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MONTHLY REPORT, November 2013

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

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



A spinary group member shares how she has resolved problems after completing RLS-I training.
Arghandab (Kandahar) - November 2013

November 2013

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



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Submitted: 24 December 2013 by:

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INTRODUCTION

USAID's Rule of Law Stabilization Program – Informal Component (RLS-I) aims to enhance access to fair, transparent, and accountable justice for men, women, and children by (1) improving and strengthening the traditional dispute resolution system, (2) bolstering collaboration between the informal and formal justice systems, and (3) supporting cooperation for the resolution of longstanding disputes¹.

RLS-I strives to instill permanent cultural shifts in support of these objectives through a combination of increased awareness, self-initiated solutions, and mutual support and accountability by and between all stakeholders. To ensure the appropriateness of its programming, RLS-I assesses the strengths and weaknesses of the local justice environment in each new district prior to commencing activities. RLS-I then engages a geographically and tribally representative group of approximately 250 respected male and female elders and other public and religious leaders in legal awareness and solutions-based programming. RLS-I's 12-month district intervention consists of a six-month, 50 activity-day **core program** of coalition-building **network meetings**, legal education **workshops**, solutions-based **discussion sessions**, and formal-informal justice protocol **coordination meetings**. The core program is followed by six months of **maintenance** activity comprised, as needed, of ad hoc offerings of individual core program components. Parallel **women's programming**, including the formation of women dispute resolution groups, or **spinsary groups**, and women's rights education programs for male and female participants empowers women to exercise their legal rights and encourages greater female participation in dispute resolution processes. The program also includes an extensive **public outreach** aspect and a robust **monitoring and evaluation** component. Public **outreach** campaigns reinforce RLS-I messaging and create public demand for improved justice practices. A training-of-trainers (ToT) for select community members equips community **legal awareness mentors** to continue disseminating RLS-I lessons independently, demonstrating a clear commitment by local stakeholders to sustain the learning component of RLS-I.

RLS-I ACTIVITIES - NOVEMBER

RLS-I Program Participation				
Events Summary	Events	Male Participants	Female Participants	Total Participants
Network Meetings	21	749	878	1627
Workshops	64	2106	393	2499
Discussion Sessions	50	522	1022	1544
Coordination Meetings	15	446	35	481
TOTAL	150	3823	2328	6151

In November, RLS-I continued core programming in 17 existing districts, and conducted maintenance events in six districts, as detailed in the regional summaries below. This brings the number of current

¹ The relationship between the USAID/Afghanistan Assistance Objective (AO) 1 - Improved performance and accountability of governance; Intermediate Result (IR) 1.1 - Increased public confidence in the Rule of Law system; and Sub-IR 1.1.4 - Strengthened traditional dispute resolution in contested areas and RLS-I's program objectives and activities are attached as Annex A: USAID/Afghanistan Results Framework for RLS-I.



RLS-I active districts to 23 and totaling 48 districts for the life of the project. Additionally, RLS-I mentored subcontractors, The Liaison Office (TLO) and the Peace Training and Research Organization (PTRO), to implement core RLS-I programming in the North, specifically Baghlan, Takhar, and Badakhshan provinces.

The RLS-I team in Jalalabad successfully completed a full set of legal awareness makeup activities for participants who missed the initial six core workshops. The team also conducted capstone district network meetings, state-TDR coordination meetings and handover activities for women district groups. In the South, RLS-I held a regional network meeting with elders from Kandahar, Helmand, Zabul and Uruzgan provinces, and conducted a State-TDR coordination meeting for RLS-I trained spinary group representatives from various districts of Kandahar province. Key staff from these regional teams also met in Kabul to perform a comprehensive RLS-I program review.

Public outreach efforts continued with RLS-I producing and airing radio/TV talk shows on Kandahar National Radio and Television (KNRT). The “Jirga and Justice” programs are being aired monthly through December 2013 with a new topic presented each month. In addition to the “Jirga and Justice” programs, RLS-I continued to broadcast previously produced radio talk shows and animated sketches on various topics, including alternatives to baad, inheritance and family rights, and the role of women in TDR. RLS-I also coordinated the production of a theatre play centered on the role of the jirga in resolving land seizure disputes. The theater production was performed in Zhari and Panjwayi districts (both in Kandahar). RLS-I also continued supporting PTRO and TLO with their respective outreach activities in the North.

In November, M&E field staff monitored activities conducted in the East, South and North (by subcontractors PTRO and TLO) and collected performance data. RLS-I’s evaluation research partner, Strategic Social, delivered the final endline evaluation data.

Security for RLS-I staff and participants remained an increasing concern. All regions were impacted by the deteriorating security situation in advance of the Loya Jirga (that was held in late November) and the elections which are scheduled for April 2014. RLS-I, however, is on track for completion of all component programming in January.

East Region (Nangarhar, Laghman, Kunar, Maydan Wardak, and Logar Provinces)

RLS-I Program Participation - East Region				
Events Summary	Events	Male Participants	Female Participants	Total Participants
Network Meetings	14	512	650	1162
Workshops	22	800	34	834
Discussion Sessions	17	93	408	501
Coordination Meetings	5	183	-	183
TOTAL	58	1588	1092	2680

Overview

In November, RLS-I's regional office in Jalalabad conducted core and maintenance programming in Nazyan, Goshta, Khogayani, and Spin Ghar (all in Nangarhar), Alishing (Laghman), and Nirkh and Maydan Shahr (Maydan Wardak province). The team also continued maintenance work in Acheen (Nangarhar), Chawkay (Kunar), and Mohammad Agha and Puli Alam (Logar). A full set of legal awareness makeup activities was successfully completed for participants who missed the initial six core workshops. RLS-I also conducted capstone district network meetings and coordination meetings involving state-TDR working groups. Several handover activities for the women district groups were also completed. Women graduates of RLS-I's training-of-trainers course (ToT) in Surkh Rod district (Nangarhar) voluntarily taught inheritance law to 16 women who attended at their own expense. Similarly, a male community legal awareness mentor in Dar-I-Nur district conducted constitutional law training for 20 elders. RLS-I staff monitored these events, reporting very good performance by the volunteer trainers.



Discussion session on promoting spinsky sustainability, Alishing (Laghman), 3 November 2013

RLS-I completed nearly completed all of its scheduled core program activities in Nirkh and Maydan Shahr districts (Maydan Wardak province). On November 12th and 13th, RLS-I hosted a comprehensive program review in Kabul with key staff from the regional offices. The thorough internal program assessment examined contextual challenges and possible improvements in both design and implementation. The lessons learned and recommendations will be incorporated into the final RLS-I program report.

