Of 15 elders sampled, 20% had recorded at least one decision.  
*Variance:* Slightly below target. A second sample will be taken during the January – March 2013 quarter.

*Criterion:* Consistent registration of recorded TDR decisions by formal justice sector officials  
*Target:* 35% registration rate (15% for Phase I districts)  
*Actual:* Of the elders who had recorded a decision, none had registered any of the decisions with the district government.  
*Variance:* Dara-i-Nur does not yet satisfy this graduation criterion

*Criterion:* Evidence of collaboration to address longstanding disputes  
*Target:* Collaboration on at least one longstanding dispute  
*Actual:* No longstanding dispute has been identified for Dara-i-Nur  
*Variance:* No collaboration as elders have not identified a longstanding dispute

*Criterion:* Avoiding harmful practices  
*Target:* Program participants seek alternatives to *baad*  
*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.  
*Variance:* None. Dara-i-Nur satisfies this graduation criterion

**SUMMARY:** Dara-i-Nur is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration and registration of more common disputes between elders and the district government. Dara-i-Nur also does not yet meet the graduation criteria of dispute documentation and registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Dara-i-Nur has graduated from RLS-I assistance; however, the volunteer elder network for Dara-i-Nur must be encouraged to pay special attention to the issue of dispute documentation and registration.

*District:* Jalalabad municipality, *nahiya* 5  
*Program Phase:* Two  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 854 total participations for phase 2 and phase 3; a total of 66 elders have attended at least five learning workshops.  
*Variance:* None. Jalalabad municipality, *nahiya* 5 satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 488 total participations for phase 2 and phase 3; a total of 111 women have attended at least three learning workshops.  
*Variance:* None. Jalalabad municipality, *nahiya* 5 satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* Two State-TDR coordination meetings were held in Phase 2 and 3 and at least 1 in phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed

that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.

**Variance:** None. Jalalabad municipality, *nahiya* 5 satisfies this graduation criterion

**Criterion:** Consistent recording of TDR decisions on RLS-I forms

**Target:** 25% usage rate (15% for Phase I districts)

**Actual:** No data sample.

**Variance:** Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials

**Target:** 35% registration rate (15% for Phase I districts)

**Actual:** No data sample.

**Variance:** Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Evidence of collaboration to address longstanding disputes

**Target:** Collaboration on at least one longstanding dispute

**Actual:** No longstanding dispute has been identified for Jalalabad municipality, *nahiya* 5

**Variance:** No collaboration as elders have not identified a longstanding dispute

**Criterion:** Avoiding harmful practices

**Target:** Program participants seek alternatives to *baad*

**Actual:** RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows. In addition, *nahiya* 5 is a sub district of Jalalabad municipality, where people are relatively educated and more aware of their legal rights and responsibilities.

**Variance:** None. Jalalabad municipality, *nahiya* 5 satisfies this graduation criterion

**SUMMARY:**

Jalalabad municipality, *nahiya* 5 is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration and registration of more common disputes between elders and the district government. *Nahiya* 5 also does not meet the graduation criteria of dispute documentation and registration. A sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:**

Jalalabad municipality, *nahiya* 5 has graduated from RLS-I assistance; however, the volunteer elder network for *nahiya* 5 must be encouraged to pay special attention to the issue of dispute documentation and registration.

## Laghman

<i>District:</i>	Qarghayi
<i>Program Phase:</i>	Two
<i>Criterion:</i>	Full RLS-I core program implemented
<i>Target:</i>	Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)
<i>Actual:</i>	114 total participations for phase 2 and phase 3 with an additional several hundred estimated for Phase 1
<i>Variance:</i>	None. Qarghayi district satisfies this graduation criterion
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	309 total participations for phase 1 and phase 2, with an additional few hundred estimated for Phase 1. A total of 47 women have attended at least three learning workshops.
<i>Variance:</i>	None. Qarghayi district satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	One State-TDR coordination meetings were held in Phase 2 and at least 2 in phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or <i>Shari'ah</i> , that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.
<i>Variance:</i>	None. Qarghayi district satisfies this graduation criterion
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	Of 16 elders sampled, 19% had recorded at least one decision.
<i>Variance:</i>	Below target. A second sample will be taken during the January – March 2013 quarter.
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	None of the decisions was registered with the government. One reason for this reported by the RLS-I staff in the field is that most of the elders used to record their decisions with the IDLG <i>shura</i> , but since the <i>shura</i> is not functional officially, most of the elders don't bring their decisions to the government.
<i>Variance:</i>	Qarghayi does not yet satisfy this graduation criterion



