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**Checchi and Company Consulting, Inc.**

**USAID/DCHA/DG**

**ELEVENTH QUARTERLY  
PERFORMANCE MONITORING REPORT**

**For the Period May 1 to June 30, 2007**

**Submitted on August 5, 2007, by**

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## INTRODUCTION

The contract between Checchi and Company Consulting, Inc. (Checchi) and USAID/DCHA/DG for the Afghanistan Rule of Law Project (ARoLP) was signed on September 28, 2004, and its implementation began on October 1, 2004. ARoLP supports the Afghan Justice Sector Institutions with assistance in areas of: 1) strengthening court systems and the education of legal personnel; 2) law reform and legislative drafting; 3) access to justice/informal sector; 4) support for commercial court reform; and 5) human rights and women's rights under Islam.

## Major Highlights of the Quarter

- The *Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan* was adopted by the Afghan Supreme Court on June 14, 2007.
- Broadcast six radio and television roundtables on forced and early marriages and women's right to decision-making.
- Assisted the Supreme Court in the redrafting of its activity strategy and funding priorities through 2010, in accordance with the Afghanistan National Development Strategy (ANDS).
- Prepared discussion papers for circulation at the July 2-3, 2007, Rome Conference on the Rule of Law in Afghanistan, co-sponsored by Italy, Afghanistan, and the United Nations Assistance Mission to Afghanistan in Rome, Italy.
- Ministry of Justice (MoJ) met its legislative agenda for the first quarter of the year 1386, ending on June 21, 2006. Of the 15 documents on the agenda, the Taqin Department reviewed and submitted 13 to the Council of Ministers.
- Published more than 3,000 copies of the second edition of the Judicial Reference Set.
- Conducted intensive legislative drafting training for members of the Taqin Department and the National Assembly, legal specialists from the Ministry of Defense, Ministry of Interior, the Independent Election Commission, and women parliamentarians.
- Completed a six-day Training on Justice Sector Reporting for Provincial Journalists.
- Completed the 13th Foundation Training Program in Mazar.
- Al Biruni University became the fifth provincial university to take part in ARoLP's legal education activities.
- Established seven community cultural centers in Parwan, Panjshir, and Kapisa.
- Printed and distributed 2,000 calendars for the year 1386 containing women's rights messages.
- Started two Academic Legal English courses this quarter: one for professors teaching at Kabul University's Faculty of Law and Political Science and Faculty of Sharia, and a second for Kabul University's students of law and Sharia.
- Started the Commercial Law Training Program.
- Held two public discussions on the marriage age in Islam and women's right to decision-making with conservative and moderate scholars from both the Sunni and Shiite sects.
- Advised a committee of Afghan Supreme Court Justices on amendments to the Law on Organization of Courts.
- Provincial Reconstruction Teams (PRT) pledged assistance in implementing ACAS.

## Programmatic Trends and Constraints

During the quarter a huge amount of effort went into preparations for the July 2-3, 2007, Rome Conference on the Rule of Law in Afghanistan, convened by the governments of Afghanistan and Italy and jointly chaired by the United Nations Assistance Mission to Afghanistan. ARoLP had to work with the Supreme Court to make several revisions to a five-year strategy that the Court had prepared as part of the overall Afghanistan National Development Strategy (ANDS). The process was very difficult, as information on what was expected came into the Court and to ARoLP in piecemeal fashion that required the full-time efforts of at least one ARoLP adviser and substantial inputs from at least three others.

In addition to the Supreme Court's Strategy, ARoLP was asked to provide input on a number of papers that would be discussed in Rome. The most critical of these papers were those on legal education and the legislative process, two areas in which ARoLP is the lead implementer. These papers required almost as much effort as the Supreme Court strategy, but we feel that the results, particularly in legal education, will be worth the effort. For example, there was overwhelming support for providing masters of law (LLM) scholarships abroad, something ARoLP has been advocating for. Separately, the U.S. Embassy has put a strain on ARoLP resources through numerous requests for assistance in making appointments, providing translation and a host of other administrative tasks.

Coordination with other donors also remained a very time-consuming exercise for many ARoLP advisers. Almost every ARoLP adviser attends weekly or monthly technical working group coordination meetings, many of which are chaired by ARoLP advisers. We do enjoy a very high level of cooperation with donors working with the Supreme Court; ARoLP is working with three other donors to deliver the 2007 Stage Judicial Training Program, which includes many more courses than last year's and will be a model for a completely revamped Stage in 2008. ARoLP has also been working with the U.S. military and the Provincial Reconstruction Teams (PRTs) to prepare for the distribution of the second edition of the Judicial Reference Sets, described below, and the rollout of the Afghanistan Court Administration System (ACAS). Again, this has consumed considerable adviser time but the rewards, we hope, will be worth the efforts as ARoLP for the first time starts to move out into every province of Afghanistan.

Given these distractions, an amazing number of activities were completed during the quarter and an even greater number started. The adoption by the Supreme Court of the Regulation of Judicial Conduct is perhaps the most notable result of ARoLP's activities during the quarter. Also notable was the development of the Academic Legal English Course for faculty and students of Nangarhar University, members of the Ministry of Justice's Taqin Department, and judges. The course will require six short-term expatriate teachers to deliver both intensive English instruction and an introduction to U.S.-style legal education. This summer's program will be the prototype for at least one more course in the winter, which will draw participants from the other four provincial universities ARoLP is working with. ARoLP's academic legal English programs are part of an education pipeline ARoLP will be building over the course of the year to prepare Afghans for graduate study in the United States and elsewhere.

Afghanistan remains a very difficult environment in which to work. While the spring thaw did not bring with it the expected increase in violence from anti-government forces, other threats have surfaced. Tactics from Iraq are quickly spreading to Afghanistan and

kidnappings are now the current worry for ARoLP, especially as we gear up to rollout the ACAS and deliver the second edition of the Judicial Reference Sets throughout the country. To date, ARoLP has been able to recruit highly qualified personnel, but the security situation has made it more difficult to fill vacancies, especially those that require travel outside of Kabul.

## COMPONENT 1.A SUPPORT FOR COURT ADMINISTRATION

### AR 5: New National Court Administration System Implemented

Description	Baseline As of Sept 2006	Cumulative Total Through Dec. 2006	FY 2007 Target	FY 2008 Target
<b>Indicator 1:</b> Adoption of NCAS by Supreme Court	NO	NO	YES	N/A
<b>Indicator 2:</b> # court using NCAS	0	0	0	14

### Progress Toward Activity Results

**Indicator 1:** ARoLP anticipates the adoption of the Afghanistan Court Administration System (ACAS) by the Supreme Court next quarter, once ARoLP incorporates changes and suggestions it has received from its model court and early implementation court working groups in the provinces.



*ARoLP court administration staff members discuss ACAS development with the Panjshir province working group.*

During the quarter, eight additional courts were designated as early implementation courts (EIC), including provincial appeals courts and urban primary courts in Panjshir, Balkh, Parwan, and Zabul provinces. These courts will review and make changes to the ACAS suggested by ARoLP's original group of model courts, selected to assist ARoLP develop the ACAS—the Wardak Provincial Court of Appeals, the Maidan Shahr Urban Primary Court (UPC), Kabul Provincial Court of Appeals, Kabul District 10 UPC, and the Supreme Court.

The model court and EIC working groups meet weekly or bi-weekly to review and improve court procedures. ARoLP works closely with the ACAS working groups to simplify current court processes, to increase public access to court and case information, and to provide more transparent court procedures, such as holding open and public hearings.

ARoLP has been documenting the changes and suggestions from the model and early implementation courts working groups. So far, the ACAS development process has finalized a number of procedural changes, such as reducing the number of case registration books required to track case activities from six to two. ACAS also now has a unique case-numbering system to differentiate between case types and filing years, as well as systematized case file jacket covers that contain information on a case's status. Another procedural change that has come out of ARoLP's working group meetings: the development of a party index system linking litigant names to their cases so parties can more easily find and retrieve case files and case information. A file tracking system will also reduce lost or misplaced files.