The Traditional Justice Advisor, accompanied by the Chief of Party and the Senior Technical Advisor, delivered a lecture on TDR to the students of the American University of Afghanistan (AUAF). The event was part of a lecture series sponsored by the AUAF Law faculty. The Traditional Justice Advisor also met with Dr. Akram Khpulwak, the Minister of Tribal and Borders Affairs, to discuss the project and explore future collaborations. Mr. Khpulwak welcomed the idea, revealing his desire to establish a research center that will focus primarily on subjects related to customary justice and tribal affairs. To this end he requested to receive any publically available research and data that RLS-I has collected so that the center's young researchers may gain access to important resources.

Highlights

State-TDR actors strengthen cooperation in Khogayani

The improving trust and collaboration between formal and informal justice actors in Khogayani district (Nangarhar) was on display in November. Elders there referred a land dispute involving a criminal assault to the district prosecutor. The elders correctly adhered to this process after completing RLS-I's criminal law course that teaches state jurisdiction in criminal cases. The elders' agreed that the

perpetrator must be detained pending an official investigation and possible prosecution. Elders, in the meantime, will work in their traditional roles to reconcile the two involved families to reduce enmity and the probability of continued violence. This result demonstrates a distinct change from the past when elders would have insisted that the assailant be released to them, and highlights how the system can properly function when both state and TDR actors work together while understanding and respecting distinct dispute resolution roles pursuant to Afghan law and traditional norms.

In another example, during a RLS-I state-TDR coordination meeting the district Huqooq explained that his office can register TDR decisions made in civil disputes if the Huqooq office originally referred the civil disputes to elders for resolution. He cited examples of two disputes that were referred to elders and resolved legally. In those cases, the disputants (accompanied by elders) visited the Huqooq office to confirm their satisfaction with the decisions. After reviewing the decisions, the Huqooq registered them. The Huqooq official expressed gratitude for the assistance, citing his inability to move beyond the district center due to insecurity. According to the Huqooq, the elders "helped the Huqooq department resolve these disputes. Indeed, the dispute referral process has been strengthened since elders committed in the previous [RLS-I] sessions to send disputes to the state [when applicable]."

RLS-I participants protect the rights of women and girls

In two instances this month RLS-I participants prevented the use of baad – the giving of a girl or woman in marriage to reconcile families involved in a serious criminal case. In one recently revived longstanding land and murder dispute in Spin Ghar district (Nangarhar), RLS-I elders, at the request of district officials, convinced the victim's family to forgo its demand for two girls in baad and instead accept an apology and material compensation, including livestock and grain. The elders were also able to resolve the underlying land dispute. They then announced the decision publically and registered their written decision with district officials.

The other dispute involved the accidental killing of one child by his friend in Shinwar district (Nangarhar), where RLS-I was active in Phase 1. Spinsary group members trained by RLS-I intervened to prevent the exchange of a girl offered by the guilty party's family. The spinsary group members went to the victim's house and persuaded the victim's father not to take an innocent little girl in baad. The father agreed with the spinsaries and during the apology process he forgave the killer. The grieving father also rejected an offer of livestock and rice, which the elders then donated to a community feast.

South Region (Kandahar and Zabul Provinces)

RLS-I Program Participation - South Region				
Events Summary	Events	Male Participants	Female Participants	Total Participants
Network Meetings	7	237	228	465
Workshops	22	702	278	980
Discussion Sessions	15	98	319	417
Coordination Meetings	9	227	35	262
TOTAL	53	1264	860	2124

Overview

During November RLS-I held core and maintenance programming in the Kandahar districts of Arghandab, Maywand, Kandahar City Sub-District 5 (SD 5), Kandahar City Sub-District 8 (SD 8), and Spin Boldak. The same activities were conducted in the Zabul districts of Takhta Pul and Shinkay. The South team also held maintenance follow-up activities in Panjwayi and Zhari (Kandahar).



Regional network meeting, Helmand, Uruzgan, Kandahar and Zabul provinces, 6-7 November 2013

Approximately 77 tribal elders and state officials participated in a regional network meeting to discuss impediments to resolving longstanding disputes that had identified and prioritized in Phase 2. The participants from Helmand, Kandahar, Uruzgan and Zabul provinces included a female member of the Kandahar Peace Shura, the Shinkay District Administrator, the head of the Helmand Border, Tribal and Ethnic Affairs Department, a representative of the Kandahar Human Rights Department, a Kandahar prosecutor, and the head of the Kandahar Justice Department.

Highlights

RLS-I conducts initial Women's Coordination Meeting

RLS-I debuted the Women's Coordination Meeting, a new pilot activity, on November 17. The initial meeting brought together approximately 35 representatives of spinary groups from various RLS-I districts in Kandahar province with a number of state actors, including a women's rights defense lawyer, two section heads of the Department of Human Rights, and the head of the Women's Association in Kandahar. The meeting aimed to establish linkages between female community elders and relevant state institutions. The Women's Coordination Meeting also established a path forward for ongoing collaboration in the absence of USAID/RLS-I assistance. At the meeting, state actors were introduced to female grassroots actors who work on dispute resolution and informal justice in the province. Members of the spinary groups shared their experiences and challenges, and sought to establish a process in which they can receive formal guidance on legal issues. The participants formed a 22-person committee that will work to address some of the challenges that spinary members face in their respective communities. The head of the Women's Association was elected to lead the committee; she welcomed the opportunity to discuss key issues directly with the leaders of the local communities. State representatives from the different departments exchanged contact numbers and office details with each participant.

Property Deeds workshops provide much needed information

RLS-I's property law workshops are crucial to help elders support their communities in resolving everyday disagreements and addressing longstanding disputes that often destabilize communities for

generations. Elders who complete the course are equipped to prevent future disputes and ensure that the rights of women under Afghan and Shari’ah law are observed and documented.

During a property deeds workshop in Maywand (Kandahar), one of the participating elders explained that even community leaders are often mistaken when it comes to how and when official property documents are drawn up. “I thought that deeds are the property papers provided by the court after the death of an official but today I learned that each and every member of the community can make property deeds documents [at] the court, including lease agreements, waivers, revocable property deeds, and marriage certificates.”

Elders recognize their responsibility as agents of change in their communities

The RLS-I curriculum does not only teach women about their theoretical rights and responsibilities; it also empowers them to become proactive actors in their respective communities. During the handover network meeting in Panjwayi district, a respected female elder encouraged her fellow graduates to continue creating positive change in their communities. “Since the start of the RLS-I program in our district, we have resolved many small and big disputes. Now, as the program is about to end, it is our duty and responsibility to work for the community and continue to resolve problems in the best way possible,” she declared.

During a discussion session on alternatives to baad in Spin Boldak, tribal elders echoed this sense of responsibility by deliberating how to best support women and girls in their communities. Noting that the practice is against Shari’ah and Afghan law, one of the elders vowed to combat baad with everything at his disposal, stating that it is the “responsibility of every tribal elder and official not to give girls in baad and to prevent girls from being given in baad.”