*Criterion:* Evidence of collaboration to address longstanding disputes  
*Target:* Collaboration on at least one longstanding dispute  
*Actual:* RLS-I program participants identified and collaborated on resolving a longstanding dispute between Kuchis and Pashayee tribes over land. No resolution of the dispute.  
*Variance:* None. Qarghayi district satisfies this graduation criterion

*Criterion:* Avoiding harmful practices  
*Target:* Program participants seek alternatives to *baad*  
*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.  
*Variance:* None. Qarghayi district satisfies this graduation criterion

**SUMMARY:** Qarghayi district is slightly below target in terms of recording of TDR decisions on RLS-I forms. The district also does not yet meet the graduation criteria of dispute registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage

**DETERMINATION:** Qarghayi district has graduated from RLS-I assistance; however, the volunteer elder network for Qarghayi must be encouraged to pay special attention to the issue of dispute documentation and registration.

*District:* Mihtarlam  
*Program Phase:* Two  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 811 total participations for phase 2. A total of 75 elders have attended at least five learning workshops.  
*Variance:* None. Mihtarlam district satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 561 total participations for phase 2 and 3. A total of 55 women attended at least four learning workshops  
*Variance:* None. Mihtarlam district satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* One State-TDR coordination meetings were held in Phase 2 and at least 2 in phase 1. As a result of discussions between formal and informal justice actors, a

positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.

**Variance:** None. Mihtarlam district satisfies this graduation criterion

**Criterion:** Consistent recording of TDR decisions on RLS-I forms

**Target:** 25% usage rate (15% for Phase I districts)

**Actual:** Not applicable.

**Variance:** A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials

**Target:** 35% registration rate (15% for Phase I districts)

**Actual:** No data sample

**Variance:** Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Evidence of collaboration to address longstanding disputes

**Target:** Collaboration on at least one longstanding dispute

**Actual:** No longstanding dispute identified for Mihtarlam

**Variance:** No collaboration as elders have not identified a longstanding dispute

**Criterion:** Avoiding harmful practices

**Target:** Program participants seek alternatives to *baad*

**Actual:** RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

**Variance:** None. Mihtarlam district satisfies this graduation criterion

**SUMMARY:**

Mihtarlam is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration and registration of more common disputes between elders and the district government. Mihtarlam also does not yet meet the graduation criteria of dispute documentation and registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Mihtarlam has graduated from RLS-I assistance; however, the volunteer elder network for Mihtarlam must be encouraged to pay special attention to the issue of dispute documentation and registration.

## Kunar

<i>District:</i>	Nurgal
<i>Program Phase:</i>	Two
<i>Criterion:</i>	Full RLS-I core program implemented
<i>Target:</i>	Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)
<i>Actual:</i>	1,274 total participations for phase 2. A total of 141 elders have attended a minimum of five learning workshops
<i>Variance:</i>	None. Nurgal district satisfies this graduation criterion
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	573 total participations for phase 2. A total of 50 women have attended at least four learning workshops
<i>Variance:</i>	None. Nurgal district satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	Three State-TDR coordination meetings were held in Phase 2 and Phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or <i>Shari'ah</i> , that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.
<i>Variance:</i>	None. Nurgal district satisfies this graduation criterion
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	Of 31 elders sampled, four recorded 14 disputes for a usage rate of 13%.
<i>Variance:</i>	Nurgal district does not yet satisfy this graduation criterion
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	25%. Below the target. Of the four elders who had recorded a decision, one of them had registered a decision with the district government.
<i>Variance:</i>	Nurgal district does not yet satisfy this graduation criterion
<i>Criterion:</i>	Evidence of collaboration to address longstanding disputes
<i>Target:</i>	Collaboration on at least one longstanding dispute
<i>Actual:</i>	No longstanding dispute identified for Nurgal
<i>Variance:</i>	No collaboration as elders have not identified a longstanding dispute

*Criterion:* Avoiding harmful practices  
*Target:* Program participants seek alternatives to *baad*  
*Actual:* RLS-I staff, program participants, and other stakeholders report that elders seek alternatives to *baad*. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.  
*Variance:* None. Nurgal district satisfies this graduation criterion

**SUMMARY:** Nurgal is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration and registration of more common disputes between elders and the district government. Nurgal also does not yet meet the graduation criteria of dispute documentation and registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Nurgal has graduated from RLS-I assistance; however, the volunteer elder network for Nurgal must be encouraged to pay special attention to the issue of dispute documentation and registration.