As these meetings continue, ARoLP hopes the ACAS working groups will soon finalize a calendaring system to inform litigants and the public as to when a case hearing will take place, a manual for court operations procedures, and new procedures for open and public hearings. As these changes are proposed and reviewed, ARoLP will consult the civil, criminal, and commercial procedure codes to ensure newly developed procedures comply with current laws and regulations.

**Indicator 2:** After adoption of the ACAS by the Supreme Court, ARoLP can begin tracking the number of courts using the system. ARoLP anticipates adoption of the ACAS during the fourth quarter of FY2007.

## Description of Activities

### **ARoLP Work with Provincial Reconstruction Teams**

ARoLP held discussions this quarter with the International Security Assistance Force (ISAF) in Afghanistan, as well as representatives from the provincial reconstruction teams (PRTs) on ways those organizations could help implement the ACAS across the country. Specifically, ARoLP requested help distributing judicial reference sets, implementing judicial training, and identifying and reviewing existing court facilities and resources.

To date, the PRTs have provided ARoLP with information on court facilities, judicial capacity, and infrastructure for 88 courts. During the quarter, ARoLP also made a presentation to all USAID PRT field representatives on activities they could continue to assist with and continues to work closely with PRTs in Farah and Zabul to provide furnishings and filing systems for early implementation courts in those regions.



*Support from the Zabul PRT made it possible to review the space needs and layout for the newly built Qalat justice center there. ARoLP is assisting with furniture and filing systems for court.*

## **Supreme Court Judicial Personnel System**

The ARoLP-designed Supreme Court personnel database is now current, with updated personnel files for both judges and administrative staff. ARoLP continues to work closely with Supreme Court staff to automate reporting functions in the database, which has streamlined and simplified the Supreme Court's vast personnel files. Previously, database users had to manually enter information onto personnel action forms (P-2), such as salary changes, retirements, and court assignments. The old system required typing in these changes on a typewriter, filing, distributing up to four or five carbon-paper copies of the P-2 form, and updating the changes in the database. Now, the Supreme Court personnel database prints the appropriate number of P-2s automatically and those forms are distributed to appropriate court entities and staff members. The system can now also generate detailed reports for senior court managers.

### **Key Events for Next Quarter**

- Supreme Court review of the ACAS.
- A final developed system for ACAS adoption.
- ACAS implementation in six to eight provinces.
- Finalize space and facilities modifications to those ACAS courts that require modifications to support the ACAS filing system.
- Beginning work with the Supreme Court's statistics and inspection departments to simplify their data-collection processes.
- Assisting the Supreme Court's administration department to develop a formula-based, resource-allocation model.
- Provide Supreme Court staff with intensive IT and information-management training.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
April to June	“Beginning and Intermediate English”	Judicial staff – Parwan	11
April to June	“Beginning and Intermediate English”	Judicial Staff – Balkh	21

## COMPONENT 1.B&C LEGAL EDUCATION

### AR 5: Formal Legal Education Strengthened

Indicator	Baseline As of Sept 2006	Cumulative Total Through June 2007	FY 2007 Target	FY 2008 Target
1. Number of syllabi developed and being taught in the Faculty of Law	0	0	2	6
2. Competency test mechanism in place	No	No	No	Yes
3. Number of articles in Law Journal	11	10	20	25

### Progress Toward Activity Results

**Indicator 1:** To focus the syllabi-development process in Afghanistan’s universities, ARoLP has formed Joint Curriculum Review Committees (JCRC) between the Faculties of Law and Political Science and the Faculties of Sharia in the five provincial universities participating in ARoLP’s legal education program: Al Biruni University, Balkh University, Herat University, Kabul University, and Nangarhar University. The committees’ purpose is to identify courses that will make up the common core curricula for law students across Afghanistan.

To date, the five JCRCs have not agreed on a list of subjects to include in the core curriculum. This is likely because their teaching schedules prevent them from meeting more regularly. The committee members, however, should have time to develop their plans ahead of a national meeting of deans of law and Sharia that ARoLP has tentatively scheduled for the first quarter of FY 2008. The conference will have two objectives: 1) the acceptance of a shared core law curriculum and, 2) an explanation of how a semester credit system might work in Afghan universities.

**Indicator 2:** It appears that there will be a legal bar examination developed for Afghanistan in FY2008, after the Advocates Law was passed in the lower house of parliament and is expected to pass through the upper house once parliament reconvenes next quarter. While the International Bar Association (IBA) has the lead in developing the examination, ARoLP will be involved in at least two ways. First, ARoLP designed and delivered the first comprehensive entrance examination to candidates wishing to enter the judiciary via the 2007

Stage Judicial Training Program. The 100-question exam covered ten main areas of the law and was administered to 631 applicants in February 2007. The test will provide invaluable information on the quality of education judicial candidates received at Afghan law and Sharia faculties, as well as strengths and weaknesses in the system as a whole. The entrance examination also can be an example to the IBA of an effective multiple-choice test, which is suitable for the bar examination. Second, ARoLP's work with Afghan universities on a core curriculum for law students will also be an important indicator of what topics a bar examination should cover. The IBA is working closely with ARoLP on the development of the bar examination, which should be ready to test law graduates of the class of 2009.

**Indicator 3:** ARoLP selected a new editor-in-chief of the Law Journal of the Kabul University Faculty of Law and Political Sciences after the former editor resigned unexpectedly in January 2007. It took three months to find a replacement willing to take on the responsibility of editing the journal, which meant that the Law Journal's publishing schedule was delayed. In April, Kabul University's Professor Nasratullah Stanekzai agreed to edit the journal, which ARoLP has supported as a way of promoting professional legal writing, research, and scholarship. At the time of writing, the journal's Board of Editors was collecting and reviewing article submissions. The next issue of the Law Journal will go to print in mid-August.

## Description of Activities

### Al Biruni University Joins ARoLP Legal Education Program

Al Biruni's Faculty of Law and Political Science and Faculty of Sharia agreed in June to participate in ARoLP's legal education program. Al-Biruni is the fifth university to take part in the program. The university, in meetings with ARoLP's legal education staff, also agreed to form a Joint Curriculum Review Committee (JCRC) to develop a national core curriculum for law studies.



*Al-Biruni's Faculty of Law and Political Science and Faculty of Sharia agreed to participate in ARoLP's Legal Education Program, making it the fifth university to join ARoLP's program.*

## **Curricula Reform Under Discussion**

ARoLP held several discussions with faculty from Al Biruni, Balkh, Herat, Kabul, and Nangarhar Universities on the development of a shared, common curriculum for law students attending both the universities' Faculties of Law and Political Science and Faculties of Sharia. Professors from all five universities have agreed to form Joint Curriculum Review Committees (JCRC), which would include deans of both the law and Sharia faculties and department heads, and which will develop courses to make up the core legal curriculum.

All five of the universities participating in ARoLP's legal education program will also soon have access to a new textbook on Afghan commercial law practices. In February and March 2007, Kabul University Professors Shahla Farid and Sher Ali Amm, of the Faculty of Law and Political Science, traveled to France to study French commercial law and commercial court proceedings. After returning to Kabul in April, they compiled their research and will publish a textbook on commercial law in August for the professors and students of law and Sharia at all Afghan universities.

## **Legal Research Center Up and Running**

The Legal Research Center, housed within Kabul University's Faculty of Law and Political Science, opened its doors May 23, 2007. Attendees at the center's opening ceremony included Afghanistan's minister of higher education, the vice chancellor of Kabul University, president of the Afghan Lawyers Union, as well as professors and students of Kabul University's law and Sharia faculties. By the end of June, more than 1,200 law and Sharia students had used the Legal Research Center and its 20 networked computers, which offer access to digital libraries such as the ARoLP-developed Official Gazette, and the Internet. The computers are also being used to train judicial candidates attending the Supreme Court's Stage Judicial Training Program in basic legal research.



*Minister of Higher Education Dr. M.A. Dadfar, Senior Legal Education Adviser Dr. Quadir Amiryar, and Dean of Faculty of Law and Political Science Prof. Wasel at the opening of the Legal Research Center at Kabul University.*

## Legal English Program at Kabul University

ARoLP began a legal English program at Kabul University during the quarter. Placement tests were scheduled and 140 law and Sharia students were assessed. Fifty students were placed into two classes, which started on May 3, 2007. Professors from Kabul University's Faculty of Law and Political Science and Faculty of Sharia also took the reading placement tests, and their Legal English program began in late April.