State officials have expressed surprise at level of the transformation they have seen the RLS-I program generate, especially the progress made in recognizing women’s rights. At a coordination meeting, the Spin Boldak Executive Administrator explained how RLS-I has impacted state-TDR cooperation in the district. He has seen a marked increase in the referral of women’s rights disputes to the district center. “People even refer disputes related to baad,” he exclaimed.

North Region (Badakhshan, Baghlan, and Takhar Provinces)

RLS-I Program Participation - North Region				
Events Summary	Events	Male Participants	Female Participants	Total Participants
Network Meetings	-	-	-	0
Workshops	20 ²	604	81	685
Discussion Sessions	18	331	295	626
Coordination Meetings	1	36	-	36
TOTAL	39	971	376	1347

² This includes four conflict management workshops and one outreach workshop



Overview

During the reporting period, RLS-I continued to mentor two subcontractors in the North with the implementation of core programming in Baghlan, Takhar, and Badakhshan provinces. Additionally, The Liaison Office (TLO) and the Peace Training and Research Organization (PTRO) have designed unique events to advance RLS-I objectives, such as conflict management workshops and legal awareness activities for religious community leaders.

TLO

TLO conducted 12 events in Baghlani Jadid (Baghlan), including an outreach workshop designed to promoting legal awareness and justice through religious community leaders.

PTRO

PTRO conducted a total of 26 events in the two program districts of Farkhar (Takhar) and Fayzabad (Badakhshan), including conflict management workshops for men and women.

Highlights

Greater understanding of conflict prevention

During PTRO's four conflict management workshops conducted in Farkhar and Fayzabad, male and female participants received three days of training focused on mediation and negotiation skills. PTRO invited members of the state-TDR working group and various spinarsy groups to participate. Feedback from participants was positive. "This workshop will have a positive effect on our family and in our society because we learned how to resolve conflicts. We can now prevent some of the conflicts and violence in our district," a female participant from Fayzabad noted. Another female participant described her learning experience this way, "Now we understand that each of us is responsible to resolve disputes in our society and prevent conflicts before they arise."

New understanding of women's rights and the role for women as justice actors

During the month of November, both PTRO and TLO conducted a series of discussion sessions focused on women's participation in and access to the justice system. PTRO also held sessions on domestic violence for men and women in Fayzabad and Farkhar. These activities provided participants a better understanding of women's rights and the need for women to be involved in the justice process. Many male participants publically expressed the value of women participation in resolution. During the discussion session on domestic violence, an elder summed up the very open and frank discussion about violence against women, stating "Divorce, suicide, and the escape of girls and women from home are all the result of domestic violence."

During the access to justice discussion sessions, elders struggled to reconcile their willingness to have women access their rights with their concerns about women travelling to gain such access, a matter that conflicts with conservative cultural norms. "In the center [Fayzabad], women have access to justice, but in remote areas of districts women have no access to justice," noted one elder. Another elder suggested that when women approach the village council, elders should refer and support women with their efforts to access other justice in other venues such as the huqooq.



Improved networking and coordination between various district actors

During the month of November both PTRO and TLO reported that formal and informal justice providers have been actively seeking greater levels of interaction, and many times outside scheduled network and coordination meetings. During PTRO conflict management workshops, district actors participated in order to learn more about the program. Several participants at the final coordination meeting in Fayzabad dismissed the historical perception of competition between formal and informal actors. Elders explicitly recognized that to resolve a conflict, the government must examine rights and apply the law while tribal elders must facilitate reconciliation among the parties by removing animosity. “This is the way that we can work together effectively,” stated an elder.

During a workshop that sought to use religious community leaders to promote legal awareness and justice, district government representatives suggested additional participants such as spiritual elders should also be invited to promote RLS-I objectives. Historically the relationship between religious leaders in Baghlani Jadid and the district governor have been strained due to a legacy of district officials discriminating against elders. The mere presence and participation of the district governor at the outreach event with religious leaders improved the mutual trust and confidence between the religious leaders and the local government.

Outreach

Overview

In line with public demand, RLS-I further expanded its outreach efforts and collaboration with Kandahar provincial officials in the South region. As summarized in previous monthly reports, the district governor has become increasingly appreciative of RLS-I programs, specifically the public legal awareness activities involving state radio and TV stations. In November, RLS-I produced and aired its fourth (out of five) installment of the “Jirga and Justice” talk show. The “Jirga and Justice” programs address a new topic each month and will air monthly through December 2013. This month’s segment centered on criminal law, with a special focus on civil and criminal cases in TDR practices, and discussed topics such as the rights of the accused upon arrest, police investigations, prisoners’ rights, and the accused’s right to a defense lawyer. The talk show also clarified the role of jirgas in guaranteeing individual rights in criminal disputes while state rights are addressed by the formal system. During the 45-minute talk show, which aired in prime time, the moderator presented RLS-I program objectives and outreach goals in the province. Each of the four panelists answered various questions by the moderator and the in-studio audience, which consisted of approximately forty men, women and young adults. The show was so well received that the station re-aired the program two additional times on television and repeated it four more times on radio at no extra cost. RLS-I owns the show’s content and is also rebroadcasting the programs on other radio and TV stations in Kandahar and Nangarhar.

In addition to “Jirga and Justice”, RLS-I continued to broadcast the project’s previously produced radio talk shows and animated sketches that address alternatives to baad, female participation in the dispute resolution process, and the relationship between the country’s formal and informal justice

systems. These radio talk shows and animations were produced during Phase 1 of RLS-I, and sustained public interest in these issues is the impetus for the rebroadcasts in Phase III.

In November, RLS-I continued community theater activities by facilitating the production and performance of a theater play about the role of the jirga in solving land seizure disputes. The community theatre play, which was performed in both Zhari and Panjwayi districts (Kandahar), encouraged audiences to consider the positive role of the jirga in community dispute resolution and how the jirga may prevent property rights violations. RLS-I has agreed with Kandahar Film and Theatre to produce and present five local theatre pieces (performed twice) on traditional dispute resolution topics in remote areas such as Zhari and Panjwayi. These popular traveling theater productions reach deep into districts and rural villages to inform citizens of their basic legal rights. The theatre shows in Zhari and Panjwayi engaged local children as well as adults.



Theatre play about the role of the jirga in solving land seizure disputes, Panjwayi (Kandahar), 19 November 2013

RLS-I trained legal research skills to seven senior outreach staff members of the Legal Aid office of the Ministry of Justice in Kabul. The training included topics such as legal research, ethics, writing, Dari grammar, punctuation and methods for conducting needs assessments. This training will enable the Legal Aid personnel to develop targeted legal outreach materials and to train their provincial colleagues. The training was conducted by a local legal trainer of De Qnoon Ghushoonky, an Afghan legal aid NGO that had previously received assistance from Checchi when it implemented the USAID/Afghanistan Rule of Law Project (ARoLP). In fact, in 2005-2006, both De Qnoon Ghushoonky and the outreach section of the Legal Aid office were supported by Checchi via ARoLP. Eight years later, Qanoon Ghushoonky has developed into a capable Afghan legal aid NGO, so much so that it has the capacity today to train the outreach section of MOJ's Legal Aid office. Demonstrating sustainability gains even further, the MOJ's Legal Aid outreach section is now able to train its own provincial outreach staff with its own trainers.

