



**Contract No. DFD-1-00-04-00170-00**

**Checchi and Company Consulting, Inc.**

**USAID/DCHA/DG**

**THIRTEENTH QUARTERLY  
PERFORMANCE MONITORING REPORT**

**For the Period October 1 to December 31, 2007**

**Submitted on January 30, 2008, by**

**James L. Agee  
Chief of Party  
Afghanistan Rule of Law Project  
House #959, Street #6  
Taimani Watt  
Kabul, Afghanistan  
Mobile: +93.798.197.505  
Email: [jagee@arolp.org](mailto:jagee@arolp.org)  
Internet: [www.chechiconsulting.com](http://www.chechiconsulting.com)**

## TABLE OF CONTENTS

Introduction .....	1
Major Highlights of the Quarter .....	1
Programmatic Trends and Constraints .....	2
Component 1.A Support for Court Administration .....	3
Component 1.B&C Legal Education .....	7
Component 1.D Support for Judicial training .....	10
Component 1.E Support for Commercial Court Reform .....	15
Component 2: Law Reform and Legislative Drafting .....	18
Component 3: Access to Justice/Informal Sector .....	23
Component 4. Human Rights and Women’s Rights under Islam .....	25

## 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

- Completed a national assessment of human rights in Afghanistan.
- Organized and supported a Conference of Chief Judges for 200 senior judges in Kabul on behalf of the Supreme Court.
- ACAS implemented in all Supreme Court Divisions and in every court in Parwan Province.
- Reform process underway for developing a new pay and grade system for non-judicial personnel.
- Completed the new comprehensive Commercial Law textbook and drafted a teaching syllabus for a commercial law course based on the textbook and Level Two and Level Three Legal English Books for law schools and participants in legal training programs.
- The 16th Foundation Training Program in Kabul and the 17th Foundation Training Program in Jalalabad were completed.
- Organized and led a study tour for the Supreme Court Chief Justice and other Supreme Court members to Washington, D.C., ARoLP also led study tours to Spain, the Philippines and Malaysia
- Completed two Commercial Law Training Programs, one for judges in Herat, the other for members of the Afghan Investment Support Agency, Ministry of Commerce and Industry and the National Assembly's Economic Committee in Kabul.
- Began work on a new law library at the Independent National Legal Training Center, constructing office space, buying equipment and hiring library staff members.
- Conducted a day-long seminar for U.S. military legal advisers at Bagram Airbase on the Afghan legislative process, legal research and an overview of the new Afghan Court Administration System (ACAS).
- Distributed 75,000 legal literacy comic books to every school child in Kandahar province with the assistance of the Canadian military.
- Sponsored a public discussion on women's rights under Islam.
- Established a forum for coordinating the Supreme Court's and the international donor community's infrastructure-development efforts.

## Programmatic Trends and Constraints

While many expected the onset of winter's cold would mean a drop in violence, attacks against government, military and international targets have continued. Still, the USAID-funded Rule of Law Project (ARoLP) managed a successful start to the new fiscal year.

For one, ARoLP trained and implemented the newly adopted Afghan Court Administration System (ACAS) in 11 Parwan district courts and at the Supreme Court, kick-starting a national rollout strategy that will include every court in all of Afghanistan's 34 provinces by the end of August 2008. The ACAS, which was adopted by the Supreme Court in September, provides a simpler, more efficient and accurate way of tracking and finding case files and creates easier access to court and case information for Afghan citizens and law practitioners.

ARoLP was also able to work with counterparts in seldom reached provinces like Kandahar, Uruzgan and Zabul, thanks to the project's closer relationship with U.S. and international military forces. In December, the Canadian military distributed 75,000 ARoLP comic book sets with basic legal rights messages to every school in Kandahar as part of their public outreach campaign. The Canadian military also broadcast a number of ARoLP television and radio spots as part of the campaign. Combined Joint Task Force 82 (CJTF-82) and ISAF were of similar help when they delivered 175 Judicial Reference Sets—ARoLP's collection of laws most often used by Afghan judges—to courts in Nangarhar, Konar, Laghman and Nuristan provinces. Likewise, KPRT Task Force Afghanistan Roto 4 distributed three Judicial Reference Sets in Uruzgan and 15 sets in Zabul.

ARoLP's Women's Rights under Islam component, whose activities during FY2007 were concentrated in Kabul, now has national reach. ARoLP spent much of the quarter completing a national research project on women's rights in Afghanistan, collecting 1,575 questionnaires from local mullahs, government officials, nongovernmental organization (NGO) workers, doctors, teachers, and students in 23 provinces. ARoLP used the study to conduct a student seminar on women's rights at Nangarhar University in December—the university's first such seminar on campus grounds.

Outside Afghanistan, members of Afghanistan's judiciary and religious and academic communities discussed issues important to their country's development during ARoLP-led study tours to the United States, Spain, the Philippines and Malaysia.

In November, Supreme Court Chief Justice Abdul Salam Azimi met with John Roberts, chief justice of the U.S. Supreme Court, as part of a five-day study tour to Washington, D.C. The study tour included Chief Justice Azimi, three associate justices and the director general of administration, who attended a session of the United States Supreme Court and met with Acting Deputy Attorney General Craig Morford, as well as representatives of the Federal Judicial Center, the United States Federal District Court, the U.S. Department of State, the U.S. Agency for International Development, the American Bar Association and the Catholic University of America Law School.

Also in November, a delegation of judges, Kabul University professors of law and Sharia and a deputy minister from the Ministry of Justice (MoJ) spent one week in the Philippines on a legal study tour, while seven Afghan scholars spent nine days in Kuala Lumpur to discuss women's rights with members of Malaysia's academic, legal and religious communities.

And, in October, Supreme Court justices traveled to Barcelona, Spain, to participate in the Third International Conference on the Training of the Judiciary, where Supreme Court Chief Justice Azimi presented the recently adopted Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan, a modern code of conduct containing universally recognized ethical standards to govern the conduct of judges.

Meanwhile, ARoLP has been working closely with five provincial universities—Al Biruni, Balkh, Herat, Kabul and Nangarhar—to develop a core curriculum of agreed-upon legal courses for all students interested in entering a legal profession in Afghanistan. Behind this effort is the belief that a core curriculum would establish a shared concept of Afghan law so that a sustainable curriculum can be developed.

Faculty working committees made up of law and Sharia professors at each university worked throughout the quarter to prepare for the January 5, 2008, National Conference on a Core Curriculum, jointly organized by the Ministry of Higher Education and ARoLP in Kabul. The three-day conference ended with agreement on eleven common courses that will be required learning for law and Sharia students interested in working in Afghanistan’s legal sector.