## Graduation assessment – South Region

### Kandahar

*District:* Daman  
*Program Phase:* One  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 716 total participations for Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1. A total of 86 elders have attended at least four learning workshops.  
*Variance:* None. Daman satisfies this graduation criterion both on the mass outreach (Phase 1) and concentrated capacity building (Phase 2 and Phase 3) program models.

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 631 female participations for Phase 2 and Phase 3, with an additional few hundred estimated for Phase 1. A total of 71 women have attended at least three learning workshops.  
*Variance:* None. Daman satisfies this graduation criterion

**Criterion:** Protocols for dispute referral and registration established  
**Target:** State-TDR coordination meetings resulting in verbal agreement  
**Actual:** Several State-TDR coordination meetings were held in Phase 2 and Phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.

**Variance:** None. Daman satisfies this graduation criterion

**Criterion:** Consistent recording of TDR decisions on RLS-I forms  
**Target:** 25% usage rate (15% for Phase I districts)  
**Actual:** Of 8 elders sampled, three (38%) had recorded at least one decision  
**Variance:** None. Daman satisfies this graduation criterion

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials  
**Target:** 35% registration rate (15% for Phase I districts)  
**Actual:** Of the three elders who had recorded at least one dispute, all had also registered the dispute with the government for a registration rate of 100%.

**Variance:** None. Daman satisfies this graduation criterion

**Criterion:** Evidence of collaboration to address longstanding disputes  
**Target:** Collaboration on at least one longstanding dispute  
**Actual:** No longstanding dispute identified  
**Variance:** No collaboration, as no longstanding dispute was identified

**Criterion:** Avoiding harmful practices  
**Target:** Program participants seek alternatives to *baad*  
**Actual:** RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

**Variance:** None. Daman satisfies this graduation criterion

**SUMMARY:** Daman has summary measures on all graduation criteria except for collaboration on a longstanding dispute. However, even in the absence of this criterion, staff, program participants, and district actors report steady collaboration between formal and informal justice actors on dispute referral both from elders to the district, and from the district to elders.

**DETERMINATION:** Daman has graduated from RLS-I assistance; however, the volunteer elder network for Daman must be encouraged to pay special attention to the issue of dispute documentation and registration.



<i>District:</i>	Kandahar municipality, <i>nahiya</i> 9
<i>Program Phase:</i>	One
<i>Criterion:</i>	Full RLS-I core program implemented
<i>Target:</i>	Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)
<i>Actual:</i>	691 participations in Phase 2 and Phase 3, with an additional few hundred reached estimated for Phase 1. A total of 50 elders have attended at least five learning workshops.
<i>Variance:</i>	None. Kandahar municipality, <i>nahiya</i> 9 satisfies this graduation criterion
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	613 female participations for Phase 2 and Phase 3, an additional few hundred estimated for Phase 1. A total of 50 women have attended at least three learning workshops.
<i>Variance:</i>	None. Kandahar municipality, <i>nahiya</i> 9 satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	Three State-TDR coordination meetings in Phase 2 and Phase 3, at least one additional coordination meeting in Phase 1. As a result of discussions between formal and informal justice actors, a working relationship was established. However, the state of relations between formal and informal justice actors is not as strong as wished for. State actors complain that elders do not recognize the <i>haq-ullah/haq-ul abd</i> distinction, and often reject decisions of elders even if they are civil cases. Elders complain that state actors ignore elders' decisions due to disrespect and/or corruption.
<i>Variance:</i>	The TDR-State coordination meetings have been held, but have not yet produced the desired collaborative relationship between formal and informal justice actors.
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	Of 23 elders sampled, five (22%) had recorded a total of six disputes
<i>Variance:</i>	None. Kandahar municipality, <i>nahiya</i> 9 satisfies this graduation criterion
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	Of the elders who recorded disputes, none had registered their dispute with the district, for a registration rate of 0%.
<i>Variance:</i>	Kandahar municipality, <i>nahiya</i> 9 does not yet satisfy this graduation criterion
<i>Criterion:</i>	Evidence of collaboration to address longstanding disputes
<i>Target:</i>	Collaboration on at least one longstanding dispute

**Actual:** RLS-I program participants collaborated on resolving four longstanding disputes. Two disputes were over land/property, and two were over marriage or *maher*.