RLS-I completed its fifth illustrated booklet that addresses walwar and its negative consequences. The booklet will be printed and distributed around the last week of December as part of RLS-I's final distribution campaign, which will be carried out in Kandahar, Nangarhar and Baghlan.

RLS-I worked with PTRO and TLO on their outreach activities. PTRO continued to air radio programs and distributed 3000 illustrated booklets and pamphlets on TDR topics in Fayzabad and Farkhar. TLO volunteered to distribute illustrated booklet on land seizures for 250 program participants, in particular to those attending the property law and property deeds workshops.

MONITORING AND EVALUATION

Event monitoring

During the reporting period, M&E field staff monitored ten activities – six in South region and four in the East region. In the North, RLS-I continued its effort to closely monitor the implementation of activities conducted by subcontractors PTRO and TLO. RLS-I hired and trained field event monitors in Baghlani Jadid, Farkhar and Fayzabad to monitor and report on at least 50% of the events conducted. RLS-I used these reports to give feedback and mentor the subcontractors' implementation efforts. With additional monitoring provided by RLS-I, a total of 77% of all events (28 out of 39) were monitored during November.

Spinsary group creation and dispute mediation

During the reporting period, RLS-I created ten spinsary groups – three in the East region, three in the South region, and four in the North region. From a partial sample of previously established spinsary groups, RLS-I documented a total of 121 spinsary decisions. In one example of a resolved dispute, a man had engaged his 17-year-old daughter to his nephew (the girl's cousin) without consulting her. Upon learning of the arrangement, the daughter resisted, stating that she wished to continue her studies. She had the support of her mother in contesting the marriage, but her father insisted in proceeding. When an RLS-I spinsary member learned of the situation, she visited the family and explained that according to Islamic Shari'ah, consent of the daughter is obligatory when she reaches maturity. The mother also redoubled her efforts to persuade her husband, explaining the importance and benefit of education. After some discussion, the father accepted the arguments of his wife and the spinsary member. Together they agreed that the daughter could complete her studies and then make her own decision about marriage.

In another example, a man had taken his two daughters out of school once they reached the sixth grade. This is a common practice in Afghan villages when parents consider their daughters to be approaching maturity and thus required seclusion in preparation for marriage. However, these girls enjoyed their education and wished to continue. They visited a spinsary group member and sought help in pleading for their rights. The spinsary group visited the girls' father and explained that education was obligatory for both males and females according to Islamic Shari'ah, and also stressed the importance and benefit of education in improving the lives of his daughters. Eventually the father accepted the spinsary group's arguments and allowed his daughters to return to school. The spinsary group then continued their efforts to repair the situation by visiting the school to explain why the girls had been absent, requesting help from the teachers in helping the girls catch up on missed school work.

Longstanding disputes

During the reporting period, RLS-I identified 32 longstanding disputes – 11 in the East, five in the South, and 15 from two North regions. In addition to the identified disputes, RLS-I elders helped resolve four previously-identified longstanding disputes. In one example, an RLS-I elder from Khoghayani helped resolve a dispute that originated in Sherzad district – a non-program district. For the past 20 years two villages had repeatedly clashed over grazing rights on a meadow lying between them, resulting in the razing of land so as to prevent its use by the other village. Occasionally injuries

resulted from physical altercations between villagers. With RLS-I participants among those named as decision makers, the parties agreed to mediate the dispute. The villagers signed authority letters promising to abide by the decision, while the elders pledged to abide by Afghan law and Islamic Shari’ah in their decision making. The elders relied upon a long-established custom in establishing land boundaries. Each village nominated a person with the strongest voice, and the boundaries of each village were set at the farthest point at which the voice could be heard. In so doing each village agreed upon its respective boundaries and pledged to respect the other village’s grazing rights within its boundaries.

The RLS-I participants who helped resolve the dispute were convinced that their attendance at RLS-I activities helped them be more confident and active in serving as peacemakers in their communities. According to the lead mediator and RLS-I participant, “We have learned a more diplomatic methodology of resolving a difficult dispute, and we are motivated by RLS-I to use decision books properly and help the community resolve disputes.” The authority letter used to bind villagers to the decision came from authority letter templates issued by RLS-I, and the resolution of the dispute was also documented in the RLS-I decision book.

Outreach monitoring

During the reporting period, M&E observed the performance of a community theater production adapted from the RLS-I illustrated booklet on land seizure. Based on a true story, the story relates how a family returns from exile in Pakistan to find that their lands have been seized, leading to protracted arguments, injuries between the two disputants, and ongoing violence between the two disputant families. The RLS-I M&E officer observed the performance, paying close attention to audience’s interest, participation, and opinions. The audience consisted of approximately 200 youth age 9-18.

RLS-I found that the actors were competent and effective in delivering the issues of land seizure and the role of jirga in finding a resolution. The audience showed interest throughout the production and broke out into frequent applause. Audience members could also successfully enunciate the messages of the production and offer their own thoughts about such issues. Two audience members raised the interesting point that local elders must take on the responsibility of “shielding” the land and other immovable assets of a family who had left the community in the event of their eventual return. One student mentioned that his father was an elder and that he would share this story with him and the rest of his family. The headmaster of the school hosting the production was enthusiastic in his support of conducting such activities for his students, mentioning that the harvest of land obtained unlawfully was unacceptable (haram) to the community according to Islamic Shari’ah. He further mentioned that today’s youth were tomorrow’s elders, so communicating positive messages to youth will pay dividends for many years to



Interview with the school headmaster about the community theater production for his students, November 2013

come.

RLS-I linkage assessments and decision book tracking

During the reporting period, RLS-I conducted three formal-informal justice linkage assessments – two in the East region and one in the South region. State justice actors in Alishing district (Laghman province) were particularly expressive in describing the relationship between formal and informal justice, and how RLS-I contributed to a more constructive and legal-based atmosphere. According to one of the district judges, “Before RLS-I, community elders used to try to resolve criminal disputes that fall under haq-ullah [delivering punitive judgments that should only be resolved by the government criminal justice system], such as driving out a family from the village or burning down their houses. But today they do not resolve the haq-ullah cases in their dispute resolution.” The judge also produced records indicating that for 1392 to date, the court had received 50 petitions for dispute resolution and had engaged local elders to help resolve 36 of them, for a referral rate of 72%. The deputy governor of the district mentioned that poor security prevented the district from properly adjudicating many disputes, and that RLS-I’s contribution expanded the capacity of a network of elders who help resolve civil disputes in their communities as government representatives. The Huqooq officer explained that according to his observations local elders had typically used custom and tradition to resolve disputes, but after RLS-I the disputes were grounded more in Islamic Shari’ah, resulting in the reduced application of harmful social practices that are both un-Islamic and illegal. Finally, the head of the District Development Assembly (DDA) offered an observation relating to the critical RLS-I objective of bringing formal and informal justice together into one holistic system. “Before we used to consider that jirga is our culture and has no relation with the formal justice. But today we know that the jirga is a part of the formal justice, and we know about all formal institutions and their authorities,” he stated.