## COMPONENT 1.A SUPPORT FOR COURT ADMINISTRATION

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

Description	Baseline As of Sept 2006	Cumulative Total From October 1, 2006	FY 2007 Target	FY 2007 Total	FY 2008 Target
<b>Indicator 1:</b> Adoption of ACAS by Supreme Court	NO	YES	YES	YES	N/A
<b>Indicator 2:</b> Number of courts using ACAS	0	12	0	0	392*

### Progress Toward Activity Results

**Indicator 1:** The Afghan Court Administration System (ACAS) was adopted by the Supreme Court on September 25, 2007.

**Indicator 2:** After a year of planning, ARoLP began rolling out ACAS in November 2007. To date, 12 courts have received training in the ACAS, including the Supreme Court. This marks first official change to Afghanistan’s administrative court procedures in over 40 years.

The initial implementation of the ACAS in the Afghan courts began in late November when ARoLP held its first orientation, training and implementation sessions for 38 judges and administrators from the Parwan Court of Appeals and seven district courts from Parwan province. A second rollout session took place during the first week of December for an additional 22 judges and administrators from the Parwan Urban Primary Court and two

\* The last quarterly report from the FY2007 fourth quarter listed a total of 449 active courts. However, as ARoLP continues to update the Supreme Court’s personnel database, the number of active courts where the Supreme Court has appointed official staff is actually 392.

additional district courts. Participants in both sessions converted current cases using 4,500 new ARoLP-provided file folders. The courts were also fitted with new file-shelving units, filing cabinets, party index card drawers and other equipment for effectively implementing and using ACAS throughout Parwan province.

Following the Parwan training sessions, ARoLP presented the ACAS in December to 140 Supreme Court staff members during a half-day overview training session that was followed by a two-day training and implementation session held for each of the court's four divisions. By the end of December, all cases filed in the Supreme Court since the beginning of the fourth quarter of 1386 had been converted to ACAS.

Since then, ARoLP has made ACAS rollout preparations for 45 more courts and divisions in Kabul province, as well as in Wardak and Ghazni provinces in January and for an additional 20 provinces in February and March with the help of other justice-sector assistance organizations, including provincial reconstruction teams. According to the ACAS national rollout schedule, every court in each of Afghanistan's 34 provinces will receive onsite training and implementation sessions by August 2008.

## Description of Activities

### Judicial Conferences Continue in Northern Afghanistan

ARoLP sponsored two Provincial Judicial Conferences in October, which coincided with the Supreme Court's inspection trips to four northern provinces. Judges from Sari-i-Pul and Jawzjan province met in Jawzjan with Supreme Court Justice Ghulam Nabi Nawaie, who checked to see if the courts in those two provinces were in compliance with Afghan judicial procedures, while judges from Samangan and Balkh provinces met the Justice in Balkh for a similar review.



*Judges from Sari-i-Pul and Jawzjan province participated in an ARoLP-sponsored Supreme Court inspection tour and following provincial judicial conference to review Afghan judicial procedures.*

The conferences are part of the Afghan Supreme Court's larger plan to curb corruption in the country's courts and to restore public trust in the judiciary. The Provincial Judicial Conferences, which follow the ARoLP-sponsored Supreme Court's inspection trips to the provinces, provide an opportunity for local appeals, urban primary, and district court judges

to learn more about Afghanistan's justice system and to receive training on newly adopted rules and regulations, including the Regulation of Judicial Conduct.

## **Capacity-Building at the Supreme Court**

ARoLP has continued to work to build the capacity of Afghanistan's Supreme Court, which serves both as Afghanistan's ultimate arbiter of cases and as the administrative and management body for the entire judiciary. ARoLP has focused its efforts in recent months on training senior managers at the court so that they can better manage the Supreme Court's administrative functions and improve access to funds from the international donor community and the government.

As part of this effort, ARoLP assigned a full-time senior court management adviser to the Office of the General Administration of the Judiciary in October. The first task at hand was to work with the Supreme Court on its proposed budget for 1387. With ARoLP's assistance, the Supreme Court budget proposal was submitted to the Ministry of Finance with a request for funds to improve court facilities. The budget was reviewed by the Ministry of Finance, which indicated its intention to substantially increase the court's request for infrastructure-improvement funds and asked the court to bring an expanded and prioritized list of projects to the ministry's next follow-up meeting to the Rome Conference in January.

To draft this list, the Supreme Court and ARoLP convened an *ad hoc* working group of representatives from the U.S. State Department, USAID, UNAMA, UNODC, UNDP, and ISAF. The working group met once in December, when they agreed to coordinate the Supreme Court's recently completed infrastructure survey with a similar survey to be conducted by ISAF and the World Bank in January. The working group will meet again in the second quarter to finalize its list of project priorities for the Rome Conference meeting in early January.

ARoLP's new senior court management adviser was also involved in assisting the Supreme Court with its efforts to improve its management policies. In December, ARoLP helped Supreme Court Chief Justice Azimi to create a policy working committee charged with developing a Priority Restructuring Reform (PRR) process. This PRR process will create a new system for reviewing and assigning pay and grade to non-judicial staff members of the Supreme Court. The committee members include the director general of the administration of the judiciary, as well as the directors of administration, research, deeds and documents and personnel.

ARoLP has continued to update the Supreme Court's personnel database and to train Supreme Court staff on how to update and maintain the database. Eleven Supreme Court IT staff members were enrolled in a seven-month diploma in information technology at MRK University so that they can continue to maintain the Supreme Court's network and databases after ARoLP's work with the court is finished in September 2008.

## **Key Events for Next Quarter**

- Complete ACAS training—as well as the installation of equipment necessary for implementing ACAS—at the Supreme Court, all courts in Kabul and 20 other provinces.

- Draft plans for improving Supreme Court facilities, including physical modifications for implementing ACAS, reorganizing the personnel department and refurbishing the court's law library.
- Assist the Supreme Court in compiling a prioritized list of improvements to be made to courts throughout the country to help coordinate government and international donor efforts.
- Sponsor and organize additional judicial conferences in conjunction with the Supreme Court's inspection trip schedule.
- Lead a study tour to the United States and Ireland for court administrators.
- Print identification cards for judges and staff.
- Continue updating the Supreme Court website.

### Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
October to February	Diploma in IT training course for Supreme Court staff	Supreme Court staff	11
November to December	ACAS orientation and training	Judicial and non-judicial personnel from 11 courts in Parwan province: Parwan Court of Appeals; Parwan Urban Primary Court; and Bagram, Ghorband, Jabal Saraj, Koi Safi, Salang, Sayed Khail, Shinwari, Shekh Ali and Surkh Parsa district courts	60
December	Regulation of Judicial Conduct Training	All judges in Parwan province	36
December	ACAS orientation and training	Non-judicial staff, Supreme Court	140
November	ACAS orientation and training	Chief Judges	34
November	ACAS orientation and training	Judges and clerks in all Kabul courts	150

Date	Title	Agencies Involved	Number of Participants
November	Afghan legal research, Afghan law, and Afghanistan court system training seminar	ISAF Rule of Law Legal Advisers, Bagram Airbase	7

## COMPONENT 1.B&C LEGAL EDUCATION

### AR 5: Formal Legal Education Strengthened

Indicator	Baseline As of Sept 2006	Cumulative Total From October 1, 2007	FY 2007 Target	FY 2007 Total	FY 2008 Target
1. Number of syllabi developed and being taught	0	0	1	0	8
2. Competency test mechanism in place	No	No	No	No	Yes
3. Number of articles in Law Journal	11	30	36	21	40

### Progress Toward Activity Results

**Indicator 1:** ARoLP completed a new textbook on commercial law in October 2007. Two of the authors, ARoLP Judicial Training Adviser Dr. Janbaz Arnaud and Kabul University Professor Shahla Farid have begun using the new textbook material to teach commercial law to third-year students at Kabul University. An accompanying commercial law syllabus is still under review by the ARoLP-convened textbook committee, comprised of international commercial law experts and law and Sharia professors from Kabul and Nangarhar Universities. Together, the textbook and syllabus are intended to provide a comprehensive teaching product for delivering commercial law lessons to both law and Sharia faculties across the country.