**Variance:** None. Kandahar municipality, *nahiya 9* satisfies this graduation criterion

**Criterion:** Avoiding harmful practices

**Target:** Program participants seek alternatives to *baad*

**Actual:** RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

**Variance:** None. Kandahar municipality, *nahiya 9* satisfies this graduation criterion

**SUMMARY:** Kandahar municipality, *nahiya 9* does not yet meet the graduation criteria of dispute registration, despite anecdotal reporting from all stakeholders that the relationship between formal and informal is positive and that referral and registration is ongoing (with or without the use of RLS-I decision books). A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Kandahar municipality, *nahiya 9* has graduated from RLS-I assistance; however, the volunteer elder network for *nahiya 9* must be encouraged to pay special attention to the issue of dispute documentation and registration.

**District:** Spin Boldak

**Program Phase:** Two

**Criterion:** Full RLS-I core program implemented

**Target:** Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)

**Actual:** 575 total participations from Phases 2-3, an additional few hundred estimated for Phase 1. A total of 46 elders have attended at least four learning workshops

**Variance:** None. Spin Boldak satisfies this graduation criterion

**Criterion:** Cohort of female RLS-I participants in the district

**Target:** Minimum 20-30 women reached in South; 30-60 women reached in East

**Actual:** 450 total participations from Phases 2-3, an additional few hundred estimated for Phase 1. A total of 35 women have attended at least three learning workshops

**Variance:** None. Spin Boldak satisfies this graduation criterion

**Criterion:** Protocols for dispute referral and registration established

**Target:** State-TDR coordination meetings resulting in verbal agreement

**Actual:** Seven State-TDR coordination meetings were held in Phase 1, 2 and 3. However a positive working relationship was not established. It was generally agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, but state actors also habitually accused elders of making “illegal” decisions. Furthermore, RLS-I staff report that



the disputants themselves don't want their decisions to be registered with the government institutions for fear of re-opening the case or solicitations for bribes.

*Variance:* Spin Boldak does not yet satisfy this graduation criterion

*Criterion:* Consistent recording of TDR decisions on RLS-I forms

*Target:* 25% usage rate (15% for Phase I districts)

*Actual:* Of a sample of 10 elders, it was found that 39% of the elders had recorded at least one decision.

*Variance:* None. Spin Boldak satisfies this graduation criterion.

*Criterion:* Consistent registration of recorded TDR decisions by formal justice sector officials

*Target:* 35% registration rate (15% for Phase I districts)

*Actual:* 0% registration rate. None of the documented decisions was registered with any of the government institutions.

*Variance:* Spin Boldak does not yet satisfy this graduation criterion

*Criterion:* Evidence of collaboration to address longstanding disputes

*Target:* Collaboration on at least one longstanding dispute

*Actual:* RLS-I program participants identified and collaborated on resolving five longstanding, potentially destabilizing disputes over various issues in Spin Boldak. In one case, the Achakzai and Noorzai tribes fought over a piece of land for over 40 years, with only temporary truces. As one tribe was interested to sell the contested land, the issue was brought repeatedly before district and tribal elders to try to find an acceptable resolution.

*Variance:* None. Spin Boldak satisfies this graduation criterion

*Criterion:* Avoiding harmful practices

*Target:* Program participants seek alternatives to *baad*

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

*Variance:* None. Spin Boldak satisfies this graduation criterion.

**SUMMARY:** Spin Boldak has summary measures on all graduation criteria except for collaboration on a longstanding dispute. Spin Boldak also does not yet meet the graduation criteria of dispute registration. A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Spin Boldak has graduated from RLS-I assistance; however, the volunteer elder network for the district must be encouraged to pay special attention to the issue of dispute documentation and registration.

## Zabul

<i>District:</i>	Qalat
<i>Program Phase:</i>	Two
<i>Criterion:</i>	Full RLS-I core program implemented
<i>Target:</i>	Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)
<i>Actual:</i>	730 total participations for Phases 2-3, with an additional several hundred estimated for Phase 1. A total of 35 elders have attended at least three learning workshops
<i>Variance:</i>	None. Qalat district satisfies this graduation criterion.
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	631 total participations for Phases 2-3, with an additional few hundred estimated for Phase 1. A total of 46 women have attended at least three learning workshops
<i>Variance:</i>	None. Qalat district satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	Two State-TDR coordination meetings were held in Phase 2 and at least two in Phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or <i>Shari'ah</i> , that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.
<i>Variance:</i>	None. Qalat district satisfies this graduation criterion
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	Of 32 elders sampled, fourteen (44%) had recorded at least one decision in the RLS-I decision book.
<i>Variance:</i>	None. Qalat district satisfies this graduation criterion
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	Of the 14 elders who had recorded a dispute, three (21%) also registered the decision with government institutions.
<i>Variance:</i>	None. Qalat district satisfies this graduation criterion
<i>Criterion:</i>	Evidence of collaboration to address longstanding disputes
<i>Target:</i>	Collaboration on at least one longstanding dispute
<i>Actual:</i>	RLS-I program participants identified and collaborated on resolving a potentially destabilizing dispute in Qalat. A dispute between the Kakar and Tokhi tribes