In addition to justice linkage assessments, RLS-I tracked decision book usage among 93 elders across three districts. Documentation rates in Kandahar and Khogayani were strong but weak in Spin Ghar. Registration rates were strong in Kandahar city but weak in the two Nangarhar districts. The table below summarizes:

Province	District	Elders sampled	% of Elders who documented decision	Disputes documented	% of Elders who also registered decision	Disputes registered
Kandahar	Sub-District 5	14	64%	24	100%	15
Nangarhar	Spin Ghar	40	13%	5	0%	0
Nangarhar	Khogayani	39	59%	59	13%	4
OVERALL		93	40%	88	32%	19

The poor performance of Spin Ghar districts is primarily attributable to the specific characteristics of elders from the Shinwari districts of Nangarhar province. In Shinwar areas, elders have a strong tradition of independence from the state and will typically dislike any idea of linkage with government. It should be noted that in Spin Ghar, the overall documentation rate is high but the specific documentation rate with the RLS-I decision book is nearly zero. Elders state that neither they nor the disputants wish for any formality of their decision with the district government, and will record their decisions outside the RLS-I decision book. In this context, the RLS-I decision book is associated with formality and linkage with the state, which is often resisted or even rejected by Shinwar elders.

CHALLENGES

Poor security in several districts directly impacted RLS-I programming during the month of November. RLS-I cancelled the women's capstone and handover district network meetings in Acheen (Nangarhar) due to direct threats against RLS-I's women activities there. Security in the Maydan Wardak province of Maydan Shahr and Nirkh continues to be a significant challenge to RLS-I's attendance rates. Elders report being threatened by both Taliban and Hezb-I-Islami militants when they attempt to move around the districts.

The Loya Jirga and ongoing peace talks in November further worsened security in the South. The logistics of ensuring attendance of volunteer elders from Uruzgan and Helmand provinces meetings held in Kandahar City proved particularly challenging. Security on the Uruzgan-Kandahar highway has been severely compromised by the ongoing drawdown of assisting forces. Initially only four of 14 invited elders committed to attend the regional network meeting. Two elders were attacked in areas around the Shah Wali Kot district of Kandahar while on the highway, forcing them to return to Uruzgan. Five other participants made it to the meeting. Similar reluctance was exhibited by some elders in Helmand province who initially did not want to travel to Kandahar City. However, Helmandi elders have always shown great interest in RLS-I programs, and with coordination and encouragement from RLS-I staff, 11 elders made their way from Helmand to a regional event.

One of RLS-I's most active program participants from Sub-district 9 of Kandahar City, who had also committed to attend the regional network meeting, was shot dead just two days prior to the meeting. He was one of the most outspoken local elders, criticizing insurgents and the passive attitude of the Ulema (religious scholars) for not issuing a fatwa (decree) against suicide bombs in Afghanistan. Lastly, another RLS-I program participant was abducted by the Taliban and was released after 24 hours of interrogation. None of these incidents or killings can be directly linked or attributed to participation in RLS-I programs.

An event in Arghandab was rescheduled following the explosion of a magnetic device attached to the vehicle of a participating elder on his way to the event. The elder survived the attack.

The security situation in Baghlani Jadid has deteriorated to such an extent that the UN suspended road missions through the district. This largely reflects trends reported by participants in the district, which may have also contributed to lower attendance as elders feel less safe traveling along the main road to the district center. RLS-I and TLO will continue to monitor the situation.

During the month of November, PTRO attempted to move forward on the refurbishment of jirga halls in their districts. PTRO's efforts to identify suitable venues to be used as jirga halls reached an impassable obstacle when district officials sought to take advantage of the situation by demanding funds be handed over to them as "rent" for the rooms. In Farkhar, the district governor's insistence on receive the funds while refusing to sign the standard RLS-I MOU prevented PTRO from moving forward with jirga hall renovations. AS such, PTRO has decided not to refurbish any jirga halls in their districts, given that no agreement according to the RLS-I MOU could be negotiated for any of the possible venues the government.



LOOKING AHEAD

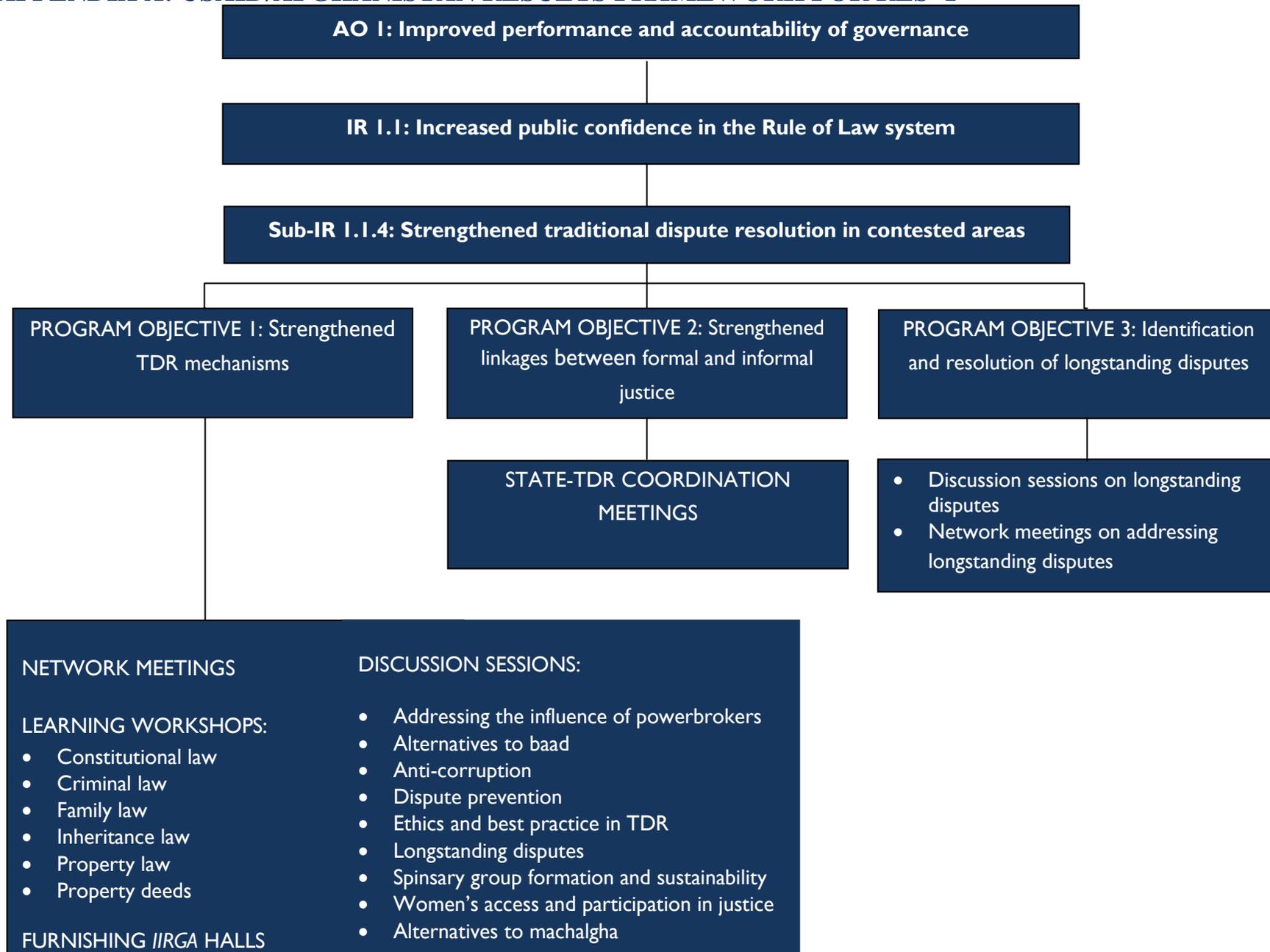
RLS-I anticipates conducting some **102** core programming and maintenance activities in the East, South, and North during the month of December. The Jalalabad team will complete handover district network meetings for all active districts in Nangarhar, Laghman, and Kunar. The team will also furnish the remaining jirga halls, outfit all libraries with legal and general education material, and display participant pledges in plain view. The Kabul team will focus on completing a full set of makeup workshops in Mohammad Agha (Logar province), Nirkh and Maydan Shahr. RLS-I will continue its rigorous schedule in the South of education and action-oriented activities to complete all programming activities by the end of January. RLS-I's Afghan partners will complete the RLS-I core programming in the three districts in the North by mid-December; TLO in Baghlani Jadid (Baghlan province), and PTRO in Farkhar (Takhar) and Fayzabad (Badakhshan), with make-up workshops and the final coordination and network meetings. In the second half of December, PTRO and TLO staff will participate in the collection of the endline elder survey data and also continue to collect information pertaining to the M&E PMP targets in their districts.

