



USAID | **AFGHANISTAN**
FROM THE AMERICAN PEOPLE

MONTHLY REPORT NOVEMBER 2012

Afghanistan Rule of Law Stabilization Program- Formal Component

Implemented by:
TETRA TECH DPK
605 Market Street, Suite 800
San Francisco, CA 94105

Project Address:
Main Street, House #18
Shash Darak
Kabul, Afghanistan

This publication was produced for review by the United States Agency for International Development. It was prepared by Tetra Tech DPK.

DISCLAIMER

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

TABLE OF CONTENTS

Acronyms

Executive Summary	1
--------------------------	----------

Project Activities

1.1 Capacity Building of the Judiciary	2
---	----------

Task 1: Continuing Support of the Judicial *Stage* Program

Task 2: Improved Institutional Capacity of State Justice Institutions including Anti-Corruption Courts

Task 3: Continue Practical Skills Training and Continuing Legal Education for Sitting Judges

1.2 Capacity Building of Court Administrators	2
--	----------

Task 1: Train Court Staff to Provide Professional Court Administrative Services

Task 2: Develop Supreme Court Capacity to Manage Budget, Personnel, and Infrastructure

1.3 Capacity Building of the Faculties of Law and <i>Sharia</i>	4
--	----------

Task 1: Continue Implementation of Core Curriculum of Law and *Sharia* Faculties

Task 2: Provide Practical Training of Law Students and Instructors

Task 3: Support Hands-On Training for Law Students

Task 4: Develop Advanced Legal English Training

Task 5: Modernize Teaching Methodologies

1.4 Public Legal Outreach and Awareness through Strategic Communications	8
---	----------

Task 1: Equipment and Technical Assistance to the Supreme Court & Ministry of Justice

Task 2: Capacity Building of the Supreme Court & Ministry of Justice to Conduct Effective Print Campaigns

Task 3: Capacity Building of Supreme Court & Ministry of Justice to Produce and Broadcast Radio & Television Programs

ACRONYMS

ACAS	Afghanistan Court Administration System
ACT	Anti-Corruption Tribunal
AWJA	Afghan Women Judges Association
CLE	Continuing Legal Education
CMS	Case Management System
COR	Contracting Officer's Representative
HR	Human Resources
IT	Information Technology
INL	Bureau of International Narcotics and Law Enforcement Affairs
ISAF	International Security Assistance Force
JSSP	Justice Sector Support Program
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
PRT	Provincial Reconstruction Team
RLS-Formal	Afghanistan Rule of Law Stabilization Project - Formal Component
SC	Supreme Court
USG	United States Government

EXECUTIVE SUMMARY

RLS-Formal accomplished the following results and activities in November:

Judicial Education The Judicial Education component met with Mr. Mohammad Osman Zhobal, Director of the Research and Studies Department at the Supreme Court (SC), to discuss the upcoming assignment and training of approximately 80 new judges to fill vacancies in insecure districts across Afghanistan. The SC requested that RLS-Formal assist Mr. Zhobal in designing and implementing a pre-service training for these new judges, tentatively scheduled to take place in Kabul during January 2013.

Court Management During the month of November, RLS-Formal contracted with an implementing partner to develop an expanded human resources database for the SC. The improved database will increase the type of personnel information in the system, record performance reviews and disciplinary actions, and track trainings received by court personnel. Additionally, RLS-Formal advisors met with Justice Abdul Malik Kamawi, a member of the High Council of the SC and the Administrative Director General of the Judiciary, to discuss a joint training between RLS-Formal and the INL-funded Justice Sector Support Program (JSSP). The one to two day course for judicial *Stage* students will focus on case management and case monitoring systems known as the Afghanistan Court Administration System (ACAS) and Court Management System (CMS). Justice Kamawi also requested RLS-Formal to help develop an administrative *Stage* program for court personnel to start in 2013.

Legal Education This month the project assisted Kandahar, Panjshir, Khost, and Takhar universities in establishing their first-ever teams to participate in the International Jessup Moot Court Competition. In addition, RLS-Formal continued its technical and financial support for legal clinics in Herat, Kabul, Nangarhar, Al Biruni, and Balkh universities. In addition, the project held Thesis Writing Workshops for students at Takhar and Kunduz universities.