resulted in an agreement of *baad*. However, when the daughter reached adult age she rejected the marriage, and her parents also opposed the exchange. After a period of contention and heightened likelihood of renewed violence, the case was referred to district and tribal elders, who decided that the dispute could be settled by money and succeeded in convincing both tribes to accept this resolution.

*Variance:* None. Qalat satisfies this graduation criterion

*Criterion:* Avoiding harmful practices

*Target:* Program participants seek alternatives to *baad*

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

*Variance:* None. Qalat satisfies this graduation criterion.

**SUMMARY:** Qalat meets all graduation criteria.

**DETERMINATION:** Qalat has graduated from RLS-I assistance; however, the volunteer elder network for the district must be encouraged to pay special attention to the issue of dispute documentation and registration.

*District:* Tarnak Wa Jaldak

*Program Phase:* Two

*Criterion:* Full RLS-I core program implemented

*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)

*Actual:* 577 total participations for Phases 2-3, with an additional few hundred estimated for Phase 1. A total of 31 elders have attended at least five learning workshops

*Variance:* None. Tarnak Wa Jaldak satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district

*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East

*Actual:* 351 total participations for Phases 2-3, with an additional few hundred estimated for Phase 1. 55 women attended at least three learning workshops

*Variance:* None. Tarnak Wa Jaldak satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established

*Target:* State-TDR coordination meetings resulting in verbal agreement

*Actual:* Five State-TDR coordination meetings were held in Phase 2 and 3 and at least 1 in phase 1. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil

cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.

*Variance:* None. Tarnak Wa Jaldak satisfies this graduation criterion

*Criterion:* Consistent recording of TDR decisions on RLS-I forms

*Target:* 25% usage rate (15% for Phase I districts)

*Actual:* Of 10 elders sampled, two (20%) had recorded at least one decision in RLS-I decision book.

*Variance:* Slightly below target. A sample of decision books will be reviewed during the January 2013 – March 2013 quarter.

*Criterion:* Consistent registration of recorded TDR decisions by formal justice sector officials

*Target:* 35% registration rate (15% for Phase I districts)

*Actual:* Neither of the two elders who recorded any disputes registered those disputes with the government.

*Variance:* Tarnak Wa Jaldak district does not yet satisfy this graduation criterion

*Criterion:* Evidence of collaboration to address longstanding disputes

*Target:* Collaboration on at least one longstanding dispute

*Actual:* No longstanding dispute identified for Qalat

*Variance:* No collaboration as elders have not identified a longstanding dispute

*Criterion:* Avoiding harmful practices

*Target:* Program participants seek alternatives to *baad*

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

*Variance:* Tarnak Wa Jaldak satisfies this graduation criterion

**SUMMARY:** Tarnak Wa Jaldak is missing a summary measure of collaboration on a longstanding dispute. However, staff, program participants, and district actors report steady collaboration and registration of more common disputes between elders and the district government. Tarnak Wa Jaldak also does not yet meet the graduation criteria of dispute registration. A second sample will take place in the January 2013 – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Tarnak Wa Jaldak has graduated from RLS-I assistance; however, the volunteer elder network for the district must be encouraged to pay special attention to the issue of dispute documentation and registration.

*District:* Shahjoy  
*Program Phase:* Two  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)  
*Actual:* 607 total participations for phase 2 and phase 3; a total of 45 elders have attended at least five learning workshops  
*Variance:* None. Shahjoy satisfies this graduation criterion.

*Criterion:* Cohort of female RLS-I participants in the district  
*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East  
*Actual:* 181 total participations for phase 2 and phase 3; a total of at least 28 women have attended at least three learning workshops  
*Variance:* None. Shahjoy satisfies this graduation criterion.

*Criterion:* Protocols for dispute referral and registration established  
*Target:* State-TDR coordination meetings resulting in verbal agreement  
*Actual:* Five State-TDR coordination meetings were held in Phase 2 and phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.  
*Variance:* None. Shahjoy satisfies this graduation criterion.