The program centers on an introductory law course textbook called *Street Law* and 100 hardback copies were purchased by ARoLP and distributed to the program participants. It is also the first time that law and Sharia students are studying together.

Throughout the program, ARoLP is training one Afghan teacher, who is delivering one section of the English course, to take over the course from ARoLP instructors. The program is expected to continue through September 30, 2008.

## English Program Delivered at the 2007 Stage

For the first time, students enrolled in the 2007 Judicial Stage Training Program participated in ARoLP's Legal English Program, which began in April 2007 and was offered every Saturday for two hours. One hundred and eighty-three students were assessed and placed in seven classes at three different competency levels. Four Sharia professors were hired to teach the lowest English levels, while three law and English graduates from Kabul University taught the two higher levels. All the course materials given to the program participants were developed by ARoLP and tailored to their needs. Students learned basic legal vocabulary, read simplified case studies, listened to guest speakers, and held a moot court in English. Evaluations at the end of the course showed that the students had tripled their legal English vocabulary and were much more comfortable speaking and understanding English. ARoLP will create three legal English textbooks to be used in the third trimester of the Stage in the next quarter.

## Key Events for the Next Quarter

- Publication of the third issue of the Law Journal of Kabul University's Faculty of Law and Political Sciences.
- Initiation of an English as a Second Language (ESL) teaching program at Al Biruni University.
- An Academic Legal English Program for professors and students of Nangarhar University's Faculty of Law and Political Science and Faculty of Sharia in Kabul.

## Summary of Component Trainings and Workshops

Date	Title	Agencies Involved	Number of Participants
May 3, 2007, to Sep 2008	Academic Legal English Class at Kabul University (Section one and two)	Students of law and Sharia of Kabul University	50

May 3, 2007, to Sep 2008	Academic Legal English Class at Kabul University (Section one and two)	Professors of law and Sharia of Kabul University	19
July 7, 2007, to September 7, 2007	Academic Legal English Course	Professors and students of law and Sharia of Nangarhar University, judges, and Taqin members	54
Ongoing	ESL Training/Lower Level	Balkh University/Faculties of Law and Sharia	16
Ongoing	ESL/Intermediate Level	Balkh University/Faculties of Law and Sharia	10
Ongoing	ESL Training /Level Two	Kabul University/Faculties of law and Sharia	3
Ongoing	“English Grammar”	Kabul University/Faculties of law and Sharia	9
Ongoing	Beginning English Class/Level One	Herat University/Faculties of Law and Sharia	5
Ongoing	Beginning English Class/Level Two	Herat University/Faculties of Law and Sharia	11
Ongoing	English Class/Intermediate Level	Herat University/Faculties of Law and Sharia	7

## COMPONENT 1.D SUPPORT FOR JUDICIAL TRAINING

### AR 3: Opportunities to Improve Judicial Professionalism and Improve Skills

Indicator	Baseline As of Sept 2006	Cumulative Total Through June 2007	FY 2007 Target	FY 2008 Target
1. Code of Judicial conduct adopted	No	Yes	--	--
2. Number of hours of offerings increased	0	200	180	360

### Progress Toward Activity Results

**Indicator 1:** To fight endemic judicial corruption, Supreme Court Chief Justice Azimi this quarter publicly stated his support for the adoption of a modern code of judicial conduct by the court. AROLP’s strategy for adopting a modern code was to work with, and provide technical support to, the Supreme Court-appointed Judicial Conduct and Ethics Working Group, the Chief Justice, and the Court.

ARoLP prepared a draft code, based on the Bangalore Principles of Judicial Conduct, and submitted the draft, along with copies of the Bangalore Principles, the Jordanian Code of Judicial Conduct, and model codes from the United States and United Nations to the Working Group. In their meetings, the Working Group had two goals: to ensure the Afghan code of judicial conduct is based on the same universal principles of ethical behavior as similar codes in other countries, and to ensure a speedy adoption of the code, which would be an important step toward eliminating corruption and restoring public confidence in the courts.

The Afghan code of judicial conduct, entitled *Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan*, was adopted on June 14, 2007, by the Supreme Court.

**Indicator 2:** The number of judicial training hours has increased over the quarter after ARoLP extended the Foundation Training Program from three weeks to four weeks, representing an increase of approximately 30 hours of training. The 14th Foundation Training, which provided intensive basic skills training for judges appointed during the period when the Stage was not offered, started on June 30, 2007, with 31 male judges and three female judges from 14 provinces enrolled. The 15th Foundation Training is scheduled to start in Herat on August 11, 2007. To date, 495 judges, including 34 women, have participated in ARoLP's Foundation Training Program. Three more trainings will be completed before the end of FY2007, with another seven scheduled for FY2008.

The 2007 Judicial Stage Training Program, which with the Foundation Training constitutes the centerpiece of ARoLP's judicial training activities, opened April 1, 2007. The daily schedule for the 2007 Stage is fundamentally the same as the daily schedule for the 2006 Stage.

Besides ARoLP's Foundation Training and Stage Training Programs, ARoLP is also gearing up to offer a series of trainings for judges on the significance and implementation of the *Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan*. Approximately 1,300 sitting judges in Afghanistan will require training on the Regulation of Judicial Conduct. Most likely, the training can be provided in one six-hour session, which can be incorporated into the 2007 Stage and the present Foundation Training curricula. With the three remaining Foundation Trainings in FY2007 and the seven in FY2008, an estimated 350 judges can receive judicial conduct training, leaving a balance of approximately 1,000 judges to be trained. Assuming that 50 percent of that training is delivered to classes of 50 judges, and 50 percent to classes of 25 judges, 30 judicial conduct training sessions would be required, for a total of 180 hours of training over the fourth quarter of FY2007 and into FY2008.

## Description of Activities

### Regulation of Judicial Conduct and Ethics

At the beginning of this quarter, Supreme Court Chief Justice Azimi threw his support behind the adoption of a modern code of judicial conduct for Afghanistan and appointed a Judicial Ethics Working Group to develop the code.

ARoLP helped draft a preliminary Regulation of Judicial Conduct, modeling it after the Bangalore Principles of Judicial Conduct. ARoLP sent the draft, along with copies of the Bangalore Principles, the Jordanian Code of Judicial Conduct, and model codes from the

United States and United Nations to the Judicial Conduct and Ethics Working Group. Members of the Working Group reviewed ARoLP's materials, made changes, and submitted a final draft, entitled *Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan*, to Supreme Court Chief Justice Azimi and to the members of the Supreme Court on May 31, 2007.

The draft was reviewed by an independent expert in the United States for conformity with international standards, and the expert concluded that it met—and in some parts exceeded—those standards. The Regulation of Judicial Conduct was adopted, without change, by the Supreme Court on June 14, 2007, and its adoption was announced by the Court at an adoption ceremony June 21.



*Afghanistan's Supreme Court announced its adoption of its Code of Judicial Conduct at a June 21 ceremony attended by Supreme Court Chief Justice Azimi, other justices of the Supreme Court, and high-ranking Afghan officials.*

ARoLP will now begin to work with the Chief Justice and the Working Group to prepare rules for implementing and enforcing the Regulation. A draft of those rules has been prepared. ARoLP will also begin the preparation of a focused training course on the Regulation, including materials that can be used by ARoLP and other organizations offering judicial training. The goal is to train the 1,300 sitting judges in Afghanistan as soon as possible. The judicial conduct course will be included in the ARoLP Stage, Foundation, and Commercial Law Training programs, as well as other training programs to be delivered by ARoLP and other organizations.

### **Stage Judicial Training**

Students, lecturers, Supreme Court justices, and other dignitaries gathered April 1, 2007, at the newly constructed National Legal Training Center for a ceremony marking the opening of the 2007 Judicial Stage Training Program. Afghan Supreme Court Justice Bahauddin Baha greeted the judicial candidates who are taking part in this year's training program. Justice Baha emphasized the importance of young, well-trained judges to the future of Afghanistan and encouraged them to take full advantage of the opportunity presented by the Stage Training. Italian Ambassador to Afghanistan Ettore Francesco Sequi echoed Justice Baha's remarks and noted the significance of the National Legal Training Center to the future of the Afghan justice system. Located on the campus of Kabul University, the Center was constructed by Italy and furnished by the United States.