Public Legal Outreach The RLS-Formal Public Legal Outreach team distributed 2,000 Ministry of Justice (MOJ) legal awareness calendars to teachers at 12 primary and secondary schools in Kabul. RLS-Formal also trained 18 SC and MOJ staff members in a 30-day graphics design workshop on new publication techniques. In addition, RLS-Formal advisors attended the MOJ's National Public Legal Awareness Conference and presented an overview of USAID-funded support to the MOJ to developed its capacity to conduct effective public legal awareness activities.

1.1 CAPACITY BUILDING OF THE JUDICIARY

Task 1: Continuing Support to the Judicial Stage Program

- On November 26, 2012, RLS-Formal delivered 140 textbooks to the judicial *Stage* program on the law and procedure for filing court documents and deed registrations. The textbooks will benefit the institution's current second-year students and instructors. The *Stage* students study documents and deeds in their second year to prepare for their work in both district and provincial courts where document and deed processing constitute a significant part of a judge's caseload. The textbooks, which focus on the practical application of the law, will assist the students in accurate and efficient judicial decision-making.

Task 2: Improve Institutional Capacity of State Justice Institutions including Anti-Corruption Courts

- On November 19, 2012, RLS-Formal advisors met with Justice Abdul Malik Kamawi, a member of the High Council of the SC and the Administrative Director General of the Judiciary, to discuss the SC's various requests for support. Justice Kamawi requested office space for the Afghan Women Judges Association (AWJA), housing for female judicial *Stage* students, continuing legal education (CLE) training for 80 judges to be appointed to insecure provinces, and assistance developing a basic training program for court administrators similar to the judicial *Stage* but shorter in duration. Dr. Kamawi agreed to set up a meeting between RLS-Formal and the AWJA President, Judge Anisa Rasooli, to discuss the office space and other needs of the AWJA. He also agreed to provide the documentation required for RLS-Formal to provide financial assistance to female *Stage* students through rent payments for their dormitory.
- On November 26, 2012, RLS-Formal advisors met with Osman Zhobal, Head of the Research and Studies Department, to discuss the SC's upcoming assignment and training of 80 new judges to fill vacancies in insecure district courts across Afghanistan. The 80 men, who are expected to be appointed judges in December, took the judicial *Stage* entrance exam in 2011. The new judges scored in the top 50% of applicants but did not attain the score necessary for the judicial *Stage* program to admit them. While graduation from the two-year *Stage* program is a requirement for appointment to the judiciary, the SC has waived this requirement for law and *Shari'a* graduates who agree to serve in insecure districts following their appointment. The SC requested RLS-Formal's assistance in designing and implementing a month-long training prior to the judges' deployment. The project anticipated beginning to develop the course in December and holding the courses in Kabul in 2013.

Task 3: Continue Practical Skills Training & Continuing Legal Education for Sitting Judges

- No activity to report this period.

1.2 CAPACITY BUILDING OF COURT ADMINISTRATORS

Task 1: Train Court Staff to Provide Professional Court Administrative Services

- On November 14, 2012, RLS-Formal commenced a computer skills training for court administrators in Herat. This month-long course trains the participants on Microsoft Office and Windows 7, building their capacity on this newer more function software which RLS-Formal introduced to the Herat Appellate and Primary Court divisions. The court administrators study how to use the computers to draft correspondence and judicial decisions, and to enter case flow data in the court statistics database under development by RLS-Formal for the SC.



Court administrators practice their new computer skills at the month-long introductory computer course in Herat commencing on November 14

Task 2: Develop Supreme Court Capacity to Manage Budget, Personnel, and Infrastructure

