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MONTHLY REPORT, March 2013

Rule of Law Stabilization Program – Informal Component (RLS-I)

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



Discussion session on women's access to justice and their role as justice actors, Zhari district (Kandahar province), 25 March 2013

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

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PROGRAM OVERVIEW

The purpose of the Rule of Law Stabilization Program – Informal Component (RLS-I) is to enhance the rule of law in Afghanistan, specifically focusing on the development of a transparent, accountable and gender sensitive informal justice system. RLS-I strengthens traditional dispute resolution, promotes stability within communities, and assists in closing gaps that insurgents may otherwise exploit to acquire local legitimacy and political power. RLS-I progresses women’s rights by empowering women to bring their disputes before informal and formal justice systems, and by working to eradicate customary practices such as *baad* (the 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), child marriages, and the refusal to grant women’s inheritance rights. Accordingly, RLS-I works to (1) increase knowledge of Afghan law among informal justice providers; (2) foster linkages between informal and formal justice sector actors and institutions; and (3) support dialogue and cooperation for the resolution of long-standing disputes.

EXECUTIVE SUMMARY

Program activities during March consisted of intensive RLS-I Phase 3 programming with a full set of core program activities in the first tranche of new Phase 3 districts:

Network meetings introduce RLS-I objectives to village elders tasked with resolving local disputes, provides opportunities to share dispute resolution experiences, and coordinate on resolving long-standing disputes. Network meetings contribute to the achievement of USAID/Afghanistan’s Democracy and Governance Assistance Objective (AO) I (Improved Performance and Accountability of Governance), Intermediate Result (IR) 1.1 (Increased Public Confidence in the Rule of Law System), Sub-IR 1.1.4 (Strengthened TDR in Disputed Areas), and primarily to the achievement of RLS-I Program Objectives 1 and 3.¹

Learning workshops deliver critical knowledge on specific aspects of Afghan law with a core curriculum consisting of Constitutional law, criminal law, family law, inheritance law, property law, and property deeds law. Learning workshops contribute to the achievement AO I, IR 1.1, Sub-IR 1.1.4, and to the achievement of RLS-I Program Objectives 1, 2, and 3.

Discussion sessions provide a forum for formal-informal justice sector working groups to meet on an ongoing basis to discuss pressing issues facing the formal and informal justice sectors as identified during network meetings and learning workshops. Discussion sessions contribute to the achievement AO I, IR 1.1, Sub-IR 1.1.4, and to the achievement of RLS-I Program Objectives 1, 2, and 3.

Coordination meetings provide the opportunity for the formal-informal justice sector working group members to build trust and establish common understandings of jurisdiction and other coordination issues between the formal and informal justice sectors. State-TDR coordination meetings contribute to the achievement of AO I, IR 1.1, Sub-IR 1.1.4, and to the achievement of RLS-I Program Objective 2.

RLS-I Phase 3 programming in March also included maintenance activities to address any gaps in graduation criteria and targets aimed at advancing the remaining RLS-I Phase 1 and Phase 2 districts toward graduation during March and April.

¹ See Appendix A. All activity types contribute to the achievement of each Program Objective to some degree.



RLS-I graduation criteria require a core curriculum minimum of 30-40 hours in education workshops in four to six subjects, four discussion sessions on pressing issues², and two network meetings, amounting to at least 12 days in four to six months. To allow more participants to satisfy these criteria, an additional six-month maintenance period per district of an average of 15 need-based activities³ and a handover network meeting follows the core curriculum to fill attendance and knowledge gaps remaining after completion of core programming.

Groups of influential women and male elders also attend three *spinsary* (respected female elders involved in dispute resolution) meetings or three coordination meetings, respectively. Village elders may also attend RLS-I provincial and regional network meetings.

In March, RLS-I held a total of 90 events (of which six were two-day workshops) in 11 districts throughout four provinces in the east and nine districts across three provinces in the south⁴ for some 3,965 participants (47% female). In March, the number of women's dispute resolution groups that were established was above target, while the number of elders pledging to cease harmful TDR practices at RLS-I events conducted so far is slightly lower than the number assumed when the target was set. Progress for all other progress indicators was on target.⁵ Highlights in the east region included handover activities for 299 elders and 293 women in the three Phase I districts – Bati Kot, Kama and Shinwar (all in Nangarhar province), while highlights in the south region included handover activities for 212 elders and 218 women in the three Phase 2 districts – Dihrawud, Tirin Kot, and Chora (all in Uruzgan province) – and the female cohort of the Phase I district of Spin Boldak (Kandahar province), effectively concluding RLS-I's direct assistance in those districts.

RLS-I is in the process of attracting a suitable Afghan partner to implement the RLS-I program in the north region and will not implement any activities in that region until it has engaged that partner.

Core programming in the first tranche of Phase 3 districts began in November 2012 and will conclude in April 2013. Preparation for core programming in the second tranche of Phase 3 districts will begin in May 2013, with events starting in June.

PROGRAM ACTIVITY HIGHLIGHTS

Program activity highlights are gleaned from activity reports, participant feedback and project monitoring and evaluation of RLS-I activities.

Progress on women's rights

“Before taking part in this USAID program, we used to forcefully take authority and implement our decisions because we didn't have knowledge. Now we don't do these things because we understand law. In the past, we would resolve both criminal and civil disputes by the mutual agreement of disputants. We didn't care whether the dispute was resolved according to law or Shari'ah.

² Discussion session topics are identified per district in network meetings and learning workshops, and include: addressing the influence of powerbrokers; alternatives to *baad*; anti-corruption; dispute prevention; ethics and best practice in TDR; long-standing disputes; and women's access to justice and their role as justice actors.

³ Learning workshops, discussion sessions, or coordination meetings.

⁴ See Appendix B

⁵ See Appendix C

“Once a woman came to us from a village and told us, ‘My brother doesn’t give me my right in inheritance. Please help me in taking my share from him.’ Some tribal elders including two Islamic scholars got together and decided, ‘We won’t enable the woman to take her share because other females will also ask for their shares if this woman takes her share in inheritance.’ All this was due to our ignorance. Now all people, state actors and tribal elders know that this right is given to them by Allah. No one is allowed to deprive her of her right. In future, we will make decisions in accordance with law and Shari’ah.”

Mullah Qadir Rashid Khan, a religious scholar from Landyana Ulia village – District network meeting, Dihrawud district (Uruzgan province), 16 March 2013

Resolving and preventing long-standing and destabilizing disputes

“There was an exchange marriage in Amla village where a boy and his sister married with their cousins (also siblings). One of the married boys named Bashar wanted to marry another girl because he didn’t like his wife Gulalai. Bashar killed his wife. As it was an exchange marriage some of the village people were instigating Gulalai’s family to take revenge on Bashar’s sister (who was married into Gulalai’s family). We, Seeda and Zuhra (from spinsary group) heard this and went to their house and told the victim’s family not to kill this innocent [woman] because she didn’t kill your sister; it was her brother who committed this crime. I told the husband: ‘Why you want to destroy your and your wife’s life?’” Finally the boy repented from the idea of killing his wife, because her brother killed his sister; not his wife. And I feel this is valuable because before we were not this much good in advising; however, after participating in USAID program we learned how to avoid a dispute and how to advise someone and it was all because of your workshops through which we could save a life.”