Following the National Conference on a Core Curriculum in January 2008—where law and Sharia faculty working groups from Al Biruni, Balkh, Herat, Kabul and Nangarhar Universities agreed on a new core curriculum for all law and Sharia students—ARoLP will begin developing syllabi and teaching materials for seven of the agreed-upon core courses.

**Indicator 2:** In November 2007, President Hamid Karzai signed into law the Advocates' Bill. The new law paved the way for the establishment of an independent advocates' association that will develop a national standard for testing the competency of all individuals interested in becoming licensed advocates in Afghanistan. ARoLP plans to work with the new Afghan Bar Association, the Ministry of Justice and the International Bar Association to develop a national bar examination that will likely draw test questions from subjects covered in the new core curriculum scheduled to be adopted at the National Conference on a Core Curriculum.

**Indicator 3:** With ARoLP's assistance, the third edition of the Kabul University Law Journal was published in December 2007 with nine new scholarly articles by law faculty members from across the country. To date, 30 articles have been published in the journal, which ARoLP supports in order to promote research and scholarship skills. ARoLP had hoped to publish 36 articles by the end of FY2007, but fell short of this goal largely due to the resignation of the journal's editor in January 2007. A new editor was eventually hired in April 2007 and the journal's editorial board has picked up pace since then. The most recent issue of the Kabul University Law Journal has been widely distributed throughout the legal education community, government agencies and international organizations.

## Description of Activities

### Core Legal Curriculum Developed by Afghan Universities

The main focus of ARoLP's legal education activities in FY2008 has been to work with the Faculties of Law and Shari at Al Biruni, Balkh, Herat, Kabul and Nangarhar Universities to develop a new core curriculum of agreed-upon legal courses for all students interested in entering a legal profession in Afghanistan. Behind this effort is the belief that a core curriculum would establish a shared concept of Afghan law so that a comprehensive curriculum with complete syllabi and teaching materials can be developed.

Over the course of the quarter, ARoLP worked with faculty committees—made up of law and Sharia department heads and senior faculty members from all five provincial universities—to review and recommend existing courses for a core curriculum. Their recommendations will be presented at a January 5, 2008, National Conference on a Core Curriculum, jointly organized by the Ministry of Higher Education and ARoLP in Kabul.



*Herat University Chancellor Dr. Moh'd Nahim Assad (center) and members of his faculty agreed in November to form faculty working groups to work with ARoLP's legal education adviser (left) to develop a core curriculum for law and Sharia students.*

### New Computer Lab Opened at Al Biruni University

Al Biruni University's professors of law and Sharia now have access to a computer lab equipped with eight personal computers, two scanners, two printers, one photocopier and an internet connection. The lab, supported and maintained by ARoLP, was opened December 31, 2007, at a ceremony attended by two deputy ministers from the Ministry of Higher Education, a representative from the Ministry of Education, the governor of Kapisa province,

Al Biruni University chancellor, professors and students, and ARoLP staff. In their remarks, the Chancellor of Al Biruni University and the Deputy Minister of Higher Education thanked USAID for making the computer training and Internet research center available to the law and Sharia professors of Al Biruni University. The center will be supported by ARoLP until the end of September 2008 after which the University will provide support.



*Al Biruni University hosted an opening ceremony for its new ARoLP-supported computer lab, which is fitted with computers, scanners, printers and an Internet connection for its law and Sharia professors.*

### Key Events for the Next Quarter

- A National Conference on a Core Curriculum is scheduled to begin on January 5, 2008. The conference will bring together Afghan educators, scholars and jurists from all over the country to form a consensus on a core curriculum for Afghan law and Sharia faculties.
- ARoLP and its provincial legal education adviser will work with Nangarhar professors of law and Sharia to develop syllabi for two core courses: Introduction to Law and Afghanistan Constitutional Law.
- ARoLP and the faculty working committees at Al Biruni, Balkh, Herat, Kabul and Nangarhar Universities will work on teaching materials for the core courses adopted at the National Conference on a Core Curriculum.
- Provide opportunities for law and Sharia faculty members at ARoLP's five participating provincial universities to participate in regional study tours and legal-education seminars.
- Hire two more provincial advisers to work with law and Sharia faculty members at Balkh and Herat Universities on new syllabi, lesson plans, course outlines and teaching materials.
- Continue working on the next edition of the Kabul University Law Journal.
- The winter Academic Legal English Program, which runs from January 6 to March 13, 2008.

### Summary of Component Trainings and Workshops

Date	Title	Agencies Involved	Number of Participants
October-December	Legal English Course, Kabul University	Kabul University	50

Date	Title	Agencies Involved	Number of Participants
October-December	ESL Course, Al Biruni Herat, Nangarhar and Balkh universities	Al Biruni University	80
December	Legal English Course for 2007 Stage Judicial Training Program, Independent National Legal Training Center	Supreme Court	210
December	Computer Training Course, professors of law and Sharia	Al Biruni University	17
November-December	Legal English Course	Ministry of Justice	50
October-December	Legal English Course	Islamic Council of Scholars	40

## 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 From October 1, 2006	FY 2007 Target	FY 2007 Total	FY 2008 Target
1. Code of judicial conduct adopted	No	Yes	Yes	Yes	N/A
2. Number of judicial training hours offered	404*	257	180	239	144

### Progress Toward Activity Results

**Indicator 1:** To fight endemic judicial corruption, the Chief Justice of the Supreme Court supported the consideration by the court of the Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan, which was adopted on June 19, 2007. The Regulation of Judicial Conduct is a modern code of conduct containing universally recognized ethical standards to govern the conduct of judges.

Using a focused training course developed by ARoLP, 403 of Afghanistan's 1,280 sitting judges have received training on the regulation and its importance via judicial training programs and conferences supported by ARoLP, including, most recently, the 17th Foundation Training Program in Jalalabad, the Commercial Law Training Program in Herat, and the ACAS rollout training in Parwan. Of the 403 judges trained, 304 have been trained using ARoLP's focused training course, which will be used in future ARoLP training programs and has been made available to other organizations conducting judicial training. The goal is to train the 1,280 sitting judges on the Regulation of Judicial Conduct by the end of FY 2008.