- On November 6, 2012, legal advisors from RLS-Formal and the INL-funded Justice Sector Support Program (JSSP) finalized a proposal for a joint training to educate judicial *Stage* students on the case management and case monitoring systems known as the Afghanistan Court Administration System (ACAS) and Court Management System (CMS). The one-day training will show students how administrative procedures are documented in civil and criminal cases by prosecutors, court clerks, and judges. SC Justice Kamawi welcomed the proposed training and asked that the students in their final year of the judicial *Stage* receive the training.
- On November 6, 2012, the RLS-Formal embedded advisor in Balkh Province and the Court Management Component Lead facilitated a meeting between the USAID Regional Representative Kendra Bruce and Acting Chief Judge of Balkh Appellate Court Muhammad Osman. This meeting provided the parties with an opportunity to discuss rule of law activities in Balkh Province. RLS-Formal representatives presented on how the ACAS system tracks court cases and gave an overview of the technical assistance trainings conducted by RLS-Formal in Balkh Province.
- On November 13, 2012, RLS-Formal entered into an agreement with a local Afghan vendor to expand the functionality of the SC's human resources (HR) database. The improvements to the existing HR database will allow the SC to expand the type of personnel information it maintains, record performance reviews and disciplinary actions, and track trainings received by court personnel. The database expansion will also streamline the production of SC staff identification cards and ensure that the SC database is compatible with the Civil Service

Commission database. The project anticipates that the database will be operational by December 2012.

- In late November, RLS-Formal began to develop the outline for the new court administrative *Stage* program requested by Justice Kamawi for the new judges expected to fill vacancies in insecure district courts across Afghanistan. The administrative *Stage* program will consist of a 4-month in-service training for current employees and 6-month pre-service training for new hires. RLS-Formal is working closely with the SC Research and Studies Department to jointly develop the curriculum and train instructors. The first in-service administrative *Stage* class will consist of approximately 60 staff from courts in Kabul. It is tentatively scheduled to start early in 2013.
- On November 20, 2012, a draft of the asset management database, supported by RLS-Formal, was presented to the SC's Administration, Finance and Construction Departments for their comments and feedback. The staff requested that the database feature an inventory control mechanism for items such as fuel, equipment, and office supplies. The mechanism will allow the Administration, Finance, and Construction staff to streamline the acquisition, management and distribution of these assets. RLS-Formal and its implementing partner await SC approval for the final revisions to the asset management database and expect the database to be operational in December 2012.

1.3 CAPACITY BUILDING OF LAW AND SHARIA FACULTIES

Task 1: Continue Implementation of Core Curriculum for Law and Sharia Faculties

- No activity to report this period.

Task 2: Provide Practical Training for Law Students & Instructors

- RLS-Formal supports four universities participating in the International Jessup Moot Court Competition for the first time this year: the Panjshir Institute, and Takhar, Kandahar, and Khost universities. This month each school selected five students to join the moot court teams. Panjshir and Takhar conducted an examination to select their teams; 32 students competed at Panshir Institute and 64 students at Takhar University. At Kandahar and Khost universities, the deans selected team members from students who graduated from an Advanced Legal Education course. The course provides students with the fluency in English necessary to compete in the competition. RLS-Formal provides research materials, laptops computers, internet access, and other support for each team. To promote sustainability of the Jessup competition, each university provides space, research materials, assistance from professors, and administrative assistance for the program. RLS-Formal provides rooms and training for new coaches who request assistance. The Jessup competition proves extremely popular with students since it helps them to develop a wide-range of practical skills which are useful in the practice of law and public service, including public speaking, fluency in English, legal research and writing, critical analysis, and knowledge of international treaties and conventions. The winning team from Afghanistan, with RLS-Formal support, will travel to the United States to compete in the International rounds to be held in Washington, DC from March 31- April 6, 2013.

Saifullah Ziaee, Chancellor of Panjshir Institute of Higher Education expressed gratitude for the support provided by RLS-Formal stating, "[Jessup] will improve students' written and oral advocacy skills. It is a unique opportunity both for the participating students and also for the Panjshir Institute of Higher Education, as it is a first milestone of this kind for our institution."



Chancellor Saifullah Ziaee of Panjshir Institute of Higher Education (center) poses with the school's first-ever Jessup International Moot Court Team and RLS-Formal advisors (far right and left)

Ahmad Shakeeb Safi, the fourth-year Shari'a student body representative at Takhar University, explained why he and 63 of his fellow classmates took an examination in hopes of joining the university's Jessup team: "Jessup provides a great opportunity to learn international law. It gives a distinct advantage to develop legal research and advocacy skills over classmates who never have a Jessup experience. Oral communication, effective writing, group work, and problem-solving skills are the abilities developed through participation in Jessup. I am quite optimistic that skills acquired in Jessup will help in a future legal career."