A local housewife from Amla village – Constitutional law workshop, Dara-I-Nur district (Nangarhar province), 2 March 2013

Legal awareness workshops

“After attending USAID workshops I realized this program is a mercy from Allah and you all have to participate and abandon less important activities to utilize this gold opportunity. After participation many of our elders allowed their sons and daughters to start going to school.

“Many village elders came to me and told that I had made an unjust decision between two parties and after I participated in RLS-I workshops I found out that I was wrong and my decision was not fair so either I will apologize to both parties or resume the dispute case and make a just decision between to persons.”

Acheen District Governor Mashooq Khan – Coordination meeting, Acheen district (Nangarhar province), 5 March 2013

REVIEW OF RLS-I PROGRAMMING

Network meetings

Introductory district network meetings serve as the kick-off event for RLS-I core program activities in a district. The network meeting introduces RLS-I objectives to a cohort of 80-120 village elders per district (as determined by an application of RLS-I's program participant selection criteria, which emphasize equitable geographic, ethnic, and tribal representation and elders' stature as TDR practitioners), provides opportunities for sharing experiences in dispute resolution, identifies and explores long-standing disputes in the district, and helps generate the discussion group topics to address rule of law issues facing the district. A follow-up or capstone district network meeting is held once the participant cohort has passed through the RLS-I core curriculum of learning workshops, issue-based discussion groups, and state-TDR coordination meetings to provide an opportunity to reflect on what program participants have learned and accomplished, and what the next steps could be. A final handover district network meeting is held at the completion of maintenance programming to allow participants to chart a path forward independent of RLS-I support.

Provincial and regional network meetings provide a forum for structured dialog among influential elders, officials, and other community leaders on pressing challenges such as corruption, and longstanding disputes. Provincial and regional network meetings generate volunteer rosters of respected elders available as needed to address, for example, specific reports of corruption, and to help resolve specific long-standing disputes identified and prioritized during the meeting.

Learning workshops

RLS-I learning workshops are one- or two-day events conducted by university professors and other legal professionals to deliver critical messages on specific aspects of Afghan law. The core curriculum consists of Constitutional law (optional in some districts due to extensive prior programming), criminal law, family law, inheritance law, property law, and the law of property deeds. Due to popular demand, and the complexity of the topics, the inheritance law and family law workshops have been expended to two-day events.

"If a jirga is about to give a girl in baad in order to resolve a murder case, the trained women should oppose it and tell them that giving girls in baad is prohibited in Shari'ah. The trained women can even tell the jirgamaran that it is not their right to resolve a criminal dispute. They should refer the murder disputes to court."

A local housewife from Nangarhar province – District network meeting, Shinwar district (Nangarhar province), 23 March 2013

Constitutional law workshops focus on the importance of Constitutional provisions, stages of adopting legislation, and definitions of Constitutional law, equal protection (i.e., equitable treatment in the courts, equity in civil rights and civil responsibilities), citizens' rights and responsibilities (i.e., rights of freedom of speech, to vote freely, and the presumption of innocence), as well as the role and responsibilities of government and the relations between Afghan law and *Shari'ah*.

Criminal law covers the topics of court jurisdiction, types of crimes under the Criminal Code, procedures for referral of crimes to the formal justice sector, and the state's criminal adjudication process.

Family law addresses common disputes arising out of marriage and covers the specific topics of marriage engagement rights, dowry and bride price, marriage expenses, the respective rights and responsibilities of husband and wife, guardianship, alimony, divorce, and illicit relationships. Due to the extensive material to be covered and to allow more interactive learning, the family law workshop has been extended to a two-day workshop for Phase 3.

Inheritance law covers the allocation of a decedent's estate under Afghan statutory law, women's inheritance rights, and common disputes arising out of inheritance cases. Inheritance is the most complex subject in the RLS-I core curriculum, with program participants routinely requesting additional time and instruction on the rules governing the division of property among the heirs. For this reason, RLS-I has shifted to two-day inheritance law workshops during Phase 3, and sometime offers separate inheritance law II workshops continuing from the initial sessions, on an as-needed basis.

"I saw a few elder men and women inside our neighbor's courtyard and they were distributing candies. I congratulated them and asked them the reason of their happiness. The mullah said, 'I tied the nikah [marriage contract] of two girls with their cousins; each child is one month old.' I told the mullah in front of all the people, 'What type of mullah are you? Which law and book allows us to tie the nikah of these children? You are a mullah and you should know the tying of a nikah between these children is invalid in Islam [...] because the boy must be at least 16 and the girl 18 before their nikah is valid to be tied.' ... After a long discussion, not only the mullah, but everyone accepted my idea and canceled the nikah of those children."

Pacha Gula Gull Mohammad, a housewife from Qazi Kariz village – Provincial network meeting, Kandahar municipality (Kandahar province), 9 March 2013

"We learned about the types of deeds such as property deeds, guaranty letter, settlement, waiver, lease agreement, marriage certificate, letter of alimony, divorce certificate, will, letter of legal guardian, etc. We understand now how important these letters are and what these letters are needed for. We should make these letters to resolve future disputes so they will not ruin our life. ... The majority of people in our country do not have legal property deeds for their properties. People use traditional property deeds in their dealings, which cause problems in the future. We should encourage people to make legal property deeds and use these legal deeds instead of traditional deeds to not face problems in the future."

A tribal elder – Property deeds law workshop, Panjwayi district (Kandahar province), 17 March 2013

Property law and property deeds law workshops cover the definitions and types of property, leasehold and freehold rights, preemption and right of first refusal, seizure and access rights, types and validity of deeds, and common disputes arising from property and deeds issues.

Discussion sessions

RLS-I discussion sessions provide a forum for formal-informal justice sector working groups (approximately 30-35 elders and five officials involved in justice and dispute resolution) to meet on an ongoing basis to discuss pressing issues facing the formal and informal justice sectors as identified during network meetings and learning workshops.



“Powerbrokers do not affect the jirga system as much as they used to. Their influence has decreased in comparison to the past. These powerbrokers have been disarmed now. When two people were fighting over something, the son of the one side was with armed people, therefore, the jirga was making decisions to favor the armed side, because they had guns and no one could tell anything to them. But these issues are over now. Their power has been decreased and we hope they would completely go away. We would try to make just decisions to give their rights to those entitled them.”

Haji Abdul Rahim Khan, a landowner from Sperwan village – Discussion session on addressing the influence of powerbrokers, Panjwayi district (Kandahar province), 27 March 2013

Participation by formal justice sector actors also serves to foster linkages and dialogue between the formal and informal justice sectors. Discussion session topics are flexible in that they are defined by program participants and needs identified in RLS-I district assessments. A common set of topics, however, includes alternatives to baad, creation of spinsary groups, dispute prevention among children and neighbors, corruption within both the formal and informal justice sectors, the influence of local power-brokers on informal and formal justice, how to collaborate to help resolve long-standing disputes, and women’s participation in justice and dispute resolution processes..

The discussion session on *addressing the influence of powerbrokers* on justice provision explores the challenge of power discrepancies between disputants and between disputants

and outside parties in formal and informal justice. During these sessions, formal and informal justice sector actors discuss ways to limit this influence in order to promote fair justice outcomes.