The 2007 Stage, a 36-week intensive training program for 205 judicial candidates selected by the Supreme Court, is sponsored by the Court, in conjunction with the ARoLP and its implementation partners, the International Development Law Organization (IDLO), the French International Institute for Comparative Studies (IIPEC), and the Max Planck Institute for International Law. Through a memorandum of understanding with the Supreme Court, ARoLP, IDLO, and IIPEC/Max Planck are each financially responsible for 12-week periods.

In 2006, 173 judicial candidates completed the Stage. This year, the Supreme Court invited 205 candidates to attend and expressly requested that the Stage be held at the Training Center. Six hundred and thirty-five candidates, including 30 women, sat for the Stage Judicial Training entrance examination, and 200 were accepted as Stage participants. Women, as a group, fared better than the men on the examination, with approximately 50 percent accepted as participants, compared to approximately 30 percent of male applicants. The Supreme Court later added another handful of candidates to this year's training so that outlying areas are better represented in the training class.

In addition to the main Stage course offerings, ARoLP took on the responsibility of organizing several Saturday seminars for Stage participants during the quarter. In addition to the Legal English Program, described above in the Legal Education component, ARoLP provided lectures in computer-assisted legal research, modern court administration, and judicial statistics. The opening of the Research Center at Kabul University's Faculty of Law and Political Science provided ARoLP with the opportunity to give the Stage participants a hands-on introduction to computers, the Internet, and computer-assisted legal research.



*Stage students watch a moot court exercise in English. The students completed their Legal English Course this month, tripling their English vocabulary.*

Planning has begun for the 2008 Stage. ARoLP has prepared a detailed proposal for an analysis of: 1) the educational backgrounds of candidates who participated in the 2006 Stage and who sat for the 2007 Stage entrance examination; 2) the performance, by subject area, of candidates on the entrance examination and the 2006 Stage final examination; and 3) the curricula of the law and Sharia faculties. This analysis, which has been requested by the Supreme Court Chief Justice, will be included in a report recommending ways to strengthen the curricula of the law and Sharia faculties; to establish a minimum standard of courses that

must be completed before sitting for the 2008 Stage entrance examination; to improve the Stage entrance and final examinations; and ways to improve the Stage curriculum for 2008.

### **Foundation Judicial Training**

The 13th Foundation Training began in Mazar on May 5, 2007, and ended on June 2, 2007, with a ceremony awarding participants certificates of completion.

The Mazar Training drew a total of 36 judges, including two women, from Samangan (6), Jawzjan (6), Sari-Pul (3), Faryab (3), and Balkh (18) provinces. The training was conducted in the UNODC-constructed Justice Support Center, which is located on the campus of the Court of Appeals. During the opening ceremony, which was attended by representatives of the government, the Office of the Attorney General, and the provincial courts, 50 copies of ARoLP's Judicial Reference Set were given to the Chief Judge for distribution. The 14th Foundation Training commenced in Kabul on June 30, 2007, drawing 34 judges from Kabul (7), Ghazni (4), Bamyán (3), Kapisa (7), Wardak (6), Kunar (2), and one judge each from Parwan, Badakhshan, Paktika, Logar, and Baghlan.



*Thirty-six judges graduated from ARoLP's 13th Foundation Training. To date, 532 judges have graduated from the program, which is taught by experts from Afghanistan's Supreme Court, Appeals Court, and Kabul University.*

### **Supreme Court ANDS Strategy**

The Supreme Court, with ARoLP's help, spent much of this quarter developing a plan to meet the Afghanistan Compact (Justice & the Rule of Law) Benchmarks—set forth in the Afghanistan National Development Strategy (ANDS)—which establish priorities for activities and funding for the government.

In March 2007, a final initial draft of the Supreme Court Strategy, prepared by ARoLP, was submitted and distributed for comment. Based on discussions with members of the Supreme Court, ARoLP prepared and submitted a second draft of the ANDS. One goal that made it into the second draft of the ANDS was Chief Justice Azimi's funding request to raise judges' salaries, which was given top priority out of 18 funding requests in the Court's ANDS

strategy, as part of his mission to fight judicial corruption. In early July, the Supreme Court ANDS strategy was presented at the Rome Conference on the Rule of Law.

### Key Events for Next Quarter

- Presentation to, and consideration by, the Judicial Ethics Working Group of the draft of rules for enforcement of the *Regulation of Judicial Conduct*.
- Preparation of the *Regulation of Judicial Conduct* training course.
- 14th Foundation Training in Kabul.
- 15th Foundation Training in Heart.
- Commencement of 16th Foundation Training in Kabul.
- Continuation of the Legal English Course and presentation of additional Saturday seminars at the 2007 Stage.
- Planning for the 2008 Stage, in conjunction with ARoLP's implementation partners.
- Sponsorship of a week-long conference of chief judges, on behalf of the Supreme Court, to be held in Kabul beginning August 12, 2007.
- Identification of four young, enthusiastic, and skilled judges from each of the eight judicial zones to receive training of trainers (ToT) training to become a cadre of trainers in the provinces.

### Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
May and June	13th Foundation	Supreme Court	36

## COMPONENT 1.E SUPPORT FOR COMMERCIAL COURT REFORM

### AR 6: Foundation for Effective Resolution of Commercial Disputes in Place

Indicator	Baseline As of Sept 2006	Cumulative Total Through June, 2007	FY 2007 Target	FY 2008 Target
1. National policy on enforcement developed	No	No	No	Yes
2. Supreme Court clarifies jurisdiction of Supreme court	No	No	Yes	--
3. Number of hours of judicial training for Commercial Court Judges	0	0	168	312

### Progress Toward Activity Results

**Indicator 1:** ARoLP continued to work with the Afghan Ministry of Justice to form a new national policy for the enforcement of civil and commercial court judgments. During the course of the quarter, ARoLP developed a strong relationship with the MoJ's Hoqooq

Department and agreed to work in partnership with them to review and improve a draft of the Hoqooq's amendments to the Law on Acquisition of Rights, which controls the enforcement of civil and commercial court judgments, before submitting the draft to the MoJ.

These steps were taken despite the fact that the ministry does not consider reform of the mechanisms for enforcing court judgments a priority. In addition, the ministry was preoccupied during the quarter with preparations for the Rome Conference on the Rule of Law in Afghanistan. At the same time, the ministry was coping with the departure of the head of the Hoqooq, who was promoted out of the department in June.

**Indicator 2:** ARoLP continued to provide assistance to a committee of Afghan Supreme Court Justices reviewing proposed amendments to the Law on Organization of Courts that would, among other things, clarify the subject-matter jurisdiction of the primary commercial courts. Preparations for the Rome donor conference made it difficult to focus more closely on the issue of court jurisdiction in Afghanistan. Despite these distractions, the Supreme Court Chief Justice and the head of court administration both expressed strong support for ARoLP's proposed amendments during meetings with the project.

**Indicator 3:** The Commercial Law Training Program started on June 30, 2007, and ends July 31, 2007. The Afghan Supreme Court assigned 32 judges from the Kabul area and outlying provinces, while the MoJ assigned 25 members of its Taqin and Hoqooq Departments to attend the program. The curriculum focuses on commercial law and is taught by experts from the Afghan judiciary and from Kabul University's Faculty of Law and Political Sciences, Faculty of Sharia, and Faculty of Economics. International experts Professor Ted Parnall and Dr. Samson Sempasa SJD are also scheduled as trainers.

ARoLP's training initiatives during the quarter also included finalizing details for a proposed study tour to the Republic of the Philippines and Egypt, scheduled for the last week of August through the first week of September. The tour, coordinated in partnership with the UNDP, will include members of the Afghan judiciary, representatives from the legal education sector, and the MoJ.

