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Arkan

Supporting Rule of Law Reform in the West Bank & Gaza

Rule of Law IQC No. DFD-I-00-04-00171-00

Task Order No. DFD-I-800-04-00171-00

Quarterly Progress Report

By:

The *Arkan* Project

Supporting Rule of Law Reform in the West Bank & Gaza

Submitted to:

U.S. Agency for International Development/West Bank & Gaza

Submitted by:

Chemonics International, Inc.

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ACRONYMS

AAUJ	Arab American University at Jenin
CEC	Central Elections Commission
CEO	Chief Executive Officer
CI	Chemonics International, Inc.
CLE	Continuing Legal Education
CSO	Civil Society Organization
CTO	Cognizant Technical Officer
GIS	Geographic Information System
IQC	Indefinite Quantity Contract
LOE	Level of Effort
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
PA	Palestinian Authority
PBA	Palestinian Bar Association
PCDCR	Palestinian Center for Democracy and Conflict Resolution
PLC	Palestinian Legislative Council
QPR	Quarterly Progress Report
RFP	Request for Proposal
RLAC	Rule of Law Advisory Committee
ROL	Rule of Law
SCDJJ	Steering Committee for Developing Judiciary and Justice
TO	Task Order
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

This Quarterly Progress Report (QPR) for *Arkan*, Supporting Rule of Law Reform in the West Bank and Gaza. *Arkan* is now a nearly \$5.5 million Task Order (TO) under the Rule of Law (ROL) IQC covering the period from July 1, 2005 through September 30, 2005. During this reporting period, the project completed most Year One work plan activities and began to planning for the Year Two activities.

Highlights of the project's accomplishments this quarter include:

- The project's Rule of Law Advisory Committee (RLAC) fully formed and met on a number of occasions.
- Law faculty began testing and using interactive teaching techniques, following their introduction by *Arkan* staff and consultants.
- *Arkan* presented the proposed Continuing Legal Education (CLE) program to the majority of Palestinian Bar Association (PBA) members (approximately 1200 individuals), who gathered for the 2005 Lawyer's Day celebration sponsored in part by *Arkan*.
- The project responded to and was awarded a nearly \$1.5 million expansion to expand the activities of the current project components and to add a new project component, Inculcating a Culture of Respect for Rule of Law.

The Quarterly Progress Report is divided into the following sections: Programmatic Accomplishments, Administrative Accomplishments, Financial Summary, and Programmatic Trends.

SECTION I Programmatic Accomplishments

A. GENERAL ACTIVITIES

Second Rule of Law Advisory Committee (RLAC) Meeting

Arkan's Rule of Law Advisory Committee (RLAC) met on Wednesday July 27th. RLAC members reviewed the project's and discussed ways to improve communication and coordination between partners and other stakeholders.

The participants in the July RLAC meeting included:

Name	Organization
Rasem Kamal	USAID
Samer Faris	BirZeit University School of Law
Camille Mansour	Steering Committee for Developing Judiciary and Justice (SCDJJ)
Hussein Shouli	SCDJJ
Ahmad Ghandour	Ministry of Justice
Abdul Qader Jaradeh	Supreme Judicial Council
Mustafa Ayyad	Al Azhar Law School
Ibrahim Barghouti	MUSAWA
Isam Younis	Al Mizan Center
Rinad Musleh	PANORAMA
Bassam Naser	Palestinian Center for Democracy and Conflict Resolution
<i>Arkan</i> Staff	Mustafa Mari, Ali Khashan, Khalil Ansara, Nafiz Al Madhoun, and Farid Hamdan

In addition, efforts to promote greater public dialogue on the legal, sector *Arkan* presented a draft report by Mary Noel Pepys, an *Arkan* short-term consultant. RLAC members paid special attention to the proposed strategic planning process for both legal education and practice, confirming the need for an overall strategic plan. The committee vowed their commitment to following through with this process. This decision prompted the RLAC to hold a special meeting on August 24, 2005 to push forward an outline and shared consensus for a strategic plan for legal education in the West Bank and Gaza. These meetings will focus on the process and the objectives. *Arkan* will continue to work on the strategy with the vision of coming to a mutually agreeable conclusion and drafting a white paper on the issue.