---

\* Previous quarterly reports reported the September 2006 baseline as "0," which did not include the baseline 404 judicial training hours that were already developed and being taught when ARoLP began tracking this indicator in FY2007.

Meanwhile, ARoLP and the Supreme Court have formed a Judicial Conduct and Ethics Working Group that will develop a modern mechanism for enforcing the regulation by the end of the second quarter. To inform the working group's discussions, ARoLP has prepared an analysis comparing international best practices for enforcing codes of judicial conduct and the current Supreme Court regulation for disciplining judges, which was adopted many years ago. The new enforcement mechanism will aim to meet international standards by including a citizen complaint procedure and due process protections for judges accused of ethical violations, among other provisions.

**Indicator 2:** ARoLP increased the number of judicial training hours offered this quarter with the introduction of new, formal course materials for the Legal English Course offered to Stage Judicial Training participants. The Legal English Course, which was offered for two hours on nine Saturdays, drew from ARoLP's first Legal English Course, offered during the first trimester of the Stage, April to June 2007. Stage participants used legal English textbooks developed by ARoLP specifically for the Stage Judicial Training Program's English classes.

These English classes constitute part of ARoLP's effort to develop judicial training offerings, broken down by teaching hours, which will be used in future trainings by ARoLP, the Supreme Court and other organizations involved in legal-sector development. By the end of FY2008, ARoLP plans to develop a total of 144 judicial training hours, primarily through the development of focused training courses on various legal subjects.

## Description of Activities

### **Chief Justice to Chief Justice: Afghan Supreme Court Visits Washington**

For five days in November, members of Afghanistan's Supreme Court had the opportunity to discuss issues such as court administration, judicial selection and promotion, judicial ethics and discipline and judicial education with high-level counterparts in Washington. The study tour, organized and led by ARoLP from November 25 to 30, 2007, included Chief Justice Abdul Salam Azimi; Associate Justices Mohammad Aleem Nasimi, Gholam Nabi Nawayi and Mohammad Qasim Dousti; and Director General of Administration Dr. Abdul Malik Kamawi. The participants attended a session of the United States Supreme Court and Chief Justice Azimi met with his U.S. counterpart, Chief Justice John G. Roberts, Jr. During the tour, the participants also had the opportunity to meet with Acting Deputy Attorney General Craig Morford, as well as representatives of the Federal Judicial Center, the United States Federal District Court, the U.S. Department of State, the U.S. Agency for International Development, the American Bar Association and the Catholic University of America Law School.



*Afghan Supreme Court Chief Justice Abdul Salam Azimi met with U.S. Chief Justice Roberts as part of a five-day Washington study tour organized by ARoLP.*

### **Supreme Court Participates in International Judicial Training Conference**

Chief Justice Azimi, Justices Bahauddin Baha and Abdul Rasheed Rashid, as well as Director General of Administration Dr. Kamawi attended the Third International Conference on the Training of the Judiciary, held in Barcelona from October 21 – 25, 2007. The conference, sponsored by the International Organization for the Training of the Judiciary (IOJT), focused on training judges on judicial ethics and basic skills and was attended by representatives from 59 countries. In his remarks, delivered during a plenary session on education and the judiciary, Chief Justice Azimi noted the serious problems facing Afghanistan and its judiciary and discussed the court’s five-year strategy—part of the Afghan National Development Strategy—for addressing these problems. He noted that progress has been made toward establishing a professional judiciary, mentioning specifically the adoption of the Regulation of Judicial Conduct. Copies of the regulation were distributed to the conference’s 300-plus participants and its provisions were referred to during several of the conference’s workshops.

### **Conference of Chief Judges Draws Over 200 Judges to Kabul**

In November 2007, 200 senior judges, including 34 provincial chief judges, met in Kabul for the Supreme Court-sponsored Conference of Chief Judges. The five-day conference, which received technical and financial support from ARoLP, was designed to resolve legal and administrative questions submitted to the Supreme Court from Afghanistan’s provincial courts. The conference also provided Supreme Court Chief Justice Azimi an opportunity to establish closer contacts with his provincial judges, brief them on the activities of the Supreme Court over the past year, and inform them of his plans for reforming and improving the judiciary. Five committees of judges discussed questions received from the provincial courts, and, by the end of the conference, the judges agreed on “decisions” for more than 300 questions. These “decisions” were subsequently approved by the Supreme Court. At the conference, the participants also received ARoLP training materials on the Regulation of Judicial Conduct and were introduced to the new Afghan Court Administration System (ACAS).



*The Conference of Chief Judges convened 200 jurists to discuss issues raised by lower courts around the country.*

### **Training of Trainers Program Focuses on the Future**

ARoLP, in conjunction with IDLO/Italy, held a three-day training in December for 19 judges identified during previous ARoLP and IDLO/Italy trainings who showed promise as possible judicial instructors for future continuing judicial education programs. Participants in the Training of Trainers Program, held in Kabul, included men and women from Badghis, Balkh, Herat, Kabul, Kapisa, Khost, Kunar, Kunduz, Laghman, Logar, Nangarhar, and Nimroz provinces. The judges were split into two groups, with each group participating in three days of training led by Dr. Yohannes Kassahun, managing director of the International Development Law Organization in Rome and an expert in training-of-trainers instruction. During the next quarter, another 20 judges will undergo a ToT program.

### **Foundation Judicial Trainings Continue in Kabul, Jalalabad**

Over the course of the quarter, ARoLP graduated a total of 81 judges from its 16th Foundation Training Program in Kabul and 17th Foundation Training Program in Jalalabad. The 37 judges—including two women—who participated in the former program hailed from Kabul, Ghazni, Daikundi, Loghar, Kunar, Kapisa, Parwan, Takhar, Baghlan, Wardak, Panjshir and Paktya provinces. The Jalalabad program included another 44 judges from Nangarhar, Laghman, Kunar and Nuristan provinces. All graduating judges received personal copies of the ARoLP-published second edition of the Judicial Reference Set, a 17-volume compilation of laws most often used by Afghan judges.



*Forty-four judges completed the month-long 17th Foundation Training Program in Jalalabad on December 16, 2007.*

The Foundation Training Program was established in August 2005 to provide intensive substantive law training to those judges who were appointed without having gone through the Stage Judicial Training Program. The four-week curriculum includes instruction on criminal law, criminal procedure, commercial law, commercial procedure, civil law, civil procedure, constitutional law and the Regulation of Judicial Conduct. Starting with the 16th Foundation Training Program, the four-week curriculum was revised to include additional hours of instruction on commercial law, commercial procedure and constitutional law.

With six additional Foundation Training Programs scheduled for FY2008, ARoLP is on track to provide training to all remaining eligible judges. Planning is underway for the 18th Foundation Training, scheduled to begin in Kabul on January 12, 2008.