## Description of Activities

### **ARoLP Reviews Amendments to Court Jurisdiction and Enforcement Laws**

During the quarter, ARoLP continued to work with the Afghan judiciary, reviewing amendments to the Law on Organization of Courts and amendments from the Ministry of Justice's Hoqooq Department to the Law on Acquisition of Rights, which controls the enforcement of civil and commercial court judgments.

ARoLP continued to meet with and advise a committee of Afghan Supreme Court Justices on proposed amendments to the Law on Organization of Courts that would, among other things, clarify the subject-matter jurisdiction of the primary commercial courts. Other proposed amendments would facilitate the implementation of modern administrative and case management systems and strengthen the Supreme Court's ability to investigate allegations of judicial corruption. ARoLP discussed these changes with senior Supreme Court officials, including Chief Justice Azimi, head of court administration Dr. Kamawi, Supreme Court Associate Justice Noyawi, and Supreme Court Associate Justice Baha, who also chairs the

Law on Organization of Courts committee. Both Chief Justice Azimi and Dr. Kamawi expressed strong support for ARoLP's proposed amendments during committee meetings.

During the course of the quarter, ARoLP also strengthened its relationship with the MoJ's Hoqooq Department and worked with the department heads on proposed amendments to the Law on Acquisition of Rights, which controls the enforcement of civil and commercial court judgments, before submitting the draft to the MoJ.

### **Building Links with the Ministry of Justice**

ARoLP and its counterparts at the Hoqooq agreed to work together on an overall work plan for the Hoqooq Department. The work plan includes the creation of a Policy Procedures Manual for Hoqooq professional staff that delineates the jurisdiction and venue of the various courts in the Afghan judicial system. Under the work plan, ARoLP has also agreed to provide the Hoqooq with training assistance, training materials on alternate dispute resolution, and an assessment of the operational efficiency of the Hoqooq Department.

### **Commercial Law Training Program Started**

The Commercial Law Training Program was opened June 30 and ends July 31, 2007. Thirty-two judges were appointed by the Supreme Court and will participate in the training alongside 25 members of the Taqin and Hoqooq, appointed by the Ministry of Justice. The program includes lectures from distinguished local expert lecturers from the Afghan judiciary, Kabul University Faculties of Law and Political Science, Economics, and Sharia, as well as ARoLP Judicial Training Adviser Dr. Arnaud Janbaz, a commercial law expert. The program also includes two days of lectures on the newly adopted Regulation of Judicial Conduct, explained above under the Judicial Training component, and four days of lectures on financial accounting.



*Thirty-two judges and 25 members of the Ministry of Justice's Taqin and Hoqooq Departments are enrolled in ARoLP's Commercial Law Training Program, which opened June 30, 2007.*

Professor Theodore Parnall and Dr. Samson Sempasa SJD also are lecturing on international commercial best practice and alternative dispute resolution, respectively. Professor Parnall and Dr. Sempasa will also provide lectures at the ARoLP-implemented Academic Legal English Course, outlined above under the Legal Education component. Dr. Sempasa will also provide four days of additional alternative dispute resolution training to Kabul-based members of the Hoqooq Department and help create an alternative dispute resolution training manual for future use by the Hoqooq members. Professor Parnall is scheduled to provide three days of lectures to Taqin staff who were unable to attend the month-long Commercial Law Training Program. ARoLP will evaluate the results of the initial implementation of the program and then make improvements based on participant feedback and project review. ARoLP plans to implement the Commercial Law Training Program in early FY2008 to judges located in the provinces.

### **Study Tour of Philippines and Egypt Scheduled**

The proposed study tour of courts in Egypt and the Republic of the Philippines is scheduled to begin during the last week of August and continue through the first week of September. Participants will include members of the Afghan Supreme Court, Provincial Appeals Court, Primary Commercial Court, the Hoqooq, and staff from Kabul University's Faculties of Law and Political Sciences, Sharia, and Economics.

On the Philippine leg of the tour, participants will visit the Philippine Supreme Court Project Management Office, which coordinates donor assistance to the judiciary; the Philippine Judicial Academy, which trains all judicial candidates in the country; the Philippine Graft Court; the University of the Philippines Law School; and the Philippine Commercial Court. Participants will visit similar institutions in Egypt.

The objective of the tour is to show how other courts met challenges that are similar to those the Afghan judiciary faces today. Further, the tour aims to expose the Afghan legal education community to alternative methods of teaching and judicial training.

### **Key Events for Next Quarter**

- Conclusion of the Commercial Law Training Program
- Provision of lectures to the Academic Legal English Course and the Ministry of Justice's Taqin and Hoqooq Departments.
- Production of a Policy and Procedures Manual for the Hoqooq Department.
- Completion of an overall operational and organizational assessment of the Hoqooq Department.
- Amendment of the Law on Organization of Courts to clarify the subject-matter jurisdiction of the primary commercial court.
- Study tour to the Republic of the Philippines and Egypt.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
June 30-July 31, 2007	Commercial Law Training Program	Afghan Supreme Court Ministry of Justice Kabul University	32 Judges 25 Professional Staff MoJ

## COMPONENT 2: LAW REFORM AND LEGISLATIVE DRAFTING

### AR 8: Legislative Process Improved

Indicator	Baseline As of Sept 2006	Cumulative Total Through June, 2007	FY 2007 Target	FY 2008 Target
1. Number of draft laws sent by the MOJ Taqin to the Office of Administrative Affairs	9	25	45	40
2. Number of Agencies with members trained in legislative drafting	3	6	6	12
3. Number of institutions or entities distributing Afghan laws, regulations, and legal information	3	3	4	6

### Progress Toward Activity Results

**Indicator 1:** ARoLP has continued to help the Ministry of Justice finalize the government's legislative agenda. In September 2006, the Ministry finalized its agenda for the second half of the year 1385, and in March 2007, it finalized its agenda for the year 1386 (March 21, 2007—March 20, 2008). The 1386 agenda includes 41 legislative documents to be prepared by the Ministry of Justice's Taqin Department and presented to the Council of Ministers during the year. Legislative benchmarks were set for each quarter of the year, including preparing and reviewing 15 documents during the first quarter, which ended June 21, 2006. Of the 15 documents, the Taqin presented 13 to the Council of Ministers on time, while an additional 15 documents not originally included on the 1386 agenda were also reviewed and delivered to the Council.

ARoLP had also planned to help write position papers explaining the rationale behind, and necessity for, new legislative documents. But the papers have not yet been started, aside from initial discussions with the MoJ's Taqin Department. The MoJ seemed receptive to receiving assistance from ARoLP in the drafting of such position papers, although the Taqin plans to take the lead on this during the coming year. Other institutions, including the Afghanistan Investment Support Agency (AISA), have asked ARoLP to draft briefing papers on the substantive policies and main features of certain commercial-related laws.

**Indicator 2:** In May and June 2007, ARoLP conducted an intensive legislative review workshop, *Reviewing and Responding to Legislation from a Gender-Sensitive Perspective*, for 11 women parliamentarians. It served as a primer on gender issues and legislative review in preparation for a more lengthy and intensive study tour these women will take to Turkey on the same topic.

In June and July 2007, ARoLP and the USAID-funded Parliamentary Strengthening Program conducted two consecutive, intermediate-level legislative drafting workshops for members of parliament, the Ministry of Justice's Taqin Department, the Independent Election Commission, the Ministry of Defense, and the Ministry of Interior. In all, 78 lawyers and others involved in legislative drafting received hands-on, practical experience in how to craft laws, regulations, and other types of legislative documents.

**Indicator 3:** Despite logistical challenges, ARoLP delivered 18 sets of the first edition of the Judicial Reference Set to the Bamyan Court of Appeals and District Courts, 15 sets to the Ghor Court of Appeals and District Courts, two sets to the Logar Urban Primary Court, 43 sets to Nangarhar University, five sets to the Deputy Attorney General in Kabul, two sets to the parliament, and four sets to the working group for commercial courts. The most difficult delivery was the 60 Judicial Reference Sets that ARoLP sent to the Kandahar Court of Appeals and District Courts, which were delivered via the Canadian Joint Task Force. One Judicial Reference Set was also shipped to the U.S. Library of Congress.