RLAC 'Technical' Meeting on Legal Education Strategic Planning

On August 24th, the RLAC discussed and adopted a process for a strategic plan on legal education in the West Bank and Gaza. Representatives of four Palestinian law schools (Al Azhar, Arab American University, Bir Zeit, and Al Quds) attended the first strategic planning session, in addition to representatives of the Ministry of Planning, the Ministry of Justice, the Supreme Judicial Council, and three Palestinian civil society organizations (CSO), including MUSAWA.

The process adopted in that meeting includes elements that are very similar to those suggested by *Arkan's* legal sector dialogue specialist Mary Noel Pepys. The process is based on and uses a participatory approach, ensuring feedback and endorsement by immediate stakeholders while at the same time guaranteeing that other stakeholders are informed and updated of progress made on a timely basis. An inclusive process ensures that legal impediments and/or constraints and the appropriate strategies for resolving these are identified in a timely manner. This process will continue throughout the remaining months of 2005 and in early 2006, and will parallel similar strategic planning for the legal profession. The outcomes of both processes may be used to develop a strategic plan for the legal sector in the West Bank and Gaza, depending on demand.

Establishing Partner Relationships

During this reporting period, *Arkan* has built and strengthened relationships with two additional partners, the Arab American University at Jenin (AAUJ) and the Bir Zeit University School of Law and Public Administration. While not formally part of our Year One work plan, *Arkan* has identified this institution as a future and important partner. We will believe working with them now will help to ensure the successful achievement of overall project objectives. Indeed, the proposed expansion of *Arkan's* scope of work includes formally making AAUJ a part of our work plan. A memorandum of understanding (MOU) is currently being developed and will be signed with the leadership of the AAUJ. Though the new Dean of the Bir Zeit University has asked for a separate MOU (now that the school has been separated from the Institute of Law), further discussion, involving the project's CTO, is needed before one is developed and signed.

B. ELECTIONS RELATED ACTIVITIES

Local Government Elections Appeals Process Training

Building on its work in January 2005 and thereafter, *Arkan* continued to support the development of Election Appeals Monitoring skills building for local legal organizations and professionals. Following the two rounds of training *Arkan* conducted in January and April 2005, many local non-governmental organizations (NGO) have taken the initiative to provide the same training to an increasing number of lawyers demanding assistance in this field.

Mr. Ammar Dweik, CEO of the Central Elections Commission (CEC), assured *Arkan* of their readiness to cooperate in designing and implementing further election appeals training. This is particularly important as the upcoming Palestinian Legislative Council (PLC) elections will be conducted based on a new, untested law. In addition to educating lawyers on provisions related to appeals procedures, Mr. Dweik urged *Arkan* to also consider targeting:

- the police force and their responsibilities during elections; and,
- candidate representatives regarding their obligations during elections.

PBA Provides Elections Appeals Monitoring Training to Members

The PBA has been conducting Elections Appeals Monitoring Training to its members, in both the West Bank and the Gaza Strip. *Arkan's* Gaza-based Legal Reform Specialist, Mr. Nafiz Al Madhoun, has assisted in the delivery of the training, using the manuals and checklists previously developed by *Arkan*.

Previously, the Gaza-based Commission for Development and Rights has delivered versions of *Arkan's* training to Gazan lawyers.

Elections Legal Issues Forum

During the aforementioned meeting with Mr. Dweik from the CEC, *Arkan* was urged to organize a meeting between judges of the Elections Appeals Court and the CEC. This meeting would allow both parties to voice their concerns on matters related to elections appeals, improve communications between the two groups, and improve means of speeding up appeals hearings. *Arkan* will explore this further with the Cognizant Technical Officer (CTO) and, should further follow up be agreed, meet with the Chief Justice to ensure his support for the activity.