*Criterion:* Consistent recording of TDR decisions on RLS-I forms  
*Target:* 25% usage rate (15% for Phase I districts)  
*Actual:* Of a sample of 10 elders, five (50%) had recorded at least one decision in the RLS-I decision books.  
*Variance:* None. Shahjoy satisfies this graduation criterion.

*Criterion:* Consistent registration of recorded TDR decisions by formal justice sector officials  
*Target:* 35% registration rate (15% for Phase I districts)  
*Actual:* None of the recorded decisions was registered with the government institutions  
*Variance:* Shahjoy does not yet satisfy this graduation criterion

*Criterion:* Evidence of collaboration to address longstanding disputes  
*Target:* Collaboration on at least one longstanding dispute  
*Actual:* RLS-I program participants identified and collaborated on resolving a potentially destabilizing dispute in Shahjoy, when two members of the Tokhi tribe continually disputed over land. Tribal elders, including RLS-I program participants, conferred and after repeated mediations succeeded in resolving the dispute.  
*Variance:* None. Shahjoy district satisfies this graduation criterion



**USAID**  
FROM THE AMERICAN PEOPLE

*Criterion:* Avoiding harmful practices  
*Target:* Program participants seek alternatives to *baad*  
*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.  
*Variance:* None. Shahjoy satisfies this graduation criterion

**SUMMARY:** Shahjoy district does not yet meet the graduation criteria of dispute registration. A second sample will take place in the January – March 2013 quarter to help shed light on decision book usage.

**DETERMINATION:** Shahjoy district has graduated from RLS-I assistance; however, the volunteer elder network for the district must be encouraged to pay special attention to the issue of dispute registration with the government institutions.

### Uruzgan

*District:* Dihrawud  
*Program Phase:* Two  
*Criterion:* Full RLS-I core program implemented  
*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)



<i>Actual:</i>	755 total participations for Phase 2 and Phase 3; a total of 61 elders have attended at least four learning workshops
<i>Variance:</i>	None. Dihrawud satisfies this graduation criterion
<i>Criterion:</i>	Cohort of female RLS-I participants in the district
<i>Target:</i>	Minimum 20-30 women reached in South; 30-60 women reached in East
<i>Actual:</i>	77 total participations for phase 2 and phase 3; a total of 17 women have attended at least three learning workshops
<i>Variance:</i>	None. Dihrawud satisfies this graduation criterion
<i>Criterion:</i>	Protocols for dispute referral and registration established
<i>Target:</i>	State-TDR coordination meetings resulting in verbal agreement
<i>Actual:</i>	Three State-TDR coordination meetings were held during Phase 2 and Phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or <i>Shari'ah</i> , that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district.
<i>Variance:</i>	None. Dihrawud satisfies this graduation criterion
<i>Criterion:</i>	Consistent recording of TDR decisions on RLS-I forms
<i>Target:</i>	25% usage rate (15% for Phase I districts)
<i>Actual:</i>	No data sample.
<i>Variance:</i>	Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.
<i>Criterion:</i>	Consistent registration of recorded TDR decisions by formal justice sector officials
<i>Target:</i>	35% registration rate (15% for Phase I districts)
<i>Actual:</i>	No data sample
<i>Variance:</i>	Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.
<i>Criterion:</i>	Evidence of collaboration to address longstanding disputes
<i>Target:</i>	Collaboration on at least one longstanding dispute
<i>Actual:</i>	RLS-I program participants identified and collaborated on resolving nine longstanding, potentially destabilizing disputes over various issues in Dihrawud district. There were five cases of serious land disputes – the larger of these involved various seizures of land over the last thirty years, while smaller disputes were generated by parties rehabilitating unused land and then contesting ownership of those properties. Three cases involving killings that arose out of a water dispute, a revenge killing for rape, and a tribal dispute that had originally been resolved through multiple exchanges of women but later relapsed into new killings and divorces among the exchanged women. A final



case appeared to be a deliberate murder for unknown motives that was referred to the district government.

*Variance:* None. Dihrawud satisfies this graduation criterion

*Criterion:* Avoiding harmful practices

*Target:* Program participants seek alternatives to *baad*

*Actual:* RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.

*Variance:* None. Dihrawud satisfies this graduation criterion

**SUMMARY:** Dihrawud has summary measures on all graduation criteria except for a sampling of decision books tracking to estimate the usage and registration rate of elder decisions. However, staff, program participants, and district actors report that steady collaboration and registration of decisions between elders and the district government.