In discussion groups on *alternatives to baad*, participants discuss the negative consequences of the use of *baad* and develop alternatives – such as the exchange of property – that can serve a compensatory function in reconciling disputants.

The discussion session on *anti-corruption* provides an opportunity for the informal and formal justice sector actors to identify and address the undermining influence of corruption on both sectors. Participants pledge to abstain from corruption and often agree on measures to prevent the practice such as mutual monitoring and accountability.

The *spinsary group formation and sustainability* meetings follows a two-step sequence in which an interested group of women from the district network meeting later meets to discuss disputes particularly affecting women and women’s access to justice. By the end of a second such group meeting, participants may elect to form *spinsary* groups in their villages. These women commit to support each other in

addressing local disputes, typically involving families, children and neighbors.

“There was a dispute over land between cousins which I resolved without resorting to baad. One cousin hit his other cousin on his head with a shovel and killed him. The elders of the families decided to resolve this dispute by giving a young girl in baad. I went to their house and I resolved this dispute by talking to them and the perpetrator’s family decided that they would give land instead of a daughter. I am saying that all the knowledge and information I have today is because of the USAID program.”

Sajeeda Khuday Dad, a midwife from Bala Qarz village, Dand district – Provincial network meeting, Kandahar municipality (Kandahar province), 9 March 2013



"Today was outstanding; we learned a lot about the *spinsary* group and its characteristics. Each and every USAID event has been really useful and practical for us. The program really helped us in the resolution of our daily problems. A while back, we had a dispute with our neighbors over fields. They were about twelve men and my husband was alone, so I realized if my husband fought them they would definitely hurt him. So I tried to mediate among them. I got my husband not to fight and then I advised the women of my neighbors. I told them, 'If our men fight I know that your men are many; they can even kill my husband. But you know what will be the outcome of this fight; there will be a long-standing dispute and enmity between our families. I will lose my husband and you will lose your properties, because you would have to escape to another place.' So then they talked with their men and later both sides discussed the problem and the dispute was resolved. I told this story just to tell you how useful your workshops are. It affects our life very much. It was all the effect of USAID knowledge that I could prevent that dispute. In addition I would like to say that before my husband didn't value my talks, but from the day I prevented that dispute now he discusses every problem with me."

Bibi Haram Abdul Rasool, a female elder from Kolmanai village – Discussion session on *spinsary* group formation and sustainability, Chawkay district (Kunar province), 12-13 March 2013

Discussion sessions on *dispute prevention among children and neighbors* are an outgrowth of the *spinsary* groups, whose members report that many village-level disputes arise out of the simple squabbling of children at play in the street that can quickly escalate into violence between neighbors and families. Through personal experience and the sharing of experiences with one another, *spinsary* group members have learned to intervene immediately on such occasions to attempt to defuse whatever situation has arisen from any mishap suffered by children. This discussion session helps to spread this learning and support network to other villages and *spinsary* groups in a given district.

The *ethics and best practice in TDR* discussion session aims to promote a collective affirmation by TDR practitioners of the qualities of a good *jirgamar* (TDR practitioner) and best procedural practice in TDR. Participants are then encouraged to commit to live by those standards and implement best practice in disputes they resolve. For example, during the ethics component RLS-I facilitators query participants on issues such as integrity and fairness. Best practice discussion questions center on procedural issues such as freedom in selection of representation, neutrality of venue, and compliance with Afghan law.

As a supplement to network meetings on long-standing disputes, the discussion session on *long-standing disputes* allows formal and informal justice sector actors to identify specific disputes that have persisted over time, had a particularly destabilizing effect on communities in the district, or both. RLS-I plays no role in attempting to resolve such disputes, but facilitates the discussion group as a venue for discussions by, and networking of, elders and state actors to take independent action on long-standing disputes.. RLS-I does not sponsor any *jirgas* formed to negotiate a resolution to specific long-standing disputes.

The discussion session on *women's access to justice and their role as justice actors* allows formal and informal justice sector practitioners to consider ways to increase women's access to formal and informal justice. Given cultural restrictions on women's interaction with unrelated men in most RLS-I districts, the debate is generally nascent, but one common outcome is agreement on RLS-I support for *spinsary* groups

Coordination meetings

The formal-informal justice sector working group holds *coordination meetings* in a (minimum) two-step sequence in which the first meeting builds familiarity and establishes common understandings of jurisdiction and other coordination issues between the formal and informal justice sectors. The second and any subsequent meetings establish specific coordination procedures and mechanisms including authority and decision letters⁶, dispute referrals, and registration of *jirga* decisions with formal justice sector institutions.

Program implementation – east region (Nangarhar, Laghman, Kunar, and Logar provinces and Jalalabad municipality)

During the month of March, RLS-I continued its intensive implementation of core programs in the east with a full set of core program workshops, discussion sessions and coordination meetings in the new Phase 3 districts – Acheen (Nangarhar province), Chawkay (Kunar province), and Mohammad Agha (Logar province) – as well as maintenance activities in the eight remaining Phase 1 and 2 districts of Nangarhar, Laghman, and Logar provinces.

The six handover district network meetings (three for men and three for women) in the districts of Bati Kot, Kama and Shinwar (all in Nangarhar province) effectively graduated the last of the Phase 1 districts from direct RLS-I assistance and allowed some 296 elders, religious leaders, and state actors and 253 influential women to determine a path forward without RLS-I assistance. Some 221 elders, religious leaders, state actors and 213 influential women signed pledges to implement lessons learned and decisions made during the RLS-I program to prevent rights violations in TDR, including, for example, using alternatives to *baad* in dispute resolution, cooperating with formal justice actors, adhering to Afghan law in decision making, forgoing corruption, etc. In addition, many elders and influential women volunteered to participate in forthcoming RLS-I training-of-trainers workshops to

“We have good ties with tribal elders and we help each other in resolving of disputes. They also help state actors of Panjwayi district in very critical situations. Tribal elders do not delay and waste time on disputes, which are referred to them by state actors and they resolve them faster, which this is a great favor they do for us. They also refer some disputes to us as state actors. And then there are disputes which we resolve collectively. The gate of the Panjwayi district is open and unlocked for everybody. They can come to us any time they want and they should point out the shortages and mistakes which we have, so that we can improve and fix ourselves.”

Juma Gul Khan, Panjwayi District Executive Administrator – Coordination meeting, Panjwayi district (Kandahar province), 6 March 2012

⁶ Authority letters are forms signed by disputants who grant authority to *jirgamaran* to resolve their dispute (including disputes referred to TDR by formal justice sector actors) and who pledge to abide by the resulting decision. Decision letters are forms used by *jirgamaran* to make a written record of their decision in a particular dispute and that may be registered with formal justice sector authorities. Both forms are intended to reduce the likelihood that the disputants will seek to reopen the dispute and, in the case of a registered decision letter, to increase the likelihood that formal justice sector authorities will assist in enforcing at TDR decision if necessary. Authority letters and decision letters are forms developed by RLS-I, in collaboration with participating elders, and bound in books distributed to elders by RLS-I.



become elder and *spinsary* mentors on RLS-I legal material within their communities. The measure aims to solidify and expand gains in knowledge and local culture shifts within and beyond RLS-I districts. In total, RLS-I plans to train a total of more than 150 volunteer elders from all RLS-I Phase 1 and Phase 2 districts. RLS-I is assessing the volunteers' training needs in order to design an appropriate training-of-trainers program for them. RLS-I will design that program in collaboration with members of the law and *Shari'ah* faculties of Kabul, Nangarhar and Kandahar universities who have had extensive experience as trainers in RLS-I workshops, have participated in RLS-I training-of-trainers themselves, and who have helped develop the RLS-I legal awareness training materials and teaching methods. Finally, participants discussed and prioritized some nine additional long-standing, challenging disputes with members of the group of elders from the east region who have volunteered to help resolve long-standing disputes.