C. COMPONENT ONE ACTIVITIES

1. Skills Training and Improved Course Offerings

Training of Faculty

During this past quarter, *Arkan* provided training to selected law faculty, further equipping them with the basic knowledge and tools necessary to experiment with new methods of teaching and learning. *Arkan* Legal Education Specialist Joel Martin held an intensive training session on interactive teaching methodologies for faculty members of five Palestinian law schools (including AAUJ). Many of the faculty that were present had already begun using techniques and information presented by Mr. Martin and *Arkan* during a previous training program in their classrooms. Additionally, based on discussions during these sessions, Mr. Martin developed a recommended plan for introducing moot court competitions into Palestinian legal teaching.

Case Studies and In-Class Simulations

Mr. Martin analyzed feedback from discussions with deans, professors, administrative staff, and students of partner law schools regarding case studies and in-class simulations and their experience implementing what they had learned from his previous training program on the topics. All were very enthusiastic about these methodologies and stressed the importance of making them integral to the curriculum. Based on this, Mr. Martin conducted a training course on interactive teaching methodologies for professors. Prior to the course, the Trainee Manual was translated into Arabic and distributed to participants.

To reach as wide an audience as possible, *Arkan* held two training sessions during the week of July 24, 2005. The training courses were attended by 17 law professors from the five Palestinian law schools. Al Quds, Bir Zeit, and AAUJ faculty attended the training at *Arkan's* offices in Ramallah during the first half of the week. Gaza's Al Azhar faculty participated via video conference, from *Arkan's* Gaza office. Over the last two days of the week, the remaining faculty of the AAUJ and Nablus attended an intensive training session in Rafidia, Nablus. The courses trained faculty on the use of interactive teaching methodologies including case studies, the Socratic method, and in-class simulations. *Arkan* will work with partner law schools to select faculty to be trained as trainers to ensure sustainability in the future.

Introduction of Moot Court Competitions to Palestinians

Mr. Joel Martin, also held discussions with Palestinian faculty to introduce the concept and usefulness of moot court competitions. Many participating faculty were interested and expressed willingness to assist in this effort. Mr. Martin has developed an outline for a process leading to the introduction of moot court competitions into Palestinian legal education. The outline encompasses listing of tasks, responsibilities, and suggested timeframe.

Mr. Martin's report, including the outline, has been translated into Arabic and shared with deans and faculty of all partner law schools for review. *Arkan* will build the outline into its Year Two work plan. Following discussion, revision, and approval from USAID, as well as comments and ideas of partners, *Arkan* will hold follow up meetings with partner schools early in project Year Two. This sequencing is necessary so partners are aware of the specific undertaking and commitments they're making by voicing support for this effort, which ultimately contributes to higher standards of legal education in the West Bank and Gaza.

Legal Externship Program

Arkan brought Legal Education Specialist Phil Walker to Ramallah in late August to hold several meetings with Palestinian law schools, the judiciary, the PBA, and other stakeholders. Mr. Walker's scope of work focused on improving law school practical skills training, including assessing the need for and developing an appropriate externship program for Palestinian law students.

Stakeholders and partners confirmed the importance of such programs to be offered to law students. Practical skills training will assist students in developing their lawyering skills, thus constituting a means to bridging the gap between classroom education and real world demands of the profession.

Arkan envisions the externship program to be very simple and straightforward, where course-based externship programs offer third or fourth year law students opportunity to complement theoretical education received with practice. A workshop dedicated to detailed discussion of the program's design will be held early in project Year Two. Faculty and deans of partner law schools, law students, judges, the PBA, and representatives of the private sector and civil society will all be invited to participate in the workshop. Involvement at all levels is critical to ensure their views are heard and taken into account prior to formal introduction of the externship program by Palestinian law schools.