**DETERMINATION:** Dihrawud has graduated from RLS-I assistance. The volunteer elder networks will continue to replicate RLS-I activities such as the learning workshops, networking, and collaboration with the state with a special attention to the issue of dispute registration with the government institutions.

*District:* Tirin Kot

*Program Phase:* Two

*Criterion:* Full RLS-I core program implemented

*Target:* Minimum 40 male participants pass through at least five learning workshops (Phase 2) or sufficient numbers reached through mass outreach (Phase 1)

*Actual:* 747 total participations for Phase 2 and Phase 3. A total of 45 elders have attended all six learning workshops.

*Variance:* None. Tirin Kot satisfies this graduation criterion

*Criterion:* Cohort of female RLS-I participants in the district

*Target:* Minimum 20-30 women reached in South; 30-60 women reached in East

*Actual:* 182 total participations for phase 2 and phase 3.

*Variance:* None. Tirin Kot satisfies this graduation criterion

*Criterion:* Protocols for dispute referral and registration established

*Target:* State-TDR coordination meetings resulting in verbal agreement

*Actual:* Four State-TDR coordination meetings were held during Phase 2 and Phase 3. As a result of discussions between formal and informal justice actors, a positive working relationship was established. It was mutually agreed that elders could resolve civil cases so long as the decisions did not contravene Afghan statutory law or *Shari'ah*, that the district may continue to refer civil cases to elders for resolution, that the state held jurisdiction over all criminal cases, and that elders' decisions could be registered with the district

*Variance:* None. Tirin Kot satisfies this graduation criterion

**Criterion:** Consistent recording of TDR decisions on RLS-I forms  
**Target:** 25% usage rate (15% for Phase I districts)  
**Actual:** Not data sample  
**Variance:** Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Consistent registration of recorded TDR decisions by formal justice sector officials  
**Target:** 35% registration rate (15% for Phase I districts)  
**Actual:** Not data sample  
**Variance:** Not applicable. A sample of decision books will be reviewed during the January – March 2013 quarter.

**Criterion:** Evidence of collaboration to address longstanding disputes  
**Target:** Collaboration on at least one longstanding dispute  
**Actual:** RLS-I program participants identified and collaborated on resolving five destabilizing or potentially destabilizing disputes in Tirin Kot district. Three of the cases involved murder – one of which was originally settled by *baad* but later rejected by the girl and her parents. The community elders supported the girl and her parents and helped find an alternative resolution. In two cases there were longstanding land disputes that could not be resolved despite repeated mediation efforts by tribal and district elders.  
**Variance:** None. Tirin Kot satisfies this graduation criterion

**Criterion:** Avoiding harmful practices  
**Target:** Program participants seek alternatives to *baad*  
**Actual:** RLS-I staff, program participants, and other stakeholders report that elders generally seek alternatives to *baad* and other harmful practices. Furthermore, the impression among all parties is that *baad* is decreasing as awareness of alternatives to *baad* grows.  
**Variance:** None. Tirin Kot satisfies this graduation criterion

**SUMMARY:** Tirin Kot has summary measures on all graduation criteria except for a sampling of decision books tracking to estimate the usage and registration rate of elder decisions. However, staff, program participants, and district actors report that steady collaboration and registration of decisions between elders and the district government.

**DETERMINATION:** Tirin Kot has graduated from RLS-I assistance. The volunteer elder networks will continue to replicate RLS-I activities such as the learning workshops, networking, and collaboration with the state.