### **Report on 2007 Stage Paves Way for 2008 Stage**

With the completion of the 2007 Stage Judicial Training Program—conducted by ARoLP and its Stage partners, the International Development Law Organization (IDLO/Italy), the French International Institute for Comparative Studies (IIPEC), and the Max Planck Institute for Comparative International Law (MPIL)—plans for the 2008 program are underway. ARoLP began preparations for next year's program by drafting a report analyzing the academic backgrounds of those candidates who sat for the 2007 Stage entrance examination; the candidates' performance on the entrance, mid-term and final exams by subject area; and the curricula being taught in law and Sharia faculties and religious schools, or madrassas. The report's recommendations for 2008 include ways to strengthen the curricula of the law and Sharia faculties who send students to the Stage; establishing a minimum course completion standard for those who wish to sit for future Stage entrance examinations; an improved entrance exam and Stage curriculum. The draft report was shared with ARoLP's implementation partners, and the final report will be presented to the Supreme Court during the second quarter.

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

- Consideration and approval by the Supreme Court Working Group of a modern mechanism for enforcing the Regulation of Judicial Conduct.
- Completion of the 18th Foundation Training Program in Kabul.
- Completion of the 19th Foundation Training Program in Kunduz.
- Submission of report with recommendations for the 2008 Stage Judicial Training Program to the Supreme Court.
- Completion of planning for the 2008 Judicial Stage.
- Sponsorship of a second ToT program for 20 judges.
- Completion of focused judicial training courses on the work of the judge; the constitution, relevant treaties and conventions; commercial law and commercial procedure; and legal research.
- Publication and distribution of two bench books to judges—one on the Regulation of Judicial Conduct, the work of the judge and legal research, another on commercial law and commercial procedure.
- Organization of a fellowship for an Afghan judge at the Federal Judicial Center in Washington, D.C.

- Organization of an advanced ToT program for high-performing judges in the two ToT training programs.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
October	16th Foundation Training Program	Judicial Staff	37
November to December	17th Foundation Training Program	Judicial Staff	44
November	Commercial Law Training Program	Judicial and Hoqooq Staff	23 judicial; 20 Hoqooq
December	Training of Trainers Training Program	Judicial Staff	19

## 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 From October 1, 2006	FY 2007 Target	FY 2007 Total	FY 2008 Target
1. National policy on enforcement developed	No	No	No	No	Yes
2. Supreme Court clarifies jurisdiction of commercial courts	No	No	Yes	Yes	Yes
3. Number of judicial training hours offered to commercial court judges	0	197	168	197	0

### Progress Toward Activity Results

**Indicator 1:** ARoLP made significant progress convincing the Ministry of Justice (MoJ) and its Hoqooq Department, which plays a major role in mediating and filing commercial and civil disputes in the provinces, of the importance of reforming current measures for enforcing civil court judgments. After a series of meetings with members of the MoJ, the Hoqooq, and the newly appointed acting head of the Hoqooq, a consensus was reached on specific goals for 2008. One of these goals included the drafting of a modern Law on the Acquisition of Rights, which would reform procedures for enforcing civil court judgments.

The MoJ also agreed to create a working group made up of interested members from the judiciary, the Ministry of the Interior, and other government agencies with an interest in how civil court judgments are enforced. ARoLP will host a roundtable during the next quarter where the MoJ working group members can draft a new national policy reforming current regulations for enforcing civil judgments.

**Indicator 2:** ARoLP had a more difficult time during the quarter focusing its counterparts in the Afghan judiciary on the importance of adopting ARoLP-drafted amendments to the Law on the Organization of Courts, including an amendment that would clarify the subject-matter jurisdiction of Afghanistan’s commercial courts.

Hopefully, interest in this subject will increase following the successful completion of an ARoLP-organized study tour to the Philippines, where a delegation of judges, Kabul University professors and a deputy minister from the MoJ were able to observe an operating commercial court and meet with members of the Philippine Supreme Court.

**Indicator 3:** No new judicial training hours were offered to commercial court judges during the quarter and now new training programs will be developed for the remainder of the program. Since the indicator tracks the number of hours of training developed the target for 2008 is zero. However, ARoLP continues to offer the commercial law training developed in FY 2007 to judges with its second Commercial Law Training Program in November for judges and Hoqooq members. ARoLP has plans for at least two more such trainings during FY 2008, so while new materials will not be developed training of judges will go on.

ARoLP also developed a new, 18-day commercial law training program for representatives from the Afghanistan Investment Support Agency, the Ministry of Commerce and Industry and the National Assembly’s Economic Committee. However, this program cannot be counted in indicator AR6.3 because the course was not offered to judges.

## Description of Activities

### Philippines Study Tour Completed

A delegation of judges, Kabul University professors of law and Sharia and a deputy minister from the Ministry of Justice returned December 9, 2007, from a week-long study tour to the Philippines. The tour, hosted by the Philippine Supreme Court, included visits to the Supreme Court, the Sandiganbayan (Philippine Graft Court), a commercial court, the MoJ the Office of the Ombudsman (Philippine Anti-Corruption Prosecutor), the Philippine bar association and several Philippine law schools. The visit also included a dinner hosted by Chief Justice Reynato S. Puno and attended by other Supreme Court justices, international donors, and dignitaries. During the dinner, Chief Justice Puno expressed his willingness for the Republic of the Philippines to continue assisting Afghan efforts at legal reform and modernization.



*Five judges, two Kabul University professors and one deputy minister of justice met with the Philippines Secretary of Justice (center) as part of a week-long study tour in Manila.*

## Commercial Law Training Program Expanded

ARoLP completed its second Commercial Law Training in Herat on November 22, 2007, with 25 Supreme Court-appointed judges participating alongside 18 Hoqooq members appointed by the MoJ. The program included lectures by members of the Afghan judiciary and professors from Herat and Kabul Universities. Besides course instruction in Afghan commercial law, the program included training on financial accounting and the Regulation of Judicial Conduct. International experts Professor Theodore Parnall and Dr. Samson Sempasa, ARoLP's legal education adviser, also lectured on international commercial best practice and alternative dispute resolution, respectively.

A second Commercial Law Training Program was held for six representatives from the Afghanistan Investment Support Agency, five staff members of the Ministry of Commerce and Industry and 10 members of the National Assembly's Economic Committee. The 17-day program, which ended January 17, 2007, included training on Afghan commercial law, as well as tax law, laws affecting business entities in Afghanistan and more general instruction on the Afghan legal system.



*Representatives from the Afghanistan Investment Support Agency, the Ministry of Commerce and Industry and the National Assembly's Economic Committee participated in an ARoLP-provided Commercial Law Training Program in Kabul.*

### Key Events for Next Quarter

- Implement a third Commercial Law Training Program in Jalalabad.
- Hold a roundtable discussion on a draft national policy for reforming how civil court judgments are enforced.
- Continue assistance to the Hoqooq in drafting a new policy and procedures manual.

### Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
November 3 - 22, 2007	Commercial Law Training Program, Herat	Supreme Court, MoJ, Kabul University Herat University	25 Judges 18 MoJ professional staff

Date	Title	Agencies Involved	Number of Participants
December 29, 2007- January 17, 2008	Commercial Law Training Program, Kabul	Afghanistan Investment Support Agency, Ministry of Commerce and Industry and National Assembly	6 AISA members 5 Ministry of Commerce and Industry members 10 National Assembly Economic Committee members
November 30- December 8, 2007	Judicial and Legal Sector Study Tour to the Republic of the Philippines	Supreme Court, MoJ, Kabul University	5 Judges 1 Deputy minister of justice 2 Professors

## COMPONENT 2: LAW REFORM AND LEGISLATIVE DRAFTING

### AR 8: Legislative Process Improved

Indicator	Baseline As of Sept 2006	From October 1, 2006	FY 2007 Target	FY 2007 Total	FY 2008 Target
1. Number of draft laws sent to the Office of Administrative Affairs by Taqin	N/A	5	45	49	45
2. Number of agencies with members trained in legislative drafting	1	6	6	6	0
3. Number of entities distributing Afghan laws, regulations, legal information	1	9	4	8	10

*Note: ARoLP's senior rule of law specialist resigned in November. His replacement will join ARoLP in January and will continue to work the MoJ's legislative-drafting body, the Taqin.*

### Progress Toward Activity Results

**Indicator 1:** ARoLP continued to assist the MoJ in improving its legislative process by working with the Taqin to meet the benchmarks set out in the MoJ's 1386 legislative agenda. To date, 39 of the 41 documents on the legislative agenda for the year have been prepared by the Taqin and presented to the Council of Ministers, via the Office of Administrative Affairs.

The MoJ, with ARoLP's assistance, is planning the legislative agenda for 1387, which begins March 1, 2008. Because the agenda for 1386 was somewhat overwhelming for the Taqin, the MoJ will likely reduce the number of legislative documents on the agenda to 25.

**Indicator 2:** Because of the interest shown in providing legislative drafting training to the Taqin and others by the U.S. Department of State (INL) and the Canadian government, ARoLP will not be pursuing any in-country legislative drafting training in FY2008. This decision is reflected in ARoLP's approved FY2008 Work Plan. In FY2008, ARoLP will identify up to six Taqin staff to take part in an advanced legislative drafting training

program in the United States during the summer months. ARoLP will continue to work with the Taqin on the drafting of policies, as well as on the precursors of laws, including such areas as the enforcement of judgments, the jurisdiction of commercial courts and the informal sector. ARoLP's target for indicator 2 has thus been reduced to zero for FY2008.

**Indicator 3:** ARoLP's distribution of 3,100 copies of the second edition of the Judicial Reference is complete, except for those courts in Helmand and Baghdis, for which ARoLP has requested distribution assistance from the military.

The military has, to date, helped ARoLP to distributed Judicial Reference Sets in many hard-to-reach provinces. The Combined Joint Task Force 82 (CJTF-82) and ISAF, for example, delivered 175 sets to courts in Nangarhar, Konar, Laghman and Nuristan provinces. And, KPRT Task Force Afghanistan Roto 4 distributed three sets in Uruzgan and 15 sets in Zabul. ARoLP was itself able to distribute 77 more sets during the quarter to judges attending Provincial Judicial Conferences in Balkh, Jawzjan, Samangan and Sari-i-Pul provinces.

Distribution of the ARoLP-produced Official Gazette DVD also continued. Five DVDs were provided the Herat Commercial Law Training Program participants, who also received hard-copy volumes of commercial laws from the Official Gazette. Another 76 DVDs were distributed to IDLO, the Ministry of Women's Affairs and CJTF-82, which delivered the DVDs to courts in Nangarhar and Logar provinces.

ARoLP also provided JSSP with hundreds of pages of select criminal laws on camera-ready trace paper for printing its own legal training materials.

## Description of Activities

### Complete Official Gazette Available in Digital Format

After three and a half years of work, the USAID-funded Afghanistan Rule of Law Project (ARoLP) has converted Afghanistan's Official Gazette into electronic format. Now, for the first time, all of Afghanistan's laws, decrees, orders and regulations contained in the Official Gazette are available digitally and are suitable for printing and uploading onto a searchable online database. In October, ARoLP's data entry unit completed typing, proofreading and correcting more than 21,000 pages of the Official Gazette's 918 issues, which contain all of Afghanistan's laws since 1964.



*ARoLP staff typed, formatted, proofread and edited more than 21,000 pages of the Official Gazette.*

ARoLP has completed uploading the Official Gazette onto the Ministry of Justice's searchable online database, [www.moj-research.gov.af](http://www.moj-research.gov.af), where users will be able to conduct full-text searches of the Gazette's issues by keyword or title. The database will be available in spring 2008.

### **INLTC Law Library Under Construction**

In November, ARoLP and the Independent National Legal Training Center (INLTC) at Kabul University finalized an agreement on the creation and staffing of a new law library for Kabul University faculty and students, government officials, and the Afghan legal community. To date, furniture, needed technology and automation systems have been purchased and staff have been recruited to build the library's collection and patron reference services. A library reference desk, the library director's office and library reading tables have been built, while shelving and an archives and cataloguing room will be ready by the second quarter. The positions of library director and head of reference have been recruited and interviews continue for library clerks and an IT specialist. An international library consultant who is the director of Yale University's law library will be in Kabul January 10 to 20, 2008, to provide short-term assistance to the library staff. The library is scheduled to open in March 2008.



*The opening of the new law library at the Independent National Legal Training Center is still on track for mid-March 2008.*

### **ARoLP Presents at Ministry of Commerce and Industry Conference**

ARoLP attended and was asked to participate in a two-day conference sponsored by the Ministry of Commerce and Industry on commercial law. The conference focused on four specific commercial laws governing corporations, arbitration, mediation and partnerships and was attended by the senior adviser to the president, two former ministers of commerce and industry, the current minister of commerce and industry, the head of parliament's economic committee and more than 100 other guests.

At the conference, ARoLP advisers spoke on the importance of commercial arbitration, mediation and corporations laws and made suggestions for ways in which these laws could be improved when parliament reviews them. ARoLP also suggested improvements to the process for reviewing and adopting laws, such as involving the Taqin at an earlier stage, for example, or submitting policy rationales along with the drafts and ensuring translations are

accurate. The Ministry of Commerce and Industry officials at the conference expressed their appreciation of ARoLP's recommendations, while the attendees from parliament agreed to consider the recommendations when the laws come under review.

### **U.S. Military Legal Advisers Receive ARoLP Training**

ARoLP conducted a day-long seminar for U.S. military legal advisers at Bagram Airbase on the Afghan legislative process, legal research and an overview of the new Afghan Court Administration System. U.S. Navy, Marine and Army judge advocates who train and support their Afghan counterparts in provincial courts and police stations attended the session. The seminar included a tutorial in navigating the laws of Afghanistan in print and electronic formats, including the Official Gazette, the primary source of Afghan statutory information. In addition, the Judicial Reference Set was introduced to the group, with an overview of the civil, criminal and commercial laws and procedure that make up the 17-volume set. Print and electronic copies of the second edition of the Judicial Reference Set were given to the judge advocate team, as well as searchable Official Gazette DVDs.