2. Engaging Law Students in Educational Outcomes and Preparation for Practice

Student Survey

During this reporting period, *Arkan* concluded an analysis of the results of our survey of law student attitudes towards their curriculum, developed a draft report, and shared it with partners. A key finding of the survey was the clear desire of students to enhance their education. Students wanted their legal education to provide them with practical skills and to improve their research skills, both of which clearly express the need for more interactive teaching methodologies.

To further refine the results of the survey, *Arkan* shared them with students, deans, and faculty from all five partner law schools. Support for action in response to the requests students expressed is clear, shown in part by faculty suggesting a joint faculty-student forum to discuss survey findings in more detail.

Arkan will organize the suggested focus group meetings early in project Year Two. Survey results will be taken into consideration as assistance to partner law schools is discussed in the course of developing Year Two work plan.

Student Associations

Arkan has encouraged the creation of student associations at three of our five partner law schools: Al Azhar, An Najah, and Al Quds. These associations have held initial meetings and agreed upon priorities for them that include introducing and promoting rule of law concepts and assisting in rule of law reform in their law schools and in the country as a whole.

Because society establishment, organizational development, and activity design and management were all new concepts to the students who took the lead to establish these student bodies, *Arkan* provided capacity building assistance to members of the Al Azhar law school student association. *Arkan* staff teamed with the Gaza Center for Rights and Law Director to provide training to 12 members of the Al Azhar Law Students Association. This training was targeted to develop the Association's mission statement, goals and objectives, group structure, roles and responsibilities, and bylaws. *Arkan* will provide same assistance to the law students associations of Al Quds, An Najah, and for law students of the Bir Zeit University and the AAUJ, once they establish their student associations.

Joint Legal Professional-Law Faculty Conversation

In recent months, awareness and recognition by faculty regarding the need to engage other legal sector professionals, including students, in legal education development has rapidly grown. This was highlighted by Al Quds university school of law suggesting *Arkan* organize combined forums for faculty and law students. This past quarter, *Arkan* has worked closely with the RLAC, PBA, and faculty of Al Azhar law school to coordinate meetings and discussions on items of concern. In future months, more meetings are planned with other law faculties to start cooperating regarding items of concern, such as CLE, moot courts, legal research, and legal drafting.

3. Incorporating Legal Research Skills Development in Legal Curricula

Legal Research Skills

Arkan's Law Librarian and Legal Research Specialist, Suzanne Morrison, conducted a series of consultations with partners and provided training to law librarians during her trip in May and June. Her report includes concrete recommendations regarding legal research, expansion of library collections, development of a legal research course outline, and development of an electronic legal journal, amongst other things. In addition, Ms. Morrison suggest creating a workshop for law librarians and one for legal research professors, a lawyers hotline, and establishing n English based summer camp for law students.

The report has been translated into Arabic, and was shared with *Arkan's* partner law school deans, professors, and librarians. The report clearly identifies constituency support and clear need for improvement and development of research skills of both faculty and students. Faculty of partner schools, deans, and librarians have all endorsed the recommendations and agreed on the need for training of professors and law librarians in legal research. *Arkan's* plans for the provision of such training will be discussed in the course of Year Two work plan development.

Student Run Electronic Journal

Arkan's has held several discussions with partner law schools on their vision of a student-run electronic journal for Palestinian law schools. Based on these discussions, *Arkan's* Law Librarian and Legal Research Specialist developed a concept paper for this task, which was shared with and accepted by our partner law schools. A meeting that includes partner law school deans or representatives, and association or student body representatives will be held this quarter, in order to discuss and agree upon roles, responsibilities, and next steps. In anticipation, each law school decided to assign a professor who will coordinate with students and *Arkan*.

4. Providing Legal Reference Materials and Development Assistance

Assessment of Priority Materials Needs for Law Schools

Arkan staff and short term consultants have made observations and suggestions related to a variety of needs for each law school. *Arkan* staff have compiled the suggestions related to each law school, which includes requests made specifically by the law school themselves. *Arkan* shared this list with all partner schools and will conduct individual meetings with each school in order to prioritize. This will ensure ability to provide quick assistance to law schools once the *Arkan* Grants Manual is approved.