Family law workshop, Kama and Bati Kot districts (Nangarhar province), 5-6 March 2013

In Mohammad Agha (Logar province), women participants in a dispute prevention discussion session

“After participating in USAID workshops, we are able to refer a dispute to the formal or informal justice systems. A few years ago my step brothers were not giving me my inheritance share in our father’s legacy. I had no idea what to do. Jirgamaran couldn’t resolve my problem. Luckily, I got an invitation to this USAID program and I participated in the inheritance law workshop, in which I learned how much my portion is and what should I do to gain it. Thus I referred my case to formal justice system, where the Judge provided me with my legal inheritance portion.”

A local female elder – District network meeting, Shinwar district (Nangarhar province), 23 March 2013

took it upon themselves to form three additional women's dispute resolution groups, bringing the total to seven in the district. The women's team also helped groups of female elders establish the third *spinsary* group in Kama district (Nangarhar province), as well as the third *spinsary* group in Chawkay district (Kunar province).

Other highlights this month included supplementary two-day family and inheritance law workshops for an additional (non-program) group of 60 Shinwar district elders prior to district graduation. RLS-I had determined that the historical presence and seriousness of women's rights violations in the district justified the measure, which will help ensure the program has reached a critical mass of

elders to continue the reduction of women's rights violations in the district.

RLS-I held a regional network meeting in Jalalabad municipality for *spinsary* group members and potential members from Nangarhar, Kunar and Laghman provinces to commemorate International



Women's Day. *Spinsary* group members shared their successes, challenges, and best practices in resolving disputes, encouraging women from other communities to initiate *spinsary* groups in their own villages.

RLS-I staff in Chawkay district (Kunar province) distributed the recently redesigned versions of decision and authority books to groups of elders and *Maliks*. These books, developed during Phase I by district elders and formal justice actors and redesigned during Phase 3, aim to promote consistent recording of TDR decisions and registration with the relevant formal justice sector office. The redesigned book is more convenient for elders to use and to carry to *jirga* meetings.

The RLS-I Jalalabad office received visits this month from two women asking to be enrolled in the program. RLS-I staff explained to them that limited RLS-I resources do not permit the program to enroll everyone who wishes to participate, but that those needs will be addressed through volunteers who have completed the program, demonstrate a good understanding of its lessons, are willing to convey those lessons to others in their communities, and who will have completed an upcoming RLS-I training-of-trainers workshop.

During March, RLS-I implemented 46 program activities in the east region. Overall, 2,115 participants (41% women) attended these activities, which covered Chawkay and Nurgal districts (both in Kunar province), Mihtarlam district (Laghman province), Mohammad Agha and Puli Alam districts (both in Logar province), and Acheen, Bati Kot, Dara-I-Nur, Kama, and Shinwar districts and Jalalabad municipality (all in Nangarhar province).⁷ The legal training workshops were led by professors from the *Shari'ah* faculty of Nangarhar University.

Meetings

RLS-I staff in the east met with judges of the Nangarhar Provincial Court to better understand a recent Supreme Court directive for judges to cease acting as trainers for, and attending training by, outside organizations, without authorization from the Supreme Court. A senior Kabul-based RLS-I staff member met with the head of the Administration Office of the Supreme Court in Kabul to discuss this issue, and was informed that RLS-I should be able to obtain the necessary permission from the relevant Provincial Courts or, if necessary, from the Supreme Court itself.

Challenges

Security and movement continue to be ongoing concerns for both RLS-I staff and program participants, though no direct threats to RLS-I program implementation were recorded in the east this month.

⁷ See Appendix B.

Program implementation – south region (Kandahar, Uruzgan, and Zabul provinces and Kandahar municipality)

During March, RLS-I continued its intensive implementation of core programs in the south with a full set of core program workshops, discussion sessions, network meetings and coordination meetings in the new Phase 3 districts, Chora (second cohort) and Shahidi Hassass (both in Uruzgan province) and Panjwayi and Zhari (both in Kandahar province), as well as maintenance activities in the remaining seven Phase 1 and 2 districts of Kandahar, Uruzgan and Zabul provinces.

The nine handover district network meetings (four for men and five for women) in the districts of Dihrawud, Tirin Kot, the Phase 2 cohort in Chora district (all in Uruzgan province), and for the female cohort of Spin Boldak district (Kandahar province) allowed some 254 elders, religious leaders, and state actors, and 260 influential women to determine a path forward without RLS-I assistance. The elders, religious leaders, state actors and influential women signed pledges to cease and help prevent rights violations in TDR, enhance quality of justice by promoting best practices in TDR, continue collaborating with formal justice actors, continue collaborating on long-standing disputes, influence male elders not to use women and girls in *baad*, support each other in accessing justice, defend women's rights, resolve disputes within their communities, share RLS-I lessons with other women, etc. Pledges will be incorporated into a training model to be provided to training-of-trainers participants so that future trainees will have the option to publically commit to best practice in dispute resolution. Finally, to provide future opportunities for others to learn and to promote greater sustainability, RLS-I used the handover meetings to allow volunteers to commit to the forthcoming legal education and teaching methodology training-of-trainers.



Discussion session on women's access to justice and their role as justice actors, Panjwayi district (Kandahar province), 5 March 2013

The International Women's Day provincial network meeting in Kandahar municipality was attended by over 110 influential female RLS-I program participants and non-program participants from Kandahar province, including *spinsary* group members, the Director of the Kandahar province Women's Affairs Directorate, female members of the Kandahar provincial council, female defense lawyers, and members of the *Ulema shura*.

During February, RLS-I implemented 44 program activities in the south region. Overall, 1,850 participants (34% women) attended these events, which covered Panjwayi, Spin Boldak and Zhari districts and *nahiya* (sub-district) 9 of Kandahar municipality (all in Kandahar province), Tirin Kot, Dihrawud, Shahidi Hassas, and Chora districts (all in Uruzgan province), and Shahjoy district (Zabul province). The legal training workshops in Kandahar and Zabul provinces are led by professors from



the *Shari'ah* faculty of Kandahar University; those in Uruzgan are led by professors from the *Shari'ah* faculties of both Kandahar and Nangarhar universities.

Meetings

The Kabul-based Senior Regional Program Advisor met with the head of the Uruzgan Provincial Council to discuss further collaboration. The head of the Uruzgan Provincial Council requested that RLS-I provide him with monthly activity calendars and information regarding the background and experience of program participants to ensure that, in the view of the head of the Provincial Council, they are “legitimate” elders. RLS-I will provide monthly activity calendars to the head of the Provincial Council, as we do in other locations. RLS-I has considered the request for information about program participants and consulted with program participants. To the extent RLS-I can provide this information to the head of the Provincial Council without compromising the security or other concerns of program participants, it will do so.