## Glossary

<i>alem</i> (pl. <i>ulema</i> )	religious scholar, considered to be more knowledgeable about <i>Shari'ah</i> than most <i>mullayan</i>
<i>baad</i>	customary practice of resolving a dispute by giving a girl from the offender's family in marriage to a male member of the victim's family
<i>badal</i>	exchange marriage performed between families or tribes to alleviate tensions or relieve the financial burden of <i>walwar</i>
COR	USAID/Afghanistan Contracting Officer Representative
CSO	civil society organization (usually but not necessarily incorporated as a legal entity)
d-i-d	difference-in-differences; impact evaluation measurement that includes an estimate of the counterfactual scenario of what would have happened in the absence of the USAID intervention.
DDA	District Development Assembly
DST	District Support Team
GIRoA	Government of the Islamic Republic of Afghanistan
<i>hadith</i>	collection of scriptures detailing the actions, sayings, and tacit approvals or disapprovals of Islamic practices and beliefs of the Prophet Mohammad (PBUH), as documented by his companions and accompanied and verified by an authenticating record of the origin and lineage of each part of the collection, determining its authority as a source of Islamic law supplementing the Holy <i>Qur'an</i>
<i>haq-ullah</i>	concept of <i>Shari'ah</i> that refers to the rights of society; i.e., issues that have the potential to disrupt the peace within the community and for which it is the duty of the state to issue and implement legislation (e.g., criminal law)
<i>haq-ul abd</i>	concept of <i>Shari'ah</i> similar to the notion of civil law and that refers to the rights of the person; i.e., those rights that private individuals have vis-à-vis one another and that can be forfeited by the individual
<i>huqooq</i>	GIRoA Ministry of Justice representative at the district level responsible for liaising with elders and the community to resolve civil disputes
IDLG	Independent Directorate of Local Governance, a GIRoA sub-ministerial body
<i>islah</i>	literally, "reform"; dispute resolution principle based on restorative justice, comprising the promotion of peace and social cohesion through mediation and reconciliation; in the context of registration of TDR decisions by <i>Huqooq</i> district offices, the term refers to the category in the <i>Huqooq</i> offices' record-keeping system for registering TDR decisions
<i>jirga</i> (pl. <i>jirgee</i> )	<i>ad hoc</i> assembly of tribal elders convened to make specific decisions or resolve a specific dispute by consensus
<i>khan</i> (pl. <i>khanan</i> ) <i>machalgha</i>	member of the wealthy, land-owning class, influential in the community deposit required from the disputants prior to the commencement of a <i>jirga</i> to ensure compliance with its decision



<i>maher</i>	money or goods given by a husband to a wife upon marriage and that remains the wife's property, to ensure financial security in case of divorce or the death of the husband
<i>malik (pl. malikan)</i>	tribal elder who has been chosen as the head of the village and often liaises between the community and the government; due to this position of authority he is also approached to play a role in dispute resolution.
<i>manteqa</i>	area within a district encompassing a cluster of villages that share a common characteristic such as population of the same tribal group, location within a valley, or access to a major irrigation canal.
<i>maraka (pl. marakee):</i>	currently, often used interchangeably with the term <i>jirga</i> , especially in southern Afghanistan. Originally, used to refer to a village-level conflict resolution mechanism that included members of only one tribe or sub-tribe
<i>mawlawi (pl. mawlawiyan)</i>	highly qualified Sunni Muslim religious leader, usually with a more extensive religious education than a <i>mullah</i>
<i>mudir-e-huqooq</i>	<i>Huqooq</i> office director
<i>mullah (pl. mullayan)</i>	local religious leader
<i>nahiya (pl. nawahi)</i>	municipal sub-district
NGO	private or quasi-governmental not-for-profit organization (usually formally organized as a legal entity)
Platform	combined civilian-military teams at Regional Commands and PRTs that allocate resources, implement integrated programs, and assess results
PRT	Provincial Reconstruction Team
RC	Regional Command: any of the four geographic military command areas into which Afghanistan is currently divided - north (RC/N), south (RC/S), east (RC/E), and west (RC/W). The geographic areas of RC/E, RC/S, and RC/N correspond to RLS-I regions in the east, south, and north, respectively.
RLS-F	USAID/Afghanistan Rule of Law Stabilization Program – Formal Component
RLS-I	USAID/Afghanistan Rule of Law Stabilization Program – Informal Component
<i>Shari'ah</i>	legal precepts found in the Holy <i>Qur'an</i> and the <i>Hadith</i> ; sometimes used by non-scholars (and this report) to denote Islamic law or jurisprudence, which includes scholarly interpretations of the Holy <i>Qur'an</i> and the <i>Hadith</i> ; <i>ijma</i> ("collective reasoning" or consensus among scholars); and <i>qiyas</i> or <i>ijtihad</i> ("individual reasoning" or deduction by analogy)
<i>shura (pl. shuragani)</i>	established council of respected community members, often registered with GIRoA, representing the interests of their community to other institutions such as GIRoA bodies and that are often involved in resolving local disputes
<i>spinsary</i>	literally, feminine form of "white-headed"; respected female elder(s) involved in dispute resolution
TDR	traditional dispute resolution



**USAID**  
FROM THE AMERICAN PEOPLE

USG  
*walwar*

Government of the United States of America  
bride price; money or goods given by a groom or his family to the head  
of the bride's household