5. Helping Law Faculties Shape the Future of Palestinian Legal Education

Faculty Association

Faculty of Bir Zeit University, Al Quds, and AAUJ came together September 26 -27, 2005 to discuss the need for a law faculty association. There is clear support for the idea among faculty and deans, and though one has yet to be established, faculty have begun discussing the association's role and method of establishment. The Dean of the Al Quds law school is currently drafting bylaws for the association, which he will share with colleagues.

D. COMPONENT TWO ACTIVITIES

1. Promoting CLE and Specialized Bar Groups

Palestinian Lawyer's Day

Under the auspices of H.E. President Mahmoud Abbas, *Arkan* and the PBA held a very successful event on Saturday, July 9th. The event marked Palestinian Lawyer's Day with assembly of about 1200 lawyers and political and civil figures, making it a record breaking assembly of Palestinian legal professionals.

The event, which took place simultaneously at Ramallah's Cultural Palace and Gaza's Rashad Al Shawa Center, was the first major event that *Arkan* has held in collaboration with the Palestinian Bar Association since the signing of a Memorandum of Understanding between the two partners in April 2005.

The Secretary General of President Mahmoud Abbas's Bureau, Mr. Tayyeb Abdul Rahim (in Ramallah), and Governor of Gaza Mohammed Al Qedua (Gaza) attended and spoke on behalf of the President. Other prominent guests also attended and made speeches, including:

- Chief Judge Zuhair Sourani (Ramallah)
- Talal Subuh (Gaza), representing the Supreme Judicial Council (the judiciary)
- PLC member A'zmi Shu'aybi (Ramallah)
- PLC member Ibrahim Abu AnNaja (Gaza), representing the PLC
- H.E. Farid Al Jallad, Minister of Justice (Ramallah)
- Mr. Khaled Habib, Deputy Assistant, Ministry of Justice (Gaza).

Speeches made focused on the importance of supporting rule of law in the West Bank and Gaza, and the vital role lawyers play in such efforts, in addition to regaining the credibility of the justice system. A skit was performed highlighting various aspects of the legal environment in which Palestinian lawyers work. The day was filmed and put onto a DVD. Copies of the DVD and an English version of the transcript will be available in the coming months.

Following speeches made by the above dignitaries, the Chairman of the Lawyer Affairs Committee, Hasan Al Ouri, and *Arkan's* Khalil Ansara (Ramallah) and Nafiz Al Madhoun (Gaza) presented the Continuous Legal Education Pilot Program, jointly developed by the Palestinian Bar Association and *Arkan*. As mentioned in previous reports, the proposed program offers three types of legal training to legal professionals: (i) lawyering skills; (ii) development of basic skills to improve access to information, i.e. research skills, IT, languages etc.; and, (iii) innovative research competition to improve legal research in the West Bank and Gaza.

The event was also used by the *Arkan* and PBA teams to distribute CLE assessment questionnaires from PBA members. The team has already collected approximately 150 questionnaires from all West Bank and Gaza towns.

Data collected has been entered into a simple database and is being analyzed. The data collected will help the project and the PBA identify subjects for the first ever PBA CLE, the geographic area(s) where the PBA CLE program could be piloted, and the duration and 'intensity' of the program.

Development of a Legal Sector Diary

On Monday, September 19, *Arkan* and the PBA ad hoc Committee for the Development of the 2006 PBA/Rule of Law Diary conducted a meeting for volunteers recruited to work on the PBA/Rule of Law Diary for 2006. Sixteen volunteers (eight law students and eight training lawyers) are contributing to finalizing the development and production of the Diary before December 1, 2005.

A Legal Sector Diary is an effective tool to ensure legal information is made easily available for legal professionals, including practicing and training lawyers. It acts as a conduit through which the PBS can communicate with its members. In addition to the Diary, *Arkan* will work with the PBA to distribute CDs of electronic resources including a searchable full text of the PA Gazette and legislation the PA has adopted since 1994.