Challenges

RLS-I program implementation in Kandahar, Uruzgan and Zabul provinces has been hindered by ongoing security concerns and other factors. Security and movement continue to be ongoing concerns for both RLS-I staff and program participants. In early March, two separate bomb detonations in Uruzgan province targeted and injured both the head of the Shahidi Hassas District Council, who is an RLS-I participant, and the Mayor of Chora district. A property deeds workshop in Panjwayi district (Kandahar province) was postponed due to the funeral of an elder who was killed in a roadside bombing.

Cultural restrictions on women’s movement present an ongoing challenge in the south, especially in Uruzgan and Zabul provinces, and continue to limit their participation in program activities.

Program implementation – North region

During the month of March, RLS-I received full technical proposals to implement the RLS-I program in the RC North from three Afghan organizations that had been short-listed after submitting their statements of qualifications. The RLS-I evaluation committee scored the proposals and requested updated financial statements from these organizations. Based on the evaluation scores and the financial statements, RLS-I decided to proceed with two of these three organizations as preferred bidders. These organizations will be asked to clarify aspects of their proposals in order to make a final decision. An updated, revised, and more detailed scope of work was prepared to serve as guidance for the clarifications by the two remaining preferred bidders.

RESEARCH

Finalization of regional TDR assessments and district assessments of the first tranche of RLS-I Phase 3 districts been ongoing, including a review by a home office representative regarding format and content presentation.

OUTREACH

Program implementation

In March, RLS-I completed development of 6,000 wall calendars with TDR-related messages for the Afghan year 1392 (beginning 20 March 2013) and printed 60,000 additional illustrated booklets encouraging women to bring their disputes before a court or a *jirga*, which will be distributed during the second Phase 3 outreach campaign.

Meetings

The RLS-I Outreach Advisor conferred with Community Cultural Center (CCC) coordinators in Baghlan and Kandahar provinces to discuss preparations for future outreach campaigns scheduled around early April in those provinces.

Looking ahead

The RLS-I outreach component will receive 6,000 wall calendars for the Afghan year 1392 (beginning 20 March 2013) from the printers. The wall calendars and illustrated booklets will be disseminated as part of RLS-I's second Phase 3 outreach campaign to Community Cultural Centres (CCCs) in Kandahar, Nangarhar and Baghlan provinces for distribution in 90 villages throughout the districts of Zhari and Panjwayi (both in Kandahar province), Shinwar and Dara-I-Nur (both in Nangarhar province) and Dahana-I-Ghuri (Baghlan province) around early April.

MONITORING AND EVALUATION

Event monitoring

During the reporting period, RLS-I Monitoring and Evaluation field staff monitored a total of 13 activities. Enumerators from RLS-I's evaluation research partner, Strategic Social, monitored an additional seven activities. In both cases, monitors found no discrepancies between background information about participants in RLS-I's data base and the corresponding information provided by participants in the events being monitored, and found the training content delivery to be effective.

Performance data collection

Progress of elders through core curriculum

Advancing the district cohorts through the core curriculum is proceeding as planned. Mohammad Agha district (Logar province) is slightly behind other districts in implementation, but is still projected to finish on schedule. As expected, gradual attrition in attendance as the core curriculum advances is slowly decreasing the total cohort of elders passing collectively through the workshops. This will be redressed during the maintenance programming phase.⁸

Spinsary group creation and dispute mediation

RLS-I facilitated the formation of 16 *spinsary* groups in the month of March. Twelve groups were created in Logar province (seven in Puli Alam district, five in Mohammad Agha district), two groups in Chawkay district (Kunar province), and two groups in Acheen district (Nangarhar province). RLS-I

⁸ See Appendix E, table I.

documented a total of 16 *spinsary* decisions after monitoring *spinsary* groups in Nangarhar, Laghman, and Kandahar provinces. Of the *spinsary* groups monitored, 11 (69%) were classified as micro-level disputes affecting a family or two related families, and five (31%) were classified as mid-level disputes affecting unrelated families (usually neighbors).⁹

Some of the *spinsary* decisions were indicative of RLS-I objectives to strengthen women's roles in traditional dispute resolution. For example, in Panjwayi district (Kandahar province) there were two cousins who wished to marry, but the marriage was against the wishes of the girl's father. The couple eloped to Helmand province, but their families found them several months later and brought them back to Kandahar. The fathers jointly decided that both the boy and girl would be killed as a result of bringing shame upon their families. The girl's mother sought the mediation of the RLS-I *spinsary* group. The group members visited the girl's father and discussed the issue. With the help of knowledge they had gained from the RLS-I family law workshop, the *spinsary* group was able to convince the girl's family to allow their daughter to marry the boy she loved. The boy's family also accepted the marriage after intercession from the *spinsary* group. The families summoned a *mullah* to formalize the marriage before the families and the community.

Also in Panjwayi district, there was a case where two wives survived the death of their husband. One wife was childless, while the other wife had five sons. The sons of the first co-wife informed her that because she was childless she had no right to the legacy of her husband. The wife sought guidance from the RLS-I *spinsary* group, who discussed the issue among themselves and also involved a respected elder and *malik* of the village. The *spinsary* group members and the *malik* agreed that the wife had been deprived of her rightful legacy. The *malik* summoned the sons of the deceased and explained the situation under Afghan law and *Shari'ah*. The stepsons were convinced and shared the legacy with their stepmother in the form of a garden plot in the village. The stepmother then sold this garden plot and bought a house in the city where she now lives with her brothers. This case marks the second consecutive month where the *spinsary* group from Panjwayi district helped a woman receive her rightful inheritance. In both cases the legacy of a deceased husband had discriminated against a wife without children in favor of a co-wife who did have children.

In Zhari district (Kandahar province), there were two instances of disturbances to the community by drug addicts. In the first case, a husband was continually abusing his wife during drug-seeking behavior. There was an occasion where the husband's mother attempted to defend her daughter-in-law from abuse and received knife-wounds to her hands, which brought the issue to the attention of the community. *Spinsary* group members intervened to inform the wife that she was not required to tolerate such abuse under both Afghan law and *Shari'ah*. With their support, the wife left the home and returned to her father's home. In the second case, a man was habitually abusing his 10-year-old nephew during drug-seeking behavior. This nephew was the son of a *spinsary* group member. After the abuse escalated to involve an injury to the nephew, the *spinsary* group member referred the case to the district police for official action despite the fact that the dispute was between two related families. Normally such disputes would be kept hidden from the greater community.

⁹ See Appendix E, table 2 for a complete listing of *spinsary* group decisions.

In both of the above cases, *spinsary* group members affirmed that participation in RLS-I activities provided *spinsary* group members with knowledge, strength, and encouragement to take action in resolving or de-escalating a dispute. A *spinsary* group member involved in resolving one of the disputes in Zhari district described above reported:

“Before we were weak and didn’t know our rights. We were afraid to fight for our rights. But now we obtained some efficient seminars from [RLS-I]. We got to know our rights, share our knowledge with the nation, and help our people in resolving disputes.”