- From November 10-19, 2012, RLS-Formal conducted Thesis Writing Workshops at Takhar University for 120 *Sharia* Faculty students and at Kundoz University for 46 Law Faculty students. All fourth-year male students must write a thesis to graduate. However, they lack proper instruction since professors at the universities have not previously taught legal research and thesis writing. Kabul University's Acting Dean and Vice Dean of *Sharia* Faculty, Professor Mohammad Salim Salim and Professor Asadullah Jahedi, traveled to

Takhar to lead the workshops. In addition, two RLS-Formal advisors provided several days of training to the workshops at Takhar University and Kundoz University. The 4-day workshops focused on basic legal research methodology, on-line research, effective study techniques, time management skills, topic selection, and writing. The Chancellor at Kundoz University, Abdul Qadir Zarifi, and Law Faculty Dean, Mahboobullah Rohani, joined in ceremony concluding the workshop in Kundoz making congratulatory remarks and presenting certificates of completion to the students.



Kabul University Acting Dean of *Sharia* Faculty, Professor Salim Salim, is a visiting professor teaching fourth year students in the Thesis Writing Workshop at Takhar University on November 10-13

- On November 13, 2012, RLS-Formal delivered to Panjshir Institute of Higher Education 80 reference books on *Sharia* law. Panjshir Institute is a newly-established school located at the former Panjshir Provincial Reconstruction Team (PRT) site in Panjshir Province. The Chancellor, Professor Saifullah Ziaee, was the former Law Dean at Al Biruni, who helped facilitate many RLS-Formal-supported programs for students there, including Jessup Moot Court Competition, English-language classes, and the universities' first Legal Clinic program. At Chancellor Ziaee's request, RLS-Formal began in November to provide assistance to the nascent Panjshir Institute's *Sharia* Faculty.
- On November 15, 2012, Mr. Mahboobullah Hamed, Chancellor of Takhar University and Mr. Abdul Wahid Karimi, Dean of the Takhar *Sharia* Faculty led an opening ceremony for the newly established female computer lab at Takhar University. RLS-Formal supported the computer lab with equipment and other furnishings. The lab will provide female students of the Law and *Sharia* faculties with a dedicated space to access the internet and use computer software, printers and other resources to conduct research and class assignments. This new computer lab will provide female students with the opportunity to develop their computer and internet research skills in a culturally appropriate environment.



Kunduz University law students participate in the Thesis Writing Workshop from November 15-19

Task 3: Support Hands-On Training for Law Students

- In November, Al Biruni graduated 36 Law and *Sharia* students from two, three-month long legal clinic programs. The first graduation, held on November 20th, celebrated the completion of the Street Law program for seven female and six male students. Street Law is a legal awareness program in which university students educate high school students about citizen's rights in a democracy, the Afghan Constitution, and laws relating to human rights, especially laws protecting women and children. The 13 students from Al Biruni provided information in an informal classroom setting to 90 girls and 60 boys at six high schools in Kapisa Province. The second legal clinic graduation at Al Biruni University on November 25th marked the end of the criminal/civil law clinic program for 20 male fourth-year students. Students in this program received mentoring from practicing lawyers, discussed filing indictments with staff at the Kapisa Attorney Generals' Office, observed courtroom proceedings, and visited a shelter for women who are victims of family violence, tribal disputes, and forced marriage. The next legal clinic program at Al Biruni is scheduled to start after the student's final exams are finished in late December. RLS-Formal provides extensive support for practical legal education, including legal clinics, law libraries, moot courts, mock trials, and activities for students to hone advocacy and research skills in order to balance the academic focus of legal training in Afghanistan.
- On November 3 and 4, 2012, 15 female students from Kabul University's *Sharia* Legal Clinic visited the Family Primary Court in Kabul meeting with court staff and discussing the administrative processes and procedures for presenting a case for hearing at the Primary Court level. This courthouse visit complemented the students' academic course work on family law. The clinical programs, which receive RLS-Formal technical and financial support, allow students to observe the formal justice system in action and to develop their advocacy, research, other practical skills so that they are better prepared to enter the legal professional upon graduation from the universities.
- Between November 10 and 13, 2012, 12 female students from Herat University Legal Clinic visited the Family Primary Court meeting with Judge Shokria Haidar and learning how court staff process cases and present them for hearing in Family Court. Judge Haidar discussed her

work experiences and encouraged the women to become judges, prosecutors, or defense lawyers after their graduation. RLS-Formal supports clinical programs that provide students with an insiders' view of the courthouse and inspire students to prepare for careers in the justice sector.