*Captain Stephen R. Sarnoski, USN (center) and his team of judge advocates from Task Force CINCINNATUS, Combined Joint Task Force 82, received training on Afghan legal processes and resources so that they can better work with local judges, lawyers and police to improve the rule of law in the provinces.*

### **Nearly 2,000 Terms Drafted for Dari-Pashto-English Legal Dictionary**

The legal dictionary team—consisting of ARoLP staff, Kabul University law and Sharia professors, and a linguist—continued work on Afghanistan's first Dari-Pashto-English legal dictionary, meeting weekly. By the end of December 2007, the team had defined nearly 2,000 criminal, civil and commercial terms. The editorial board, made up of representatives from the Supreme Court, MoJ and Kabul University, has finalized 560 of these terms.

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

- Launch the searchable online Official Gazette database.
- Open the new law library at the Independent National Legal Training Center by the end of March.
- Complete typing and proofreading pre-Official Gazette laws of the Osol Namas and Nezamnamas (1915-1963). This digitization will represent the largest archive of Afghan laws to ever be made available in electronic format.
- Begin digitization of select Supreme Court decisions for eventual hard copy and online publication.

- Re-publish 45 volumes of the Official Gazette, including most recent issues 901-920. Remaining 46 volumes will be published in the third quarter.
- Begin remodeling the Supreme Court library space.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
July 1 - September 30, 2007	Beginning English	Ministry of Justice	7
July 1 - September 30, 2007	Intermediate English and Upper Intermediate English	Ministry of Justice	13
July 1 - September 30, 2007	Advanced Legal English	Ministry of Justice, [Judicial Stage Training Course, Kabul University Law and Sharia Faculties and Jalalabad University Law Faculty]	60
July 1 - September 30, 2007	Basic Computer Skills	Ministry of Justice and Ministry of Hajj	30
July 1 - September 30, 2007	Workshop on Legislative Drafting Skills, Series II	Wolesi Jirga (Lower House of the National Assembly); Meshrano Jirga (Upper House of the National Assembly); Ministry of Justice; Independent Election Commission; Ministry of Defense; Ministry of Interior	105

## COMPONENT 3: ACCESS TO JUSTICE/INFORMAL SECTOR

### AR 2: Appropriate Sector for Resolving Disputes

Indicator	Baseline As of Sept 2006	Cumulative Total From October 1, 2006	FY 2007 Target	FY 2007 Total	FY 2008 Target
1. National policy on informal justice sector developed	No	No	No	No	Yes
2. Change in public attitudes toward the formal justice sector, based on the percentage of Asia Foundation survey respondents who said they went to state courts to resolve disputes	20.1%	46%	21.8%	46%	50%

### Progress Toward Activity Results

**Indicator 1:** ARoLP continued to assist the MoJ develop a national policy on the informal justice sector in Afghanistan. A draft informal justice policy statement was completed, described in more detail below.

**Indicator 2:** According to the 2007 Asia Foundation Survey report, 46 percent of Afghans who could not resolve a dispute on their own turned to the formal justice sector, up from 21.1 percent reported in the 2006 survey. As more and more Afghans turn to the formal justice sector for help, ARoLP continues to produce and disseminate public outreach materials to educate citizens on the roles of the formal and informal justice sectors in Afghanistan.

During the quarter, ARoLP distributed 119 audio CDs with radio spots, talk shows, dramas, and quiz shows; 993 video CDs with television spots, dramas, quiz shows, and legal-awareness cartoons. ARoLP also printed 75,040 sets of comic books, 2,226 pamphlets, and 4,038 bumper stickers with legal-awareness messages. ARoLP also produced a number of radio and television dramas and video cartoons during the quarter and broadcast them on national and provincial radio and television stations. Tolo Television, for example broadcast ARoLP's five-minute television spot on marriage rights under Islam six times nationally. The same network also broadcast a six-minute cartoon on bribery and Afghans' right to freedom of expression four times. Both spots were broadcast in Dari and Pashto.

ARoLP's programs have also been broadcast and screened and materials have been distributed by 32 ARoLP-supported community cultural centers in Panjshir, Parwan, Kapisa and Wardak provinces. Provincial reconstruction teams have also distributed ARoLP materials further throughout the country on ARoLP's behalf.

## Description of Activities

### 75,000 Comic Book Sets Delivered to Schools in Kandahar

ARoLP printed and distributed 75,000 comic book sets with legal-awareness messages for further distribution by the Canadian military in Kandahar as part of their public outreach campaign in the province. The comic book sets, printed in both Dari and Pashto languages, were distributed to every school in the province. The Canadian military also broadcast a number of ARoLP television and radio spots as part of the campaign. An additional 25,000 comic book sets were also printed for distribution by 32 ARoLP-supported community cultural centers in Kapisa, Panjshir, Parwan and Wardak provinces.



*75,000 ARoLP comic book sets were distributed by the Canadian military in Kandahar province.*

### Draft Informal Justice Policy Statement Reviewed by Government

At the MoJ's request, ARoLP drafted a national policy on the informal justice in late FY2007. 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.

In November, ARoLP submitted its draft policy statement on the state's relations with the informal justice sector to the Ministry of Justice for its review. The paper was based on substantial research and consultation with government officials and other justice-sector stakeholders and is intended to provide recommendations to the government as it moves forward in developing its own official policy on the subject. The minister of justice said he had many constructive suggestions, which he said he would like to broach with ARoLP over the coming months.

Once the MoJ has reviewed ARoLP's draft policy statement, ARoLP will discuss the statement with formal and informal justice sector actors in the provinces. Their feedback will then be incorporated into ARoLP's final policy recommendations and presented to the government in 2008.

## Key Events for the Next Quarter

- Produce and broadcast a drama for radio and television on marriage rights and violence against women.
- Organize dialogues between formal and informal justice actors in Panjshir, Parwan, Kapisa and Wardak provinces for feedback on ARoLP's draft informal justice policy statement.
- Reprint and distribute 64,000 comic book sets, 64,000 pamphlets, 32,000 bumper stickers, and 16,000 CDS with audio and visual materials for 32 ARoLP-supported community cultural centers.
- Support the MoJ's, Hoqooq's and Supreme Court's public outreach efforts by providing digital equipment and civic education training.

## 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 From October 1, 2006		FY 2007 Target		FY 2007 Total		FY 2008 Target	
	Kabul	Provinces	Kabul	Provinces	Kabul	Provinces	Kabul	Provinces	Kabul	Provinces
1. Number of dialogue events	0	0	26	41	22	65	26	41	22	175 <sup>†</sup>
2. Public attitudes on women's rights changed, based on the percentage of Asia Foundation survey respondents who answered positively on questions about women's rights	85%		83%		85%		83%		88%	

### Progress toward Activity Results

**Indicator 1:** ARoLP organized a public discourse in Kabul and seven roundtables during the quarter. The objective of the public discussion and roundtable series is to raise awareness of progressive interpretations of Islamic laws and those Afghan customs, traditions and practices that are considered unjust and discriminatory toward women. The public discussion

<sup>†</sup> The last quarterly report from the FY2007 fourth quarter listed 65 provincial dialogue events. However, ARoLP's subcontractor, IFES has reevaluated its program capabilities and increased that number to 175.

focused on three articles penned by prominent Muslim scholar Dr. Mohammad Hashim Kamali. The roundtables, featuring ARoLP women's rights consultative group members as panelists, focused on domestic violence as a result of forced and child marriage and were broadcast on Afghan National Television, *Good Evening Afghanistan* radio, Killid radio, radio Watandar and Ariana and Radio Arman.