In a final example, in Qarghayi district (Laghman province) there was a dispute between two brothers over the squabbles of their children. The argument escalated to include the father of the two brothers and one brother’s wife. The wife lost her temper and threw a brick at her father-in-law, causing a head injury. The village *malik* and members of the RLS-I *spinsary* group intervened to prevent the injury from further escalating into a blood feud between the brothers’ families, and to hold the wife accountable for her action. At a *jirga* held within the home of the injured family, the wife accepted responsibility for her action and sought the apology of her father-in-law. The apology was accepted and hostilities ceased. This particular case demonstrates that women are not immune to escalating small disputes into larger ones, especially disputes affecting their loved ones. In this case, the RLS-I *spinsary* groups may be thought of as building community resiliency by strengthening the capacity of respected women to act within Afghanistan’s traditional mechanisms for dispute resolution and calm tensions before they may spiral into recurring violence.



RLS-I Monitoring and Evaluation Field Officer interviews an elder from Arghandab district (Kandahar province) regarding long-standing disputes, March 2013

RLS-I decision book tracking and formal-informal linkages assessment

RLS-I conducted three justice linkage assessments in Panjwayi and Zhari districts (Kandahar province), as well as Shinwar district (Nangarhar province). Meanwhile, a review of a sample of RLS-I decision books in Mihtarlam district (Laghman province) and Jalalabad municipality *nahiya* 4 (Nangarhar province) indicated a documentation and registration rate of 33%.¹⁰

Long-standing disputes

For the month of March, RLS-I identified 17 longstanding, potentially destabilizing disputes in the districts of Tirin Kot (Uruzgan province), Arghandab (Kandahar province), Panjwayi (Kandahar province), Kama (Nangarhar province), and Mohammad Agha (Logar province). Two of the identified disputes, both from Arghandab, were recently resolved with the support of RLS-I program participants.¹¹

¹⁰ Please see Appendix E, table 3

¹¹ See Appendix E, table 4 for a complete listing.

Elder pledges/commitments to code of conduct

In March, RLS-I conducted handover network meetings in seven Phase 2 districts and collected a total of 830 pledges by elders who had completed the RLS-I core curriculum to adhere to the respective jurisdictions of the formal and informal justice sectors, cease harmful tradition dispute resolution practices such as *baad*, and decide cases in compliance with Afghan statutory law and *Shari'ah*. These events marked the first formal attempts in these districts to document elder pledges. It is also notable that the content of these pledges were generated by the State-TDR working group members themselves as a result of the series of discussion sessions on these topics.¹²

To date, the pledge rate (number of network meeting participants who pledge as a proportion of all meeting participants) is 80%. This is slightly below the rate used to establish initial performance targets.

Program research and evaluation

RLS-I is currently reviewing the Phase 3 evaluation baseline data set. While any data presentation remains provisional, it is possible to introduce some general data points. For example, in assessing elders' current practice and knowledge in each subject matter area, the elder interview first asks general questions about how Afghans resolve each type of dispute in their community, followed by a series of questions testing knowledge and attitude for each topic. It should be noted that while the questions are presented as tests of objective knowledge, respondents likely answer according to a mixture of what they understand the law to be, what they think it should be, and the extent to which they see it practiced in the community. While these different effects cannot be untangled in the evaluation data, they do provide the added benefit of measuring some degree of actual change in the community, and not simply a change in an elder's understanding of the law.¹³

LOOKING AHEAD

In April, RLS-I will further advance toward graduation for the male cohort of the remaining Phase 1 district of Spin Boldak and the remaining Phase 2 districts by the end of April and Phase 3 districts by November.¹⁴ This involves making up workshops in areas where over 15-20 participants missed previous offerings, and holding discussion sessions based on need, such as discussion sessions on women's access to justice in districts like Shinwar (Nangarhar province), where women face significant movement restrictions.

In April, RLS-I will hold handover district network meetings and state-TDR coordination meetings in the districts of Nurgal (Kunar province), Mihtarlam (Laghman province), Puli Alam (Logar province), Acheen, Dara-I-Nur and Jalalabad municipality (Nangarhar province), Kandahar municipality and Spin Boldak (both in Kandahar province), and Shahjoy (Zabul province) to complete programming activities required for those districts to graduate.

In April, RLS-I will hold capstone district network meetings and state-TDR coordination meetings in the districts of Chawkay (Kunar province), Mohammad Agha (Logar province), Acheen (Nangarhar

¹² See Appendix E, table 5 for an overview of the elder pledges for each district.

¹³ See Appendix E, table 6 for the overall baseline knowledge scores, by topic.

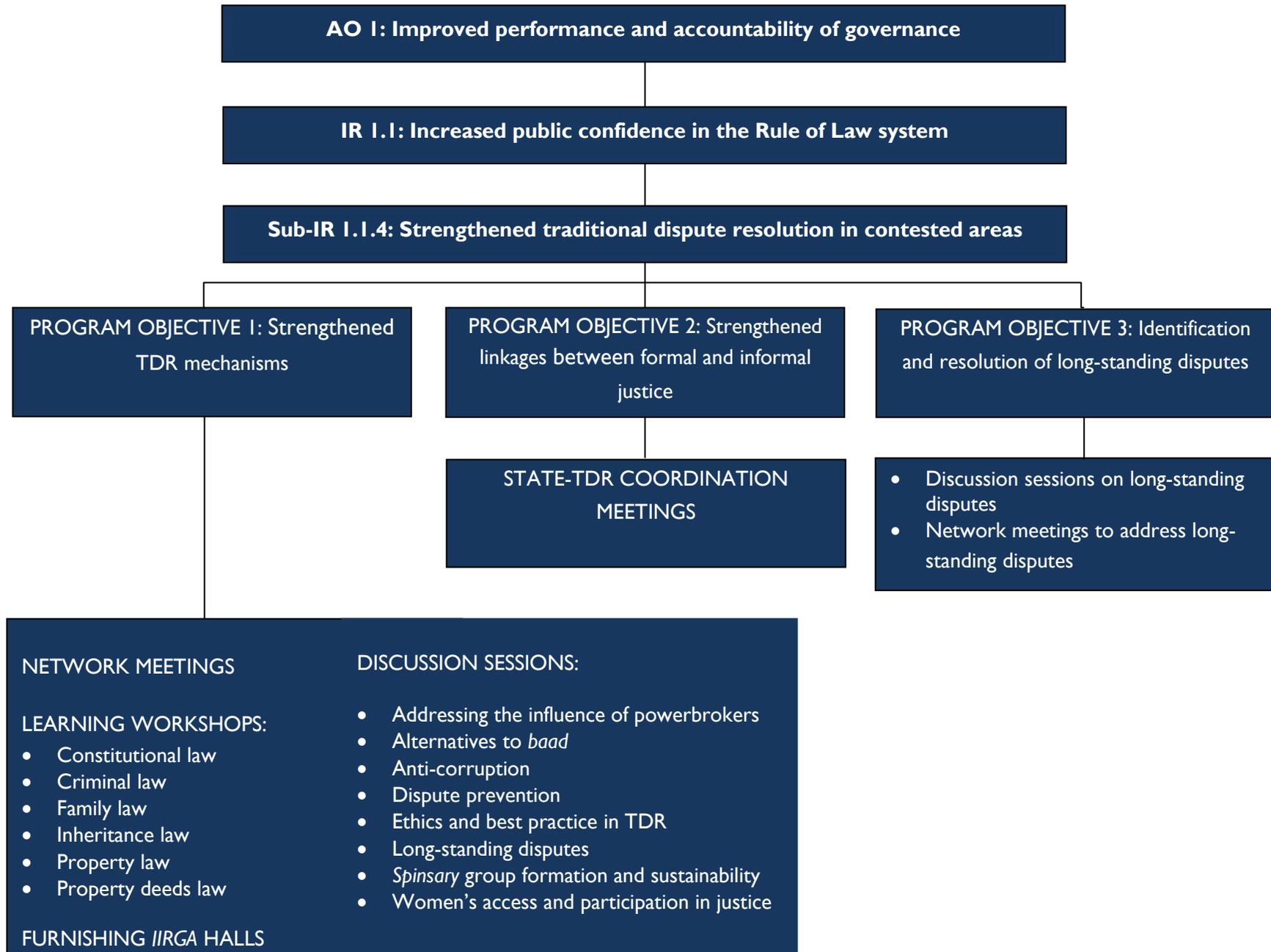
¹⁴ See Appendix D for planned activities in April.