ARoLP also continued to distribute the Official Gazette in DVD format. The DVD includes Official Gazette issues 1 to 900 and is searchable in both Dari and Pashto languages. It includes all the issues that make up the current 86-volume hard copy set. One hardcopy of the Official Gazette was delivered to Kabul University and another to the U.S. Library of Congress, along with five Official Gazette DVDs. Another 250 Official Gazette DVDs were distributed to the Stage Judicial Training Program, 50 were given to the Commercial Law Training Program, and another 60 were given to the Foundation Training Program.

## Description of Activities

### **ARoLP Assists Ministry of Justice in Meeting its Legislative Benchmarks**

In March of this year, the government of Afghanistan adopted an annual legislative agenda for the year 1386, its first since 1993. The agenda, which was drafted with ARoLP's assistance, set quarterly law-drafting benchmarks to be met by the Ministry of Justice's Taqin Department. The Taqin's report card for the quarter ending in June looked good. Tasked with 15 legislative documents during the first quarter, 13 were completed and submitted to the Council of Ministers—a very good success rate, considering that the Office of the President and the Minister of Justice ordered an additional 15 legislative documents be reviewed by the Taqin during this quarter that were not on the original agenda. This early success illustrates the Taqin's commitment to the Legislative Agenda and provides momentum for the rest of the year's activities.

ARoLP's work with the Law Reform Technical Working Group (LRTWG) helped keep the Taqin particularly focused, especially during June as the end of the first quarter neared. As chair of the LRTWG, ARoLP continued to review and comment on various draft laws, including laws on procurement, private security firm operations, labor, business organizations, "acquiring rights" (Hoqooq Law), mass media, and the personal status of

Shiites. A number of these comments helped the Taqvin and various ministries streamline their drafts, make sound policy decisions, and facilitate the submission of these draft documents to the Cabinet.

### **ARoLP Finalizes Draft Paper on Legislative Process for Rome Conference**

ARoLP helped draft a briefing note on Afghanistan’s legislative process for distribution and discussion at the July Rome Conference on the Rule of Law in Afghanistan. The paper, which incorporates input from donors at the Law Reform Technical Working Group meeting in early June, identifies major gaps in the law-drafting process and makes recommendations for how the process could be improved. The paper was also sent to the government’s ANDS office.

### **ARoLP Completes Training of Women Parliamentarians in Legislation Review**

Eleven female members of Afghanistan’s National Assembly completed an ARoLP intensive training workshop in June. The course, *Reviewing and Responding to Legislation from a Gender-Sensitive Perspective*, was taught in conjunction with UNIFEM. It introduced the women to techniques for analyzing legislation and ensuring that laws are drafted with gender and women’s rights issues in mind. The workshop also served as a primer on gender issues and legislative review ahead of a more intensive study tour to Turkey that these same women will make later this year.



*Women members of parliament participate in an ARoLP-led workshop on reviewing draft legislation from a gender-sensitive perspective.*

### **ARoLP Research Assists the Afghan Government, U.S., and UN**

ARoLP lawyers conducted legal research on a variety of matters during the quarter at the request of a number of organizations, including the U.S. State Department, USAID, the U.S. Treasury Department, UNAMA, various Afghan ministries, the Afghanistan Investment Support Agency, and other institutions. Projects included research on issues such as commercial law, labor concerns, customary law practices like the forcible exchange of

women to resolve disputes, religious matters such as apostasy and blasphemy, and the fiduciary duties and conflicts of interest.

### **Publication of the Second Edition of the Judicial Reference Set**

More than 3,000 copies of the second edition of the Judicial Reference Set (JRS) were published in June and deliveries began in July. The latest edition of the JRS is the culmination of four months' work updating the original Basic Legal Texts and the first edition of the Judicial Reference Set with new amendments, laws, and a re-designed organizational structure in both Dari and Pashto languages. Among the 15 additional laws added to the compilation are the laws on mass media and labor and the just-introduced Regulation of Judicial Conduct. The second edition of the JRS also features international human rights treaties to which Afghanistan is a party, as well as the Government Employees Law, banking and bankruptcy laws, the Traffic Law, and select property laws and decrees. In addition to new content, ARoLP staff reviewed and re-formatted the civil, criminal, and commercial codes and procedures in the JRS. Another first for this compilation: a new index and organizational structure modeled after the United States Code, so that users will be able to locate laws faster and easier than ever before within the Judicial Reference Set's 17 volumes.



*The last of the first edition of the Judicial Reference Set was delivered to judges and government officials in Kandahar province by the Canadian Joint Task Force in June.*

### **Progress Continues on the Official Gazette**

To date, ARoLP's data entry unit has proofread, corrected, and digitized more than 12,000 pages of Official Gazette documents. About 8,000 pages remain. Once digitized, these Official Gazette laws will be used to print the next full set of volumes from issue 1 through 918, vastly improving the prior edition of the Official Gazette, which was a poor reproduction from photocopies.

Separately, ARoLP has hired a law graduate from Kabul University to correct and proofread an index to the Official Gazette. Until now, there has been no index to the Official Gazette, which spans more than 86 volumes. The index has been a work in progress since the start of ARoLP’s Official Gazette project and will now be included in all future Official Gazette editions. A second Afghan law graduate has also begun creating a classification scheme for Official Gazette documents that will be uploaded onto the Online Legal Database. Eventually, the preliminary classification will be searchable so that users can retrieve only the most relevant documents from the Official Gazette by subject area.

### **Work Started on a Dari-Pashto-English Legal Dictionary**

During the quarter, ARoLP started work on a new print and online, 2,000-term Dari-Pashto-English Legal Dictionary, assembling a new team of ARoLP staff, Kabul University Faculty of Law and Political Science professors, and a linguist. The team meets weekly with ARoLP staff, and have so far completed first drafts of more than 100 civil, criminal, and commercial legal definitions. An editorial board—which includes members of the Supreme Court and the Ministry of Justice, among others—will convene in late August to review and approve draft definitions.

### **Translations Database**

ARoLP staff continued adding English language translations to the Translations Database website ([www.afghanistantranslation.com](http://www.afghanistantranslation.com)). In June, the website also underwent a redesign. The Translations Database continues to be a focal point for those in the international legal community wanting access to Afghan legal materials in English.

### **Key Events for the Next Quarter**

- A meeting of the Law Reform Technical Working Group, which ARoLP chairs, will be held in mid-July with representatives of Parliament’s legislative committee. The LRTWG will continue to monitor the Taqnin’s progress with the 1386 agenda through the second quarter.
- Extend IT training to other departments within the MoJ, including the publications and Hoqooq departments.
- Prepare to send Taqnin members to legislative drafting training workshops abroad, possibly in the United States.
- Launch an online legal database via the MoJ’s website in August with searchable fields so users can retrieve laws from the Official Gazette. A more advanced searchable database template will go live later in the fall.

### **Summary of Component Training and Workshops**

Date	Title	Agencies Involved	Number of Participants
April 1 to June 30, 2007	“Beginning English”	Ministry of Justice	7
April 1 to June 30, 2007	“Intermediate English” and “Upper Intermediate English”	Ministry of Justice	13

April 1 to June 30, 2007	“Advanced Legal English”	Ministry of Justice, Stage Judicial Training Program, Kabul University Law and Sharia Faculties and Jalalabad University Law Faculty	60
April 1 to June 30, 2007	“Basic Computer Skills”	Ministry of Justice and Ministry of Haj and Religious Affairs	18
April 1 to June 30, 2007	“Reviewing and Responding to Legislation from a Gender-Sensitive Perspective.”	Wolesi Jirga (Lower House of the National Assembly)	11
April 1 to June 30, 2007	“Workshop on Legislative Drafting Skills, Series II”	Wolesi Jirga; Meshrano Jirga (Upper House of the National Assembly); Ministry of Justice; Independent Election Commission; Ministry of Defense; Ministry of Interior	78

## COMPONENT 3: ACCESS TO JUSTICE/INFORMAL SECTOR

### AR 2: Appropriate Sector for Resolving Disputes

Indicator	Baseline As of Sept 2006	Cumulative Total Through June, 2007	FY 2007 Target	FY 2008 Target
1. National policy on informal justice sector developed	No	No	No	Yes
2. Change in public attitude toward the formal justice sector	20.1%	20.1%	21.8%	25%

### Progress Toward Activity Results

**Indicator 1:** ARoLP continued to assist the Ministry of Justice develop a national policy on the informal justice sector in Afghanistan. The goal is to present the MoJ with an informal justice policy statement that defines the authority and jurisdiction of the informal justice sector as an alternative venue for dispute settlement, working alongside the formal justice system. The policy also aims to show how the informal justice sector can support the formal justice system. Toward this end, ARoLP has begun its search for an international consultant who will develop a national informal justice policy statement, which will be taken to communities in the provinces for local feedback. That feedback will be incorporated into the policy statement and recommendations that will be provided to the MoJ in 2008.