RLS-I will distribute its newly published book of legal education materials (formerly distributed as individual course handouts) entitled *Introduction to Basic Rights* to all Phase 3 participants and select former participants. The book includes discussion scenarios, frequently asked questions and answers, and RLS-I legal workshop agendas for use by community legal awareness mentors and others who volunteer to continue disseminating RLS-I legal information. Its contents, geared toward a rural and undereducated audience, reflects refinements made based on over three years of legal training experience and several detailed course and program reviews.

RLS-I will assist the MOJ Legal Aid office train 20 provincial outreach staff member. The training will focus primarily on community outreach skills, such as activity planning and coordination, material development, outreach campaigns and the MOJ's national legal awareness strategy.

In December RLS-I will produce and air its fifth and final instalment of the "Jirga and Justice" talk show. RLS-I will continue to broadcast the project's previously produced radio talk shows and animated sketches. Lastly, RLS-I will continue produce the fifth and final community theatre play in Zhari and Panjwayi districts about walwar and its negative consequences.

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



APPENDIX B: ACTIVITIES NOVEMBER

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	Conflict management workshop	Addressing influence of powerbrokers	Alternatives to <i>baad</i>	Addressing corruption	Addressing domestic violence	Dispute prevention	Promoting legal awareness & justice > religious leaders	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"/>																				150										
		Legal Education Workshops								Discussion Sessions																				
Province	District	Phase 3 - Tranche 2 districts																												
Maydan	Maydan Shahr	1		1	2				2	1					1		1	1	1		8	4								
Wardak	Nirkh								2	2					1		1	1			5	2								
Laghman	Alishing	1	2														2		1		2	4								
Nangarhar	Goshta		2														2		1		1	4								
	Khogayani	1	2	2	2	2	2	2									1		1		13	2								
	Nazyan	1															2		1		1	3								
	Spin Ghar	1																	1		2									
Kandahar	Arghandab	1	1																1		2	1								
	Kandahar City SD 5	1		1															1	1	3	1								
	Kandahar City SD 8		1	1			1	1	2	2		1		2			1		1		7	6								
	Maywand							1									1		1		2	1								
	Spin Boldak		1			1				1	1			1			1		1		5	2								
Takhta Pul				1	1								1				1			1	3									
Zabul	Shinkay		1	1		1	1		2	2		1		1			1	1	1	1	7	6								
Baghlan	Baghlani Jadid (TLO)		1	1				2	2						1	1	1	1	1	1	10	2								
Badakhshan	Fayzabad (PTRO)		1					2	2	1	1	1	1	1			1	1			10	4								
Takhar	Farkhar (PTRO)							2	2	1	1	1	1	1			1	1			9	4								
TOTAL		5	7	7	3	6	3	2	4	2	16	16	2	2	4	1	2	2	2	2	9	1	3	16	4	3	12	1	88	49
Province	District	Phase 3 - Tranche I maintenance districts																												
Nangarhar	Acheen	1																			1									
Kunar	Chawkay	1	2																		1	2								
Logar	Mohammad Agha		1																			2								
	Puli Alam																				1	1								
Kandahar	Panjwayi	1	1																		1	2	1							
	Zhari	1	1																		1	2	1							
TOTAL		4	5																		2	2	6	7						

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	July - September 2013						Life of Project
Sub-IR:	I.1.4 Strengthened traditional dispute resolution and justice in contested areas	Oct	Progress	Nov	Progress	Dec	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 spinsary	-	N/A	-	N/A			50%
3	# of elders pledging to cease harmful TDR practices	-	N/A	530	On track			4235
Program Objective 1: Strengthened TDR Systems								
I.1	# of district/regional assessments completed	0	Below target	0	Below target			17
I.2	# elders graduating from RLS-I core program	-	N/A	-	N/A			1570
I.3	% elders responding change in community adjudication	-	N/A	-	N/A			25%
I.4	% of elders reporting successful application of any element of RLS-I training	-	N/A	-	N/A			15%
I.5	Change in disputant assessment (Procedural justice, subversion, equity)	-	N/A	-	N/A			5%
I.6	% knowledge gain in learning workshop content	24%	Above target	-	N/A			20%
I.7	# of public advocacy campaigns on human rights supported by USG	-	N/A	-	N/A			6
I.8	% knowledge gain among recipients of outreach material	-	N/A	-	N/A			10%
I.9	# Women's Dispute Resolution Groups (<i>Spinsary</i>) established	17	Above target	10	On track			49
I.1	# disputes resolved by <i>Spinsary</i> Groups	41	Below target	121	On track			505
Program Objective 2: Strengthened linkages between Formal and Informal Sectors								
2.1	% elders using RLS-I decision book after one month	41%	Above target	40%	Above target			30%
2.2	# of dispute resolutions recorded by elders	14	N/A	83	N/A			-
2.3	% elders registering decisions with government	86%	Above target	32%	Below target			40%
2.4	# of resolutions registered with district institution	12	N/A	19	N/A			-
2.5	# of TDR decisions recorded with Huqooq	-	N/A	-	N/A			-
2.6	# of linkages assessments completed	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	0	On track	23	Above target			64
3.2	# of long standing and intractable disputes resolved in intervention districts	0	On track	4	On track			24