Arkan is pleased to report that these volunteers have energy and dedication that exceed expectations of the project. *Arkan* believes that the notion of volunteering is very important for the development of the Palestinian legal system, and therefore we will encourage more practicing lawyers to put-up their sleeves and help develop the legal system in Palestine.

2. Supporting Alliances to Promote an Independent, Effective Judiciary

CSOs Discuss the Role of Civil Society

Arkan supported the organization of forty-five participants from 32 CSOs in the West Bank and Gaza to attend two separate half-day workshops (one in Gaza and one in Ramallah) on September 26, 2005. At these workshops they discussed the role of CSOs in advocacy for rule of law, advocacy for independence of the judiciary, identified issues of mutual concern, and ways in which *Arkan* can assist/intervene. The participants recommended working on community legal education, community legal awareness, and forming community legal advocacy groups to increase respect for rule of law in Palestinian society. Also, participants recommended targeting law enforcement apparatuses, the PLC, Ministry of Education, Ministry of Justice, different professional associations, children, women, lawyers, and law students. Participants also affirmed the need for more cooperation between CSOs on promoting the rule of law and recommended that *Arkan* assist in making this happen through networking, coordination, and partnership between the CSOs.

CSOs participating in Ramallah called for the establishment of a legal forum that meets monthly, hosted by one of the CSOs, to discuss a specific topic in the rule of law and the judiciary. CSOs informed *Arkan* that this is the first time in five years they have met to discuss their role in promoting rule of law and the independence of the judiciary.

Joint Forum on the Independence of the Judiciary

Resulting from Ms. Pepys' work in July, *Arkan* and the Palestinian Center for Democracy and Conflict Resolution (PCDCR) conducted their first joint legal forum on September 19, 2005. The forum met to promote legal dialogue among Gazan legal professionals on legal sector reform. Participants discussed the recent legislative proposed amendments to the law on the independence of the judiciary.

Thirty participants including: judges, lawyers, persecutors, and civil society and human rights CSO representatives participated in the discussion. Judge Ishaq Mohana and Tarq El Derawi, head of the Legal Department of the Palestinian Legislative Council, presented the process by which the amendments to the law were introduced, and the extent to which the amendments are likely to support and promote rule of law and the independence of the judiciary in the West Bank and Gaza.

Upon the recommendation of the participants, *Arkan* and PCDCR will circulate a record of the issues discussed and recommendations reached. The participants will take the recommendations to decision-makers.

Association-Run Legal Encounters

Arkan has discussed with the Judges Association a series of Legal Encounters for its members and legal professionals in the West Bank. We expect that the Judges Association will approve of the encounters and will actively collaborate with the project on this endeavor. These encounters will be an important means of promoting dialogue among legal professionals, as well as offering these professionals, including judges, an opportunity and a forum for involvement in efforts for legal sector reform.

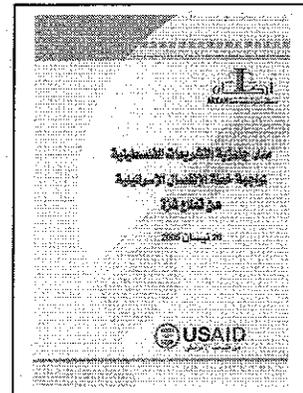
Arkan staff discussed the above with Judge Asad Mubarak, key member of the Association. Judge Mubarak informed *Arkan* that the Chairman of the Association, Judge Abdallah Ghuzlan, is supportive of the idea, as "...this is exactly what the Association has always considered doing."

To further the implementation of the legal encounters, *Arkan* will work with participants to: (i) send joint recommendations to concerned parties; (ii) encourage participants to send individual letters to concerned parties urging them to implement the agreed-upon recommendations; (iii) prepare a semi-annual or annual booklet containing all the recommendations; and, (iv) conduct follow up conferences, or even take the debate to the media. *Arkan* is teaming up with local CSOs to ensure sustainability beyond the life of the project.