**Indicator 2:** According to a 2005 ARoLP report and a 2006 Asia Foundation study on the Afghan judiciary, almost 80 percent of all disputes in Afghanistan are reported to local

leaders in the shura or jirgas, rather than to the formal courts. As a result, ARoLP has created and broadcast radio and television dramas and video cartoons to educate Afghans on the role of the formal and informal justice sectors on national and provincial stations. The radio programs have also been screened at ARoLP-sponsored community cultural centers in four provinces and ARoLP materials have been distributed via provincial reconstruction teams throughout the country.

During the quarter, ARoLP distributed 78 audio CDs with radio spots, talk shows, dramas, and quiz shows; 126 video CDs with television spots, dramas, quiz shows, and legal-awareness cartoons; and 28 VHS cassettes. ARoLP also printed 25,212 comic booklets, 11,264 pamphlets, 3,792 bumper stickers, 35 Judicial Reference Sets, 175 women's rights under Islam calendars, and 110 posters of judicial facilities built by ARoLP.

## Description of Activities

### Establishment of Community Cultural Centers

ARoLP established seven community cultural centers in Parwan, Panjshir, and Kapisa provinces during the quarter and officially opened another in Panjshir, which was established last quarter. There are now 32 ARoLP-sponsored centers in four provinces. The centers were established under ARoLP's provincial justice initiative to carry out community-based legal-awareness activities on women's rights under Islam, the Afghan constitution, the Afghan judiciary, and the roles of the formal and informal justice sectors.



*ARoLP officially opened one community culture center in Panjshir province, shown here, and established locations for nine others in Parwan, Panjshir, and Kapisa provinces, bringing the total number of ARoLP-sponsored centers to 32.*

Like the rest of ARoLP's community cultural centers, these new centers will conduct community discussions and public events to promote the rule of law in remote communities. The centers' public outreach teams were provided legal-awareness materials and digital equipment to facilitate outreach activities in more remote districts and villages. The centers'

personnel will be trained in community legal-awareness techniques, civic education, legal referral, and computer skills.

### **Dramas and Cartoons Broadcast Nationally on Radio and Television**

ARoLP produced one radio and one television spot, in both Dari and Pashto, on marriage rights under Islam. The spot highlights Afghan marriage customs that are contradictory to Islamic values, such as forced marriage. The spots will be broadcast on national and provincial television stations in July and August and shown at community cultural centers in Maidan-Wardak, Parwan, Kapisa, and Panjshir.

During the quarter, ARoLP also produced a video cartoon on bribery and the right to freedom of expression. ARoLP-produced cartoons are used to raise public awareness of various legal issues in an entertaining and interesting way. The cartoon will be aired on national and provincial Tolo TV stations throughout July and August in both Dari and Pashto and will be shown at ARoLP-supported cultural centers in Wardak, Parwan, Kapisa, and Panjshir provinces.

### **Raising Legal Awareness at the Maidan-Wardak Apple Blossom Festival**

In May, all of ARoLP's community cultural centers in Maidan-Wardak participated in the province's famous Apple Blossom public festival. The public outreach teams from each center disseminated hundreds of legal-awareness pamphlets and cartoons at the festival and held discussions on the formal and informal justice sectors with festival-goers from all districts in Maidan-Shahr. During his speech at the festival, Maidan-Wardak's governor thanked ARoLP for establishing community cultural centers in his province.



*A group of schoolgirls read ARoLP comic books, which are used to raise public awareness of various legal issues in an entertaining and interesting way*

## Training on Justice Sector Reporting for Provincial Journalists

In June, ARoLP trained 19 journalists from 17 provinces as part of ARoLP's Training on Justice Sector Reporting for Provincial Journalists. After completing the six-day training, the journalists were better able to cover judicial news more accurately. The training covered legal issues like what constitutes a fair trial, how the appeals process works, and the difference between being accused of a crime, suspected of a crime, and guilty of a crime.



*Nineteen journalists received certificates from USAID and ARoLP for completing a six-day training program on Afghanistan's justice system.*

## Plans Continue for an Informal Justice National Policy Statement

During the quarter, ARoLP began actively searching for an international consultant to help develop a national informal justice policy statement. For the rest of 2007 and going into 2008, ARoLP will organize community dialogues between formal judicial authorities and members of the informal justice system at ARoLP's 32 community cultural centers in four provinces to get their feedback on ARoLP's informal justice policy statement. That feedback will be incorporated into ARoLP's statement, which aims to define the authority and jurisdiction of the informal justice sector versus the formal justice system and to discern whether the informal justice sector supports or undermines the government's formal justice system. ARoLP plans to submit a final draft with recommendations to the Ministry of Justice in 2008. With that policy statement in hand, the MoJ will have a better handle on how the formal and informal justice systems function in remote areas of the country and the ministry can adjust its official national policy accordingly.

### Key Events for the Next Quarter

- A three-day public-outreach training, a five-day legal-referral training, and an eight-day computer-skills training for heads of the nine newly established community cultural centers in Parwan, Kapisa, and Panjshir provinces.
- Production and broadcast of a radio spot and television quiz show on marriage rights under Islam.
- Further work on the development of an informal justice national policy statement with the Ministry of Justice.

- Broadcast of an animated cartoon on bribery and freedom of expression.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Province	Number of Participants
June 23 to 28	Training on Justice Sector Reporting for Provincial Journalists.	ARoLP- Checchi and MSI	Balkh, Nangarhar, Paktia, Herat, Paktia, Ghazni, Faryab, Parwan, Kunar, Maidan-Wardak, Dai-Kundi, Takhar, Jozjan, Sar-e-Pul	19

## COMPONENT 4. HUMAN RIGHTS AND WOMEN'S RIGHTS UNDER ISLAM

### AR 1: Knowledge of Women's Rights in Islam Increased

Indicator	Baseline As of September 06	Cumulative Total through June 07	FY 2007 Target	FY 2008 Target
1. Number of dialogue events on women's rights	0	11	22	22
2. Public attitudes on women's rights changed	No	No	No	Yes

### Progress toward Activity Results

**Indicator 1:** ARoLP's Women's Rights under Islam component organized two public discussions this quarter. The public discourse series is meant to bring both male and female religious thinkers—conservative and moderate alike—to examine critically those Afghan customs, traditions, and practices that are justified using narrow and repressive interpretations of Islam.

**Indicator 2:** ARoLP's Women's Rights under Islam program conducted a total of six roundtables on Afghan National Television, *Good Evening Afghanistan* radio, *Good Morning Afghanistan* radio, Ayeena Television, and Ariana Television. The panelists were selected from amongst ARoLP's Consultative Group members and the discussions were held in Dari, Pashto, and Uzbek languages. Like the public discourse series, these roundtables are meant to bring both male and female religious thinkers to examine Afghan customs from an Islamic perspective.

### Description of Activities

#### Public Discourses Address Women's Rights

During the quarter, ARoLP's Women's Rights under Islam component held two public discussions, one on April 12, 2007, focusing on the proper marrying age in Islam, and the second on June 10, 2007, focusing on women's right to decision-making. Both discourses

brought together scholars, civil society representatives, women's rights activists, and legal professionals—both moderate and conservative.