APPENDIX D: PLANNED ACTIVITIES: DECEMBER

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	Conflict management workshop	Addressing influence of powerbrokers	Alternatives to baad	Addressing corruption	Addressing domestic violence	Ethics & best practice in TDR	Promoting legal awareness & justice>religious leaders	Long-standing disputes	Spinsary group	Women's access to justice	Coordination meeting	TOTAL							
men's events (white)	women's events (shaded)																										
		Legal Education Workshops										Discussion Sessions						102									
Province	District	Phase 3 - Tranche 2 districts																									
Maydan	Maydan Shahr	1	1	1	1	1	1	1	1	2									1	9	3						
Wardak	Nirakh	1	1									1		1					1	3	2						
Laghman	Alishing	1	2																	1	2						
Nangarhar	Goshta	2	2																	2	2						
	Khogayani	2	1																	2	1						
	Nazyan	2	1																	2	1						
	Spin Ghar	1																		1							
Kandahar	Arghandab																										
	Kandahar City SD 5	1	1			1	1			1	1									4	2						
	Kandahar City SD 8	1	2	1					1									1		2	4						
	Maywand	1	1	1	1	1	1		1	1	1									6	4						
	Spin Boldak	1	1			2			1	2	1							1		7	2						
	Takhta Pul	1	2	2				1	1	1										4	4						
Zabul	Shinkay	1	1	1		1	1		1	1	1									6	4						
Baghlan	Baghlani Jadid (TLO)	1	1																	1	1						
Badakhshan	Fayzabad (PTRO)	1	1				1	1											1	4	1						
Takhar	Farkhar (PTRO)	1	1	1		1													1	4	1						
TOTAL		19	19	7	2	5	4	4	2	5	4	6	7					1		1		2		4	58	34	
Province	District	Phase 3 - Tranche 1 maintenance districts																									
Nangarhar	Acheen																										
Kunar	Chawkay																										
Logar	Mohammad Agha	1		1		2		1			1	1															7
	Puli Alam																										
Kandahar	Panjwayi																										
	Zhari			1			1	1																			3
TOTAL		1		2		2		2		1		1	1														10

APPENDIX E: PROGRAM REVIEW

Program Structure and Scope

RLS-I's core program, which runs about six months, teaches participants a variety of legal topics relevant to dispute prevention and resolution via six courses (35-40 hours of training in all). The core program reaches approximately 125 male participants per district, with a target of at least 75 attending all six courses. The core program also provides four legal education workshops for approximately 125 women³; eight discussion sessions on pressing issues⁴; three state-TDR protocol coordination meetings⁵; three spinary group meetings⁶; and four network meetings⁷. In total, these events amount to approximately 50 days of activities.

The core program is followed by a maintenance period that provides an average of 15 needs-based activities⁸ over a six month period to fill workshop attendance gaps and address other lingering needs that exist following the core programming. RLS-I's district intervention culminates with a handover network meeting, allowing participants to chart and commit to specific plans for carrying forward RLS-I objectives independently. Prominent elders and district and provincial officials are encouraged to attend provincial and regional network meetings focused on issues and longstanding dispute resolution.

Network Meetings

District network meetings serve as the structured plenary forum for district groups of approximately 120 men and 120 women. Inaugural meetings familiarize participants and allow them collectively to assess the district's justice needs and determine project priorities. Capstone meetings culminate the core program with a structured reflection on lessons learned, commitments made, and further needs during maintenance. Participants have the opportunity to: 1) sign pledges affirming their commitment to specific measures aimed at promoting quality justice, 2) volunteer to be trained to become community legal awareness mentors, and 3) identify and volunteer to address longstanding disputes. Final handover district network meetings upon completion of maintenance allow participants to chart a path forward, including, for example, specific plans for ongoing state-TDR collaboration, independent of RLS-I assistance. Provincial network meetings provide a framework for key elders and officials from each district and the provincial government to assess and determine future action on challenges to justice at the province or district level. Volunteer mutual-accountability coalitions form to tackle, for example, specific instances of corruption. Regional network meetings provide a forum for structured dialogue among influential elders, officials, and other community leaders to identify, assess, and volunteer to take action on, longstanding 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

³Given severe restrictions on women's movement in some districts, the RLS-I project has not set a firm target for women's attendance. Yet, on average women participation rates of over 40%.

⁴ Four for men, four for women. Discussion session topics are determined through district assessments and by participants in each district during network meetings and workshops.

⁵ For tribal elders.

⁶ For influential women.

⁷ Two for men, two for women.

⁸ Legal education workshops, discussion sessions, or coordination meetings.

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 3.⁹

Workshops

RLS-I legal education workshops are conducted by esteemed university professors and other legal professionals to deliver targeted messages on aspects of Afghan law relevant to ensuring legal compliance in dispute resolution. RLS-I's materials and trainers intentionally demonstrate congruence between Afghan law and local cultural/religious beliefs to ensure the messages resonate and to help bridge the gap between local communities and the state. The core curriculum, developed from RLS-I assessment findings, and in consultation with participants and university trainers, consists of Constitutional law, criminal law, family law, inheritance law, property law, and property deeds. Workshops contribute to the achievement of AO 1, IR 1.1, Sub-IR 1.1.4, and to the achievement of RLS-I Program Objectives 1, 2, and 3.

Constitutional law workshops focus on the importance of constitutional provisions, stages of adopting legislation, 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 courses cover court jurisdiction, types of crimes under the Criminal Code, procedures for referral of crimes to the formal justice sector (i.e., police and prosecutors), and the state's criminal adjudication process.

Family law addresses common disputes arising out of engagement, marriage and divorce, and covers the specific topics of marriage engagement rights, consent to marriage, dowry and bride price, marriage expenses, the respective rights and responsibilities of husband and wife, guardianship, alimony, and divorce. Due to the extensive material that is covered, and to allow more interactive learning, the family law workshop has been extended to a two days.

Inheritance law covers the allocation of a decedent's estate under Afghan 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 heirs. For this reason, RLS-I has shifted to two-day inheritance law workshops.

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

⁹ See Appendix A. All activity types contribute to the achievement of each Program Objective to some degree.