Judge Shokria, Chief of Herat Family Court, discusses her work experiences with legal clinic students from Herat University

Task 4: Develop Advanced Legal English Training

- During the month of November, RLS-Formal embedded advisors and English language specialists taught Advanced-level English, including legal terminology, to 1241 students (791 male and 450 females) at Al Biruni, Balkh, Herat, Kabul and Nangarhar universities. Knowledge of English will enhance the ability of students to participate in international moot court competitions, conduct internet research, join study tours, and successfully compete for Fulbright and other scholarships to universities around the world. The Advanced-level English classes are on-going throughout the academic year and are offered at targeted universities during the Winter Break.

Task 5: Modernize Teaching Methodologies

- No activity to report this period.

1.4 PUBLIC LEGAL OUTREACH AND AWARENESS THROUGH STRATEGIC COMMUNICATIONS

Task 1: Provide Equipment and Technical Assistance to Develop Public Legal Outreach Capacity

- On November 7, 2012, the SC and MOJ Publications Departments graduated 18 staff members from a 30-day graphics design training. RLS-Formal advisors introduced the participants to new techniques in producing SC publications and outreach materials. The participants learned to use Corel Draw, Photoshop, and advanced their knowledge of MS-Word. The staff intend to use their new talent to improve the production of SC publications (*Qaza Magazine, Mizan Gazette, and the Special Bulletin*), as well as the MOJ's bi-weekly

legal awareness publication, (*Agah-e Huqoqi*) and legal awareness posters and brochures distributed by the MOJ public awareness department throughout the country.



Head of the SC Publications Department, Sediq Zhubal, distributes certificates to SC and MOJ staff at the conclusion of the month-long graphics design training in Kabul on November 7th

- On November 20, 2012, a RLS-Formal advisor began a 20-hour course on troubleshooting studio equipment for 10 staff members at the SC. This training builds upon two previous RLS-Formal trainings provided to the participant on how to operate audio/video equipment and use production software. RLS-Formal develops the capacity of SC and MOJ public outreach staff, transferring key knowledge and skills to create a legacy of professionals with the expertise and experiences to sustainably increase public trust and confidence in the justice system.

Task 2: Develop Capacity Building of the Supreme Court and the Ministry of Justice to Conduct Effective Print Campaigns

- In November, RLS-Formal Public Legal Outreach advisors distributed 2,000 MOJ legal awareness calendars to teachers at 12 primary and secondary schools in Kabul. The 1391 Afghan year calendars contained messages on the legal rights of citizens, specifically the rights of women to receive an education and inherit property, and legal protections afforded to children. The calendars also contain information about the MOJ's national legal hotline which citizens call to obtain information on Afghan laws as well as report cases of corruption.
- On November 14, 2012, RLS-Formal advisors assisted the MOJ's National Public Legal Awareness Conference at giving an overview of RLS-Formal's support on public legal awareness activities. The multi-donor conference was attended by Mr. Habibullah Ghalib, Afghanistan's Minister for Justice, Dr. Sima Samar, Chairperson of the Afghanistan Independent Human Rights Commission, Dr. Mohammad Hashimzai, Senior Advisor to the Minister of Justice, and representatives from the Afghan Independent Bar Association, United Nations Development Programme, German Institute for Development, and International Development Law Organization. RLS-Formal targeted its involvement in the conference to build coordination among donors involved in public legal awareness activities of the MOJ in order to ensure that knowledge is shared and resources are used in a sustainable manner.



Minister of Justice Habibullah Ghalib addresses donors at the National Public Legal Awareness Conference in Kabul on November 14th

Task 3: Develop Capacity of Supreme Court and Ministry of Justice to Produce Radio and Television Programs

- No activity to report this period.

**USAID/ Afghanistan
Office of Democracy and Governance
U.S. Embassy
Great Masood Road
Kabul, Afghanistan**