3. Promoting Legal Literacy and Public Support for an Independent Judiciary

Disengagement Paper in Circulation

The *Arkan* team is proud to report that the paper on the legal aspects of the Israeli disengagement plan, including papers consultants prepared for *Arkan's* disengagement conference has been developed and is in circulation. In April, *Arkan* responded rapidly to a developing need identified by USAID. *Arkan* brought together community leaders to present upon their papers and discuss disengagement, implications, and solutions. Outcomes from the meeting were shared with the public in a variety of forums such as newspapers. The publication of the paper coincides with the first phase of the implementation of the disengagement plan.



The first copy of the paper has been sent to the Minister of Justice upon his request. The Minister is currently working on a draft law on land management of the evacuated land for the PA Disengagement Team. As mentioned above, the *Arkan* booklet contains a similar draft law prepared and presented during the *Arkan* Conference by Mr. Waleed Ayoub of the Palestinian Land Authority.

Conference Recommendations used in PA Cabinet Decisions

More recommendations of the Disengagement Conference that *Arkan* organized on April 26th, 2005 in Gaza, are turning into strategic governmental decisions. Following are recommendations of the Conference, which, on July, became decisions adopted by the PA Cabinet, as announced by Prime Minister Ahmad Quri' in September 2005:

- The establishment of a special Land Dispute Court to adjudicate land disputes as a result of the Israeli Disengagement Plan. This has been one of the prime recommendations of *Arkan's* Disengagement Conference.
- The development and submission for government review and approval of overall zoning and land-use plans, including a draft verification procedure for land claims that is transparent/fair/easy-to-use, adaptable to the changing conditions in the West Bank and Gaza, and a legal framework to run the evacuate land. The Ministry of Justice used the sample verification procedures (that one of the speakers presented during the conference) to draft the Presidential Decree, establishing verification procedures and procedures to run the evacuated land.

SECTION II Administrative Accomplishments

Arkan's SOW Expanded

Chemonics responded to a request from USAID to expand the scope of work of the project and increase the budget by approximately \$1.5 million. Award of the contract modification was received on September 28, 2005, with an additional \$1,499,559 funded. The modified scope expands the current two components and adds a third component.

In Component One, Enhancing Law Faculty Contributions to Legal Reform, the following tasks were added:

- Incorporating the Arab American University in Jenin under the activities of *Arkan*
- Creating an exchange program between Palestinian and international law professors
- Improving the practical skills of legal practitioners

In Component Two, Building Public and Professional Constituencies for Reform, the following tasks were added:

- Professionalizing the formal justice sector through designing and implementing a Bar Exam
- Enhancing the two-year training/internship required by law graduates to enroll in the bar
- Improving the institutional capacity of the Palestinian Bar Association to administer a self-regulating professional organization
- Widening the PBA membership to include lawyers working in public and private organizations, and mobilizing this sector of the legal community towards broader involvement in rule of law development

The task order modification also included a new component for the project, Inculcating a Culture of Respect for the Law. Under this new component, the following tasks have been included:

- Supporting research and case studies from family courts and tribal judges
- Raising public awareness on the importance of rule of law

The modification did not extend the current length of the task order.

Workplan: Year Two

Year one has successfully ended and the *Arkan* project and home office staff have started on Year Two work planning. Home Office staff are working closely with technical staff to meet task order requirements and the work plan will be completed and delivered to USAID by early the next quarter. *Arkan* staff met with civil society representatives, law school faculty, PBA leadership and law students in forums specifically organized in order for these groups to discuss with the project progress made during year one, issues identified, and suggestions for improvement. Meeting notes are and will be instrumental in *Arkan's* Year Two work planning.