Discussion Sessions

RLS-I discussion sessions provide a forum for formal-informal justice sector working groups (approximately 30-35 elders and five officials) to jointly develop and commit to solutions to challenges facing the formal and informal justice sectors, as identified through assessments and participant input. RLS-I's current set of topics, developed over three years of experience, includes alternatives to baad (the customary practice of settling a dispute by pledging a girl from a guilty party's family to a member of the harmed family); establishment of spinsary groups (women's dispute resolution groups); dispute prevention among children and neighbors; addressing corruption within the formal and informal justice sectors; addressing the influence of powerbrokers; longstanding disputes; women's participation and access to justice; alternatives to disputant deposits (machalgha); and ethics and best practice in TDR. The core program includes four of these topics, chosen based on each district's needs. Discussion sessions contribute to the achievement of AO 1, IR 1.1, Sub-IR 1.1.4, and to the achievement of RLS-I Program Objectives 1, 2, and 3.

The discussion session on addressing the influence of powerbrokers explores the challenge of power discrepancies between disputants and between disputants and outside parties in formal and informal justice mechanisms. During these sessions, formal and informal justice sector actors discuss ways to limit this influence in order to promote fair justice outcomes.

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

The discussion session on anti-corruption provides an opportunity for 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 follow 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 group meeting, participants 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.

Discussion sessions on dispute prevention among children and neighbors are an outgrowth of the spinsary groups, whose members report that violent disputes between families often arise out of the squabbling of children. Through sharing personal experiences, spinsary group members have learned to intervene on such occasions to defuse any escalating tensions between children.

The discussion concerning ethics and best practice in TDR aims to promote a collective affirmation by TDR practitioners of the qualities of a good jirgamar (TDR practitioner) and effective procedural practices to use in TDR cases. Participants are then encouraged to commit to live by those standards and implement best practices in disputes they resolve. During the ethics component, for example, 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 longstanding disputes, the discussion session on the topic have formal and informal justice sector actors identify specific disputes that have persisted over time and/or had a particularly destabilizing effect on communities in the district. RLS-I staff do not attempt to resolve such disputes, but instead facilitate discussions during which elders and state actors make assessments and become equipped to take independent action to resolve long-standing disputes.

When discussing women's participation and access to justice issues, participants consider how to increase women's access to formal and informal justice, and how to support female justice actors in their communities. Given cultural restrictions on women's interaction with unrelated men in most RLS-I districts, the debate is generally nascent, but one common theme that emerges is universal support for spinsary groups sponsored by RLS-I.

The alternatives to machalgha (disputant deposit) discussion session allows participants to examine the impact of reliance on disputant deposits (to guarantee compliance with TDR decisions) on the quality of justice outcomes. Issues such as the misuse (corruption) of machalgha and its impact on elder attention to seeking voluntary disputant compliance are addressed. Participants are given the opportunity to develop and commit to alternatives to the practice.

Coordination Meetings

The formal-informal justice sector working group holds coordination meetings. The first meeting builds familiarity and establishes common understandings of the appropriate roles of formal and traditional justice actors, including jurisdiction in civil and criminal matters, in collaborating to resolve disputes. The second and any subsequent meetings establish specific coordination procedures for dispute referrals, TDR decision reviews, and registration with formal justice institutions. Participants are also introduced to authority and decision letters¹⁰ as the standard recording and registration formats for TDR decisions. State-TDR coordination meetings contribute to the achievement of AO 1, IR 1.1, Sub-IR 1.1.4, and, primarily, to the achievement of RLS-I Program Objective 2.

Women's Programming

In addition to women's programming in most areas described above and addressing women's rights throughout male and female activities, RLS-I assists female elders in forming women's dispute resolution (or spinsary) groups. The bodies focus on defusing family, children, and neighbors' disputes before they escalate into more serious and potentially destabilizing conflicts. Spinsary group members

¹⁰ Authority letters (waak leek) are forms signed by disputants who grant authority (waak) 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, participating elders, and formal justice actors, and are bound in books distributed to elders by RLS-I.

also actively apply legal workshop lessons in advocating for women's rights in dispute resolution processes. Spinsary groups contribute primarily to the achievement of Sub-IR 1.1.4 and RLS-I Program Objectives 1 and 3.

Outreach

To help shape the local context in support of improved justice practice and respect for rights generally, RLS-I conducts an outreach campaign to the largely illiterate general public with illustrated materials, radio and TV programs, and work with community cultural center (CCC) village volunteers to raise public awareness of and demand for compliance with Afghan law relevant to common disputes and their resolution.

APPENDIX E: GLOSSARY

alem	religious scholar, considered to be more knowledgeable about Shari'ah than most mullahs
baad	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
badal	exchange marriage performed between families or tribes to alleviate tensions or relieve the financial burden of walwar
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
diyya	(in Afghanistan often referred to by its Arabic plural diyat) the custom of paying bloodmoney in a murder case to the family of the victim to avoid retaliation, the sum of the compensation is determined by shari'ah
DST	District Support Team
GIRoA	Government of the Islamic Republic of Afghanistan
hadith	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 Qur'an
haq-ullah	concept of Shari'ah 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)
haq-ul abd	concept of Shari'ah 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
huqooq	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
islah	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 Huqooq district offices, the term refers to the category in the Huqooq offices' record-keeping system for registering TDR decisions

jirga	ad hoc assembly of tribal elders convened to make specific decisions or resolve a specific dispute by consensus
khan	member of the wealthy, land-owning class, influential in the community
machalgha	deposit required from the disputants prior to the commencement of a jirga to ensure compliance with its decision
maher	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
malik	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.
manteqa	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.
maraka	currently, often used interchangeably with the term jirga, 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
mawlawi	highly qualified Sunni Muslim religious leader, usually with a more extensive religious education than a mullah
mudir-e-huqooq	Huqooq office director
mullah	local religious leader
nahiya	municipal sub-district
nanawati (also nanawatai)	a tenet of the Pashtun tribal code pashtunwali: <ol style="list-style-type: none"> 1. the act of a perpetrator's representatives (often an older female and/or a mullah together with jirgamaran) requesting forgiveness for a murder or injury from the victims' family in order to reconcile the parties and reinstitute harmony in the community 2. allowing a beleaguered person to enter the house of any other person and make a request which cannot be refused, plead for clemency or sanctuary
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

Shari'ah	legal precepts found in the Holy Qur'an and the Hadith; sometimes used by non-scholars (and this report) to denote Islamic law or jurisprudence, which includes scholarly interpretations of the Holy Qur'an and the Hadith; ijma ("collective reasoning" or consensus among scholars); and qiyas or ijihad ("individual reasoning" or deduction by analogy)
shura	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
spinsary	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
waak	authority given by all disputant parties to resolve the dispute conclusively
waak leek	letter signed by all disputant parties authorizing a jirga to resolve their dispute conclusively
walwar	bride price; money or goods given by a groom or his family to the head of the bride's household