province), Panjwayi and Zhari (Kandahar province), and Chora – Phase 3 cohort (Uruzgan province). These Phase 3 districts will graduate in November.

RLS-I will review and score the final proposals by the preferred bidders for the final selection of an Afghan implementing partner in the north, and will also discuss with USAID district selection for program implementation in the north.

APPENDIX A: USAID/AFGHANISTAN RESULTS FRAMEWORK FOR RLS- I



APPENDIX B: ACTIVITIES MARCH

As RLS-I operates in high risk and exceedingly vulnerable areas, GPS coordinates are not included.		Network meeting	Constitutional law	Criminal law	Family law	Inheritance law	Property law	Property deeds	Addressing influence of powerbrokers	Alternatives to baad	Anti corruption	Dispute prevention	Ethics & best practice in TDR	Long-standing disputes	Spinsary group	Women's access to justice	Coordination meeting	TOTAL			
men's events (white) <input type="checkbox"/>																					
women's events (shaded) <input type="checkbox"/>																					
		Learning workshops							Discussion Sessions							TOTAL					
Province	District	East region																			
Kunar	Chawkay						2				1	1			2			3	3		
	Nurgal										1	1							1		
Laghman	Mihtarlam										1								1		
Logar	Mohammad Agha							2				3					1	3	3		
	Puli Alam		3												1	1		3	2		
Nangarhar	Acheen						2				1	1			2		1	4	3		
	Bati Kot	1	1			1											1	3	1		
	Dara-i-Nur			1							1	1						1	2		
	Jalalabad municipality		1														1	1	1		
	Kama	1	1			1						1					1	3	2		
	Shinwar	1	1			1	1										1	4	1		
TOTAL		3	4	3	1	2	2	4	2		5	8			5	1	1	5	27	19	
Province	District	South region																			
	Kandahar municipality, nahiya 9		1								1						1	1		2	2
	Panjwayi			1			1		2		1							1	1	5	2
	Spin Boldak		1	1	1														1	3	1
	Zhari						2	2			1						1	1		5	2
	Uruzgan	Chora	1	1				2			1	1		1				2		6	3
	Dihrawud	1	1															1		2	1
	Shahidi Hassas	1	1										1						1	2	
	Tirin Kot	1	1															1		2	1
	Shahjoy					1		1	1	1										4	
TOTAL		4	6	2	1	1	1	5	5	4	3	1				2	3	6	30	14	

APPENDIX C: MONTHLY PROGRESS REPORT AGAINST TARGETS

SO:	Improved performance and accountability of governance							
IR I:	Increased public confidence in the Rule of Law system	Jan – Mar 2013						Life of Project
Sub-IR:	1.1.4 Strengthened traditional dispute resolution and justice in contested areas	Jan	Progress	Feb	Progress	Mar	Progress	Target
Goal-level indicators								
1	# of districts graduating from RLS-I	-	N/A	-	N/A	-		20
2	Incidence of harmful practices (<i>baad</i> , forced marriage) reported by <i>spinsary</i>	-	N/A	-	N/A	-		50%
3	# of elders pledging to cease harmful TDR practices	-	N/A	920	Below target	830	Below target	3300
Program Objective 1: Strengthened TDR Systems								
1.1	# of district/regional assessments completed	0	Below target	0	Below target	0	Below target	17
1.2	# elders graduating from RLS-I core program	-	N/A	-	N/A	-	N/A	1050
1.3	% elders responding change in community adjudication	-	N/A	-	N/A	-		25%
1.4	% of elders reporting successful application of any element of RLS-I training	-	N/A	-	N/A	-		15%
1.5	Change in disputant assessment (Procedural justice, subversion, equity)	-	N/A	-	N/A	-		5%
1.6	% knowledge gain in learning workshop content	-	N/A	-	N/A	-		20%
1.7	# of public advocacy campaigns on human rights supported by USG	-		-		-		6
1.8	% knowledge gain among recipients of outreach material	-	N/A	-	N/A	-		10%
1.9	# Women's Dispute Resolution Groups (<i>Spinsary</i>) established	1	On track	3	On track	16	Above target	25
1.10	# disputes resolved by <i>Spinsary</i> Groups	26	On track	16	On track	25	On track	400
Program Objective 2: Strengthened linkages between Formal and Informal Sectors								
2.1	% elders using RLS-I decision book after one month	39%	Above target	33%	On target	16%	Below target	30%
2.2	# of dispute resolutions recorded by elders	21	On track	18	On target	18	On target	-
2.3	% elders registering decisions with government	40%	On target	50%	Above target	25%	Below target	40%
2.4	# of resolutions registered with district institution	12	On track	9	On track	1	On track	-
2.5	# of TDR decisions recorded with Huqooq	-	N/A	-	N/A	4	On track	-
2.6	# of linkages assessments completed	3	On track	1	On track	3	On track	17
Program Objective 3: Develop approaches that successfully resolve long-term intractable disputes								
3.1	# of long standing and intractable disputes identified	6	On track	11	On track	17	On track	40
3.2	# of long standing and intractable disputes resolved in intervention districts	0	On track	3	On track	2	On track	15