Staffing

Progress has been made in hiring the recently approved new staff positions. A full-scale recruit has been conducted and nearly all positions are now filled. Our subcontractor Massar advertised for each these positions in local newspapers. After candidate preliminary interviews, the top

three candidates for each position were interviewed by senior project staff before a decision was made and USAID approval sought.

The *Arkan* finance assistant/accountant and legal reform coordinator received USAID approval and are in place and contributing to the on-going project implementation.

Additional positions were approved in the expanded TO. These new approved positions are:

- Administrative and Program Assistant
- Component 3 Team Leader

Recruitment for the Administrative and Program Assistant, and other vacant positions is underway. We have identified final candidates for two key positions, the proposed Knowledge Management and New Programs Specialist, and the Component One Leader. We are currently in final discussions with USAID and the individuals.

Additional Office Space

During this reporting period, four new positions were approved by USAID and approval for others will be requested soon. Additional office space is needed to host the additional project staff, all located in the West Bank office. Additional space has been leased in the same building on Al-Irsal Street, Ramallah. New space includes offices upstairs of the main office, which will hold all administrative staff, and space in the basement which will be used for a meeting and conference room.

USAID GIS System

The Mission mandates use of a Mission-run Geographic Information System (GIS) to upload information and activities related to projects in the West Bank and Gaza. Previously, *Arkan* had developed and provided the Mission's Management Information Systems Specialist with a complete list of activities and units of measurement that will be used in populating the Mission's GIS system with data on project activities.

In September, a meeting was held with the USAID Mission GIS system expert to discuss how to classify the project activities and enter these in the GIS system, especially given that the Mission previously asked that only those activities costing more than \$1000 shall be entered in the system. It is worth noting that the cost of many of *Arkan's* activities have been less than \$1000.

SECTION III Financial Summary

General Expenditure Summary

Financial Summary*

Authorized Expenditure	Actual Expenditure	Balance	Obligated Amount**	Percent of Obligated Amount Spent
\$5,474,818	\$992,803	\$4,482,015	\$3,312,935	30%

Life of Project LOE Summary

Total LOE Expended	Total LOE Remaining	Estimated Project Completion Date
2264.26	7423.74	October 2007

*This summary represents expenditures invoiced as of August 31, 2005.

**Authorized amount as of September 28, 2005

SECTION IV

Programmatic Trends

Rule of law continues to attract a high level of mission and public interest in the Middle East. In the West Bank and Gaza in particular, two RFTOPs on legal reform matters – one under the ROL IQC focusing on judicial management and court administration, specifically the execution of judgments, and another under the BRDG IQC addressing community policing – were released. In the West Bank, the recent Israeli disengagement from the Gaza Strip has highlighted the need for rule of law solutions that will promote long term reform (such as a new legal education curriculum or a restructured enforcement of judgments department) while addressing short term needs (such as practical skills development in younger lawyers or enforcement systems that incorporate customary law practices).

On a related note, Chemonics home office staff (as well as USAID representatives) participated in a roundtable discussion of rule of law development in the Middle East at the Carnegie Endowment for International Peace. A recent Carnegie Rule of Law Series paper argued, *inter alia*, that heavy emphasis on bolstering judiciaries in some Arab countries might implicitly reinforce government tendencies towards authoritarianism. The paper argued for a renewed development focus on legal education, civil society legal service organizations, and the next generation of legal professionals. Specifically requested to comment on the paper, Chemonics staff highlighted the work USAID is already doing on exactly these fronts in the region as well as the resources of similar programming from Europe and Eurasia in particular implemented by various contractors and grantees.

From our perspective on various projects (some rule of law, some not), it appears that two ideas are rapidly circulating amidst missions. The first highlights the new possibilities of addressing security issues in a rule of law context and the importance that civil society plays in such efforts. Involving civil society in a structured 'conversation' on local community rule of law issues can rapidly create momentum that supports longer term reform efforts. The second is the importance in the Middle East of capitalizing on opportunities for reform that do not depend exclusively on the government, e.g., working to promote bar association leadership that will help establish an independent, self-regulating legal profession.