*Public discussions like this one in June ask male and female religious thinkers—moderate and conservative alike—to reconsider Afghan traditions from an Islamic perspective.*

The April 12, 2007, discussion included 33 scholars and experts who deliberated the issue of what constitutes a proper marrying age. The conservatives strongly argued that sexual desire is aroused in women at the age of puberty and that girls should marry when they are as young as nine years old. If girls are not married at this age, they said, society would become morally corrupt. The more moderate scholars argued that girls should marry when they are old enough to make their own decisions and that immorality involves both men and women. The discussion was later broadcast on Afghan National Television and, at the very least, encouraged most of the participants to study further the consequences of marriage at an early age.

The June 10, 2007, public discussion centered on the issue of women's right to a role in both private and public decision-making. Four panelists and 38 other participants took part in the discussion, which was more interactive and participatory, the conservative scholars more tolerant, and the women participants more active in asking questions and expressing their views than previous discussions. During the discussion, some mullahs argued that women do not have the capacity to make sound decisions, basing their argument on a *Hadith* (saying of the Prophet) that says, "I have not seen anyone more deficient in intelligence and religion than you. A cautious, sensible man could be led astray by some of you." The moderates questioned the authenticity of the above alleged *Hadith*.

### **Women's Rights Awareness Using Friday Khutbas (sermons)**

ARoLP provided technical advice to the Ministry of Haj and Religious Affairs' Mosque Department on various themes for its Friday Khutbas, or sermons. Each month, the ministry has promised to dedicate one Khutba on women's rights issues. However, after carefully reviewing the feedback on the Khutbas so far, ARoLP has decided that Khutbas may not be the best avenue toward promoting women's rights. Many of the mullahs and Khateebis lack proper knowledge of women's rights issues and most feel that the ministry is imposing the promotion of women's rights on them. A few have even spoken to the media, criticizing and

accusing the ministry of taking instructions from international organizations on what mullahs should focus on during Friday sermons.

### **Resource Materials on Women's Rights in Islam**

ARoLP purchased some 542 volumes of religious books and materials in Dari, Pashto, and Arabic languages. ARoLP donated 508 of these books to the Ministry of Religious Affairs' Resource Center, including books on *fiqh* (Islamic jurisprudence), *Hadith* (sayings of the Prophet), and *tafseer* (commentary on the Quran). ARoLP also provided computers to support the resource center.

### **Training for the Ministry of Haj and Religious Affairs**

ARoLP continues to train staff from the Ministry of Haj and Religious Affairs. The basic library training program for the ministry's librarians, administered by the Afghanistan Research and Evaluation Unit (AREU), was temporarily postponed, since the librarians lacked even the most basic computer skills. ARoLP is now providing basic computer training on classification, coding, labeling, and other techniques for maintaining printed materials. The more advanced training course will resume next quarter.

### **Distributing Women's Rights Awareness Materials**

ARoLP printed 2,000 calendars containing women's rights messages, distributing 800 copies to the ministry of religious affairs, 300 to provincial reconstruction teams, and 400 to ARoLP's public outreach unit for distribution at ARoLP-sponsored cultural community centers.

ARoLP also translated two scholarly papers on women's rights in Islam from English into Dari and Pashto. The two papers, entitled "Quranic Foundations of the Rights of Muslim Women in the Twenty-First Century" and "An Introduction to Muslim Women's Rights," were written by female Muslim scholar Professor Azizah Alhibri. The decision to print and distribute the translated materials is pending a final review and approval by the author and a review by the Women's Rights under Islam component's consultative group members.



*ARoLP's Women's Rights under Islam program printed 2,000 calendars containing women's rights messages and distributed them around the country*

### **Knowledge-Exchange for Afghan and non-Afghan scholars**

As part of ARoLP's efforts to provide Afghan scholars with the opportunity to exchange ideas and information on women's rights in Islam with other non-Afghan scholars, the Women's Rights under Islam component held a meeting this quarter with a six-member delegation of professors visiting from Egypt. ARoLP introduced the professors to the Women's Rights under Islam program and sought their assistance in establishing contacts with scholars from Egypt's venerable Al Azhar university. Still, ARoLP has had difficulty meeting these scholars and is refocusing its efforts on establishing contacts with institutions and societies where the scholars are more cooperative. So far, ARoLP has established contacts with a number of nongovernmental organizations (NGOs) and scholars in Malaysia and Indonesia. ARoLP will facilitate meetings between Afghan and Malaysian/Indonesian scholars during a study tour to Kuala Lumpur, tentatively scheduled for August 2007.

### **Meetings and Networking Events**

Over the course of the year, ARoLP has observed an increase in activities related to women's rights under Islam by both local and international organizations. A significant number of NGOs now work through the Ministry of Haj and Religious Affairs to further their women's rights-related activities. While any initiative geared toward promoting women's rights is welcomed and appreciated, there is a growing concern about the lack of coordination and collaboration among NGOs. The competition and lack of trust among different organizations has made coordination and information exchange elusive.

To ensure that efforts to promote women's rights in Afghanistan are collaborative and coordinated, ARoLP continued to hold meetings with local and international women's rights and human rights organizations, the media, religious scholars, and academia. ARoLP met with a variety of organizations this quarter, including Rights and Democracy, the Afghan Women's Education Center, the Afghan Women's Network, Global Rights, the Women's Political Participation Committee, the Ministry of Women's Affairs, Health and Development for Afghan Women, Counterpart International, Women for Afghan Women,

Afghan Women Services and Education Organization, the Afghan Women’s Skills Development Center, the Human Rights Research and Advocacy Consortium, and IDLO.

Also as part of ARoLP’s coordination efforts, the program’s Senior Human Rights Adviser participated as a panelist in a conference on the Rights of Women in Islam in Muslim Societies, which was organized by the Center for the Study of Islam and Democracy in Washington, D.C. Different aspects of women’s rights under Islam were addressed by the conference’s 12 panelists. Also while in Washington, ARoLP’s Senior Human Rights Adviser attended a brownbag meeting with USAID and U.S. Department of State officials, whom she briefed on the women’s rights situation in Afghanistan and ARoLP’s approach to promoting women’s rights.

### **Women’s Rights under Islam Subcontractor**

ARoLP completed negotiations with the International Foundation for Election Systems (IFES) to develop a program that fits into ARoLP’s Women’s Rights under Islam component’s goal to promote women’s rights using the progressive interpretation of Islamic laws. IFES will start implementing its program, through partnership with the Afghan Civil Society Forum in August.

### **Support for AIHRC’s Staff Salaries**

ARoLP paid \$579,774 to the Afghan Independent Human Rights Commission to cover the commission’s staff salaries from April through June. The subcontract, under which Checchi pays AIHRC’s staff salaries for FY 2007, was signed by Checchi & Company Consulting and AIHRC in November 2006.

### **Key Events for the Next Quarter**

- Translation and dissemination of key materials that contain progressive interpretations of Islamic laws on Muslim women’ rights.
- Identification of non-Afghan scholars to participate in public discussions with Afghan scholars in Kabul.
- Study tour of Malaysia, led by ARoLP’s Senior Human Rights Adviser. Meetings are scheduled with Malaysian scholars, women’s rights groups, and Islamic research and study institutions.
- Hold four roundtables, including one live call-in show, on different Afghan radio and television channels.
- Hold two panel discussions, focusing on scholarly papers written on women’s rights-related issues.

### **Summary of Component Training and Workshops**

Date	Title	Agencies Involved	Number of Participants
April 12	Panel discussion on marriage age in Islam	Ulama Council, Ministry of Religious Affairs, Department of Religious Verdicts, Center for Islamic Study and Research, <i>Khateeb</i> s and Imams from different mosques in	38

		Kabul, and civil society representatives.	
May 14	Preparatory meeting for roundtable	Supreme Court, Human Rights Commission, Islamic Research and Study Center	8
May 26	Joint consultation and briefing	Ministry of Religious Affairs, Ministry of Foreign Affairs, Khateeb of Haji Yaqub Mosque	4
June 10	Panel discussion on women's right to decision-making	Department of Religious Verdicts, Center for Islamic Study and Research, Ministry of Religious Affairs and Kabul University Sharia professors	42
June 17	Preparatory meeting for television roundtable	Ministry of Women's Affairs, Islamic Research and Study Center, Ministry of Women's Affairs, University of Education, Supreme Court	5