**Indicator 2:** Increasing knowledge of women's rights in Islam is essential to altering the customs and traditions that restrict the rights of Afghan women. According to a 2007 survey by The Asia Foundation, an average 83% of Afghan survey respondents agreed that women should have equal opportunities to men in education; that women should be allowed to work outside the home; that women and men should have equal rights, including the right to vote; and that women must vote for themselves in elections.

To encourage broader and more moderate perspectives of gender relations in Afghanistan, ARoLP has promoted progressive interpretations of Islamic law by conducting public discussions and roundtables, detailed above, and also by conducting national print and broadcast campaigns to raise awareness of women's rights under Islam. For example, ARoLP produced a four-minute TV and radio spot highlighting domestic violence against women and forced marriage, broadcast on Afghanistan Television, Tolo TV, RTA TV, *Good Morning Afghanistan* and *Good Evening Afghanistan* radio, Radio Killid, Radio Watandar, Arman Radio and Radio Ariana.

ARoLP also translated from English into Dari and Pashto three papers by prominent Muslim scholar Dr. Mohammad Hashim Kamali: "Safeguard Against Physical Abuse," "Status of Women in Islam," and "Islam's Pernicious Customs and Women's Rights in Afghanistan." Once the translations have been approved by the author, the articles will be disseminated for use by scholars and university students to encourage progressive interpretations of women's rights under Islam.

These activities are meant to encourage Afghan citizens to examine those Afghan customs and traditions that are considered discriminatory against women.

## Description of Activities

### **Afghan Scholars Meet with Religious, Women's Rights Scholars in Malaysia**

Seven Afghan scholars recently returned from a nine-day study tour to Kuala Lumpur, Malaysia. The November 2 to 11, 2007, study tour included meetings with Malaysian religious scholars and women's rights activists—both male and female—at the International Islamic University of Malaysia, the Women's Aid Organization, Sisters in Islam and the Malaysian Human Rights Commission (SUHAKAM) and the Federal Territory Syariah Court of Malaysia. The meetings focused on women's rights issues chosen by ARoLP's consultative group members.



*Seven Afghan scholars met with religious experts from the Sharia Court in Kuala Lumpur as part of an ARoLP-organized study tour to Malaysia.*

### **Support Provided to Center for Islamic & Cultural Studies**

To build the capacity of young scholars from the Center for Islamic and Cultural Studies, Academy of Sciences (the highest research and study institution accountable to the President's office), ARoLP began two levels of English language classes for 17 young scholars including men and women from the Center as well as from ARoLP's consultative group members. The English language training began on October 20 and will run for six months and aims to prepare the center's scholars for academic and professional opportunities abroad.



*ARoLP began offering English language classes to members of the Center for the Study of Islam and Culture at Afghanistan's Academy of Sciences.*

Separately, in meetings with Afghanistan's Academy of Sciences, ARoLP expressed concern over the academy's treatment of women both at the academy and in its research. ARoLP recommended that the Academy include women members, since there are 40 male researchers and Sharia experts and no women currently in membership there. ARoLP has decided to hold off the provision of computers and other resource-center equipments to the Academy until changes are made to Academy's treatment of women.

## ARoLP Subcontractor Begins National Women's Rights Program

With its subcontractor, the International Foundation for Election Systems (IFES), ARoLP's women's rights activities have extended outside Kabul. But before IFES can begin its activities in the provinces, it is first focusing on a national women's rights study that will inform its program activities, which include workshops, seminars and information campaigns through FY2008.

Over the quarter, IFES, with the help of the Afghan Civil Society Forum, completed a survey of 23 provinces as part of a larger national research project on women's rights under Islam in Afghanistan. The survey was conducted by 18 data collectors on three subjects: a woman's right to an education, marriage and a public life. A total of 1,575 valid questionnaires were collected from local mullahs, government officials, nongovernmental organizations (NGO) workers, doctors, teachers, students and others. The raw results of the survey were reviewed during the aforementioned training workshop and incorporated into training sessions.



*One of IFES' data collectors (in the blue burqa) interviewed women in a Balkh market as part of ARoLP's national research project on women's rights*

The results of these surveys were used to train 18 civic educators at a three-day civic education workshop in Kabul in November. Six ARoLP women's rights consultative group members served as trainers at the workshop.

The survey findings were also used to conduct a student seminar on women's rights at Nangarhar University in December—the university's first such seminar on campus grounds. Graduate students of law and Sharia spent the day discussing various women's rights topics, including family values, forced marriage, domestic violence, among other issues—all considered from an Islamic perspective. Professors from Nangarhar University later discussed the seminar during a radio roundtable, broadcast locally in Jalalabad.

### Key Events for the Next Quarter

- Organize and lead a study tour for eight religious scholars to Jakarta, Indonesia.
- Conduct an assessment of legal empowerment and women's access to justice in Afghanistan.

- Broadcast a TV/Radio drama on the issue of *Toyana/Walwar* (bride price) from an Islamic perspective.
- Hold five roundtables and one public discourse on different aspects of women’s rights in Islam.
- Organize dialogues between AROLP’s consultative members and provincial religious scholars.

## Summary of Component Training and Workshops

Date	Title	Agencies Involved	Number of Participants
October 18	Focus group meeting evaluating and comparing Islamic sources with Afghan customs and traditions	Department of Religious Verdicts, Center for Islamic & Cultural Studies, Supreme Court.	8
November 12& 13	Women’s rights training IFES/ASCF	Civic educators and researchers from IFES/ACSF	18
November 15	Focus group meeting evaluating and comparing Islamic sources with Afghan customs and traditions	Department of Religious Verdicts, Center for Islamic & Cultural Studies, Supreme Court.	9
November 29	Focus group meeting evaluating and comparing Islamic sources with Afghan customs and traditions	Department of Religious Verdicts, Center for Islamic & Cultural Studies, Supreme Court.	6
December 9	Focus group meeting evaluating and comparing Islamic sources with Afghan customs and traditions	Department of Religious Verdicts, Center for Islamic & Cultural Studies, Supreme Court.	8
December 25	Focus group meeting evaluating and comparing Islamic sources with Afghan customs and traditions	Department of Religious Verdicts, Center for Islamic & Cultural Studies, Supreme Court.	7
December 27	Panel Discussion on Dr. Mohammad Hashim Kamali’s papers on safeguard against physical abuse and status of women in Islam.	Ministry of Religious Affairs, Ministry of Foreign Affairs, Khateeb of Haji Yaqub Mosque	29