APPENDIX D: PLANNED ACTIVITIES – NEXT MONTH

As RLS-I operates in high risk and exceedingly vulnerable areas, GPS coordinates are not included.		Network meeting	Constitutional law	Criminal law	Family law	Inheritance law	Property law	Property deeds	Addressing influence of powerbrokers	Alternatives to <i>baad</i>	Anti corruption	Dispute prevention	Ethics & best practice in TDR	Long-standing disputes	Spinarsy group	Women's access to justice	Coordination meeting	TOTAL			
men's events (white) <input type="checkbox"/>																					
women's events (shaded) <input type="checkbox"/>																					
Province	District	Learning workshops							Discussion Sessions							TOTAL					
		East region																			
Kunar	Chawkay	1	1														1	2	1		
	Nurgal	1	1									1					1	2			
Laghman	Mihtarlam	1	1														1	2	1		
	Qarghayi																				
Logar	Mohammad Agha	1	1								1					1	1	1	4	2	
	Puli Alam	1	1														1	2	1		
Nangarhar	Acheen	1	1									1					1	2	2		
	Bati Kot																				
	Dara-i-Nur	1	1		1												1	3	1		
	Jalalabad municipality	1	1								1				1		1	3	2		
	Kama																				
	Kuz Kunar																				
	Rodat																				
	Shinwar																				
TOTAL		8	8				1				2	2				1	1	1	8	20	12
		South region																			
Kandahar	Daman																				
	Kandahar municipality, <i>nahiya</i> 9	2	1			1											1	3	2		
	Panjwayi	1	1							1		1		1	2		1	4	4		
	Spin Boldak	1															1	2			
	Zhari	1	1											1	1		1	3	2		
Uruzgan	Chora	1	1		1			2					1				1	6	1		
	Dihrawud																				
	Shahidi Hassas			2	1	2	1	2	1			1		1	2	1	1	9	8		
	Tirin Kot																				
Zabul	Qalat																				
	Shahjoy	1															1	2			
	Tarnak Wa Jaldak																				
TOTAL		7	4		2	1	3	2	2	1		2	1	3		5	1	7	29	17	



APPENDIX E: MONITORING AND EVALUATION

Table 1: Progress of elders through core curriculum

*Based on number elders passing through four workshops

Province	District	Elders passing through at least five workshops
Nangarhar	Acheen	57
Kunar	Chawkay	71
Logar	Mohammad Agha	108*
Kandahar	Panjwayi	92
	Zhari	56
Uruzgan	Chora	74

Table 2: *Spinsary* group dispute mediation

The following table lists all *spinsary* decisions documented for the month of March. The disputes are classified according to their scope (within a family, between related or unrelated families, and disputes that are village-wide or greater) and their scale (micro-level disputes within a family or between related families, mid-level disputes between unrelated families, and macro-level disputes affecting the entire village or greater unit of disaggregation).

Province	District	Dispute type	Scope of dispute	Scale of dispute
Nangarhar	Shinwar	Family	Between related families	Micro
Nangarhar	Shinwar	Family	Between unrelated families - neighbors	Mid
Nangarhar	Shinwar	Family	Within a family	Micro
Nangarhar	Shinwar	Family	Between unrelated families - neighbors	Mid
Laghman	Qarghayi	Family	Within a family	Micro
Laghman	Qarghayi	Children	Between unrelated families - neighbors	Mid
Nangarhar	Jalalabad	Family	Within a family – co-wives	Micro
Nangarhar	Jalalabad	Children	Between unrelated families - neighbors	Mid
Nangarhar	Jalalabad	Family	Between unrelated families - neighbors	Mid
Laghman	Qarghayi	Family	Between related families	Micro
Laghman	Qarghayi	Children	Within a family	Micro



Province	District	Dispute type	Scope of dispute	Scale of dispute
Kandahar	Panjwayi	Family	Between families	Mid
Kandahar	Panjwayi	Inheritance	Within a family	Micro
Kandahar	Zhari	Family	Within a family	Micro
Kandahar	Zhari	Family	Between families	Mid
Kandahar	Panjwayi	Family	Between families	Mid

Table 3: RLS-I decision book tracking and formal-informal linkages assessment

* Represents a weighted average across the two samples

District	Sample reached	% reached	% elders document decisions	# disputes documented	% elders register decisions	# disputes registered
Mihtarlam	13	100%	8%	2	0%	0
Jalalabad municipality, <i>nahiya</i> 4	12	92%	25%	16	33%	1
Overall (March 2013)	25	96%	16%*	18	25%*	1

Table 4: Identified long-standing disputes

The identified long-standing disputes are summarized below, including a classification of disputes according to micro-level (a dispute affecting communities no larger than a main village or *manteqa*), mid-level (a dispute affecting communities no larger than the district, and usually requiring the intercession of government actors), and macro-level (a dispute assuming provincial- or national-level significance). Mid- and macro-level disputes could also be categorized as those escalating to involve entire tribes and/or ethnic groups in conflict with another tribe and/or ethnic group. Micro-level disputes might also involve parties of different tribe or ethnicity, but the dispute had not (yet) escalated to the tribal or ethnic level. The shaded rows are resolved disputes.

Province	District	Dispute type	Scope of dispute	Scale of dispute
Uruzgan	Tirin Kot	Land	Between families	Mid
Uruzgan	Tirin Kot	Marriage	Between families	Mid
Uruzgan	Tirin Kot	Land	Between villages	Micro
Kandahar	Arghandab	Family	Between Tribes	Macro



Province	District	Dispute type	Scope of dispute	Scale of dispute
Kandahar	Arghandab	Property	Between Tribes	Macro
Kandahar	Arghandab	Murder	Between Tribes	Macro
Kandahar	Panjwayi	Land	Between Tribes	Macro
Nangarhar	Kama	Land	Between tribes	Macro
Nangarhar	Kama	Land	Between families	Mid
Nangarhar	Kama	Children	Between families	Mid
Logar	Mohammad Agha	Land	Between two provinces	Macro
Logar	Mohammad Agha	Land	Between tribes	Macro
Logar	Mohammad Agha	Land	Between tribes	Macro
Logar	Mohammad Agha	Land	Between tribes	Macro
Logar	Mohammad Agha	Land	Between citizen and tribe	Macro
Logar	Mohammad Agha	Land	Between two families	Macro
Logar	Mohammad Agha	Land	Between tribes	Macro

Table 5: Elder pledges/commitment to code of conduct

District	Male pledges	Female pledges
Kama	62	67
Shinwar	84	79
Bati Kot	75	64
Spin Boldak	68	-
Tirin Kot	53	65
Dihrawud	98	27
Chora	65	23
Total pledges	505	325



Table 6: Overall baseline knowledge scores by topic

Training topic	Items	Score
Constitutional and criminal law	16	49%
Family and inheritance law	17	59%
Property and property deeds law	5	53%
All topics	38	52%

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. An 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>	a 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>	a 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>	MoJ representative at the district level responsible for liaising with elders and the community to resolve civil disputes
IDLG	Independent Directorate of Local Governance, a sub-ministerial GIRoA body
<i>islah</i>	(literally, "reform") a restorative dispute resolution principle 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>jirgamar</i> (pl. <i>jirgamaran</i>)	member of a <i>jirga</i>
<i>khan</i> (pl. <i>khanan</i>)	a member of the wealthy, land-owning class, influential in the community

<i>machalgha</i>	a deposit required from the disputants prior to the commencement of a <i>jirga</i> to ensure compliance with its decision
<i>maher</i>	<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>
<i>malik (pl. malikan)</i>	a 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>	an 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>	an 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>spingiri</i>	(literally, "white-beard") respected male elder(s) involved in dispute resolution
<i>spinsary</i>	(literally, feminine form of "white-headed") respected female elder(s) involved in dispute resolution
TDR	traditional dispute resolution



USG

Government of the United States of America

walwar

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

woliswal (pl. *woliswali*)

District Governor