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FINAL REPORT

October 1, 2004 to July 31, 2009

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AFGHANISTAN RULE OF LAW PROJECT**
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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 supported 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.

Achieving sustainable development in Afghanistan has been the overarching goal of the Afghanistan Rule of Law Project (ARoLP) since its inception in 2004. Sustainable development takes time and few other international projects in the rule of law field had the resources and time that ARoLP has had, allowing the project to accomplish the many things set out in this report. There are indeed valid reasons to rush development in Afghanistan, without visible signs of development the people of Afghanistan will remain skeptical of their new democratic government, young men looking for ways to support their families will turn to the Taliban and other radical groups willing to pay them, and the lot of the average Afghan will not improve. And ARoLP did deliver much needed development assistance to meet short-term needs, the Foundation program under which sitting judges were given training in basic judicial skills and the new law of Afghanistan is an excellent example of this.

The majority of the work to rebuild the legal system after over thirty years of neglect did take time, but we believe that the results were worth the time. The Afghanistan Court Administration System (ACAS) is an example of ARoLP's development efforts. During the first year and a half of the project, much effort went into understanding the flow of cases in Afghan courts, the management systems in place and the needs of the Supreme Court. Attempts were made early on to computerize a number of courts, based on the assumption that electricity and internet connectivity would be available throughout the country in only a few short months. As the reality of long delays in infrastructure development began to set in it became clear that computerization was still years off. As it was computer operators had to be taught basic English so that they could access the menus in standard computer operating systems, computer service technicians did not exist outside of a few major cities and internet connectivity was hugely expensive even in those same major cities. And without electricity, generators had to be purchased, fueled and serviced, to provide even the most rudimentary computer facilities. While delivering computers was fast and visible, it did not deliver case management systems that would make the actions of courts more transparent to the people of Afghanistan. ARoLP then embarked on a three year program to develop a system that would allow the Afghan public better access to the courts, provide the courts with a simple, reliable management system and provide the Supreme Court with the information it would need to manage its scarce resources.

ACAS was developed by Afghan judges and court administrators over nine-months with hundreds of hours of time devoted to the design of the system. The system was then tested in a number of courts at all levels and those things that didn't work were brought back to the

original design team to be redesigned. ACAS was then rolled out throughout the country with a series of trainings for almost two thousand judges and court administrators and the distribution of over half a million file folders for use in the new system. Much work remains to be done to make ACAS a system that will meet the needs of the people and courts of Afghanistan, but this early system will provide a solid foundation for development over the next few decades.

Like ACAS, ARoLP also spent many years collecting and digitizing the law of Afghanistan. And again, like ACAS the initial focus was on delivering the law of Afghanistan via computers. It took ARoLP almost two years just to collect all the law of Afghanistan, since no complete collection existed in 2004. It took almost as long to digitize the materials so that they would not be lost again through wide publication on the internet and other digital media. But the real importance of this effort was that it allowed ARoLP and others to print the law and distribute it throughout the country. ARoLP quickly had become the largest legal publisher in Afghanistan and probably the region. Special collections of laws, called Judicial Reference Sets, were developed using the digitized laws and were distributed to every judge and law school in the country. In all over 250,000 legal references were distributed throughout Afghanistan by ARoLP. This is just the start, much more publishing needs to be done and will be done by either Afghans or other international donors. The Germans and a few other donors have begun using the digitized laws to print their own collections and most promisingly a number of local publishers are starting to reprint the collections developed by ARoLP.

In legal education ARoLP pursued the development of a unified curriculum. After years of discussion and work with the universities ARoLP finally was able to bring the faculties of law and Sharia at all major Afghan universities together to agree on a core curriculum for future legal professionals. ARoLP went on to work with the faculties to prepare and print five new textbooks for these courses, the first textbooks in local languages to be published in over a quarter of a century. Again, this is only a beginning, the texts and the curriculum will remain an enduring legacy, but the core curriculum is not being taught uniformly throughout the university system yet, many more textbooks and other teaching materials need to be developed and distributed, and uniform testing has to be instituted to ensure the quality of education to those who will go on to be the future of the legal system of Afghanistan.

One area in which there has been little visible development but real progress has been on women's rights. ARoLP has been able to start a dialog about women's rights throughout Afghanistan by focusing the discussion on issues that affect both men and women, but which disproportionately affect women more. Such issues as education, involvement in the community and marriage have provided the starting point for Afghans to discuss women's role in both their religion and society. ARoLP had to approach work in this area carefully so as not to alienate Afghans or to cause a backlash against perceived foreign meddling in Afghan society. Still the seeds have been sown and many more Afghans are at least talking about women's roles and how they need to change for Afghanistan to become a democratic nation. This dialog must continue to be nurtured to ensure that women some day will have the same rights as a man in Afghanistan.

Long-term commitment to development objectives have paid off in the cases outlined above in the other successes of the project outlined below. It is now time to build on this solid foundation for the development of the legal profession and especially the courts.

Since October 2004, USAID's Afghanistan Rule of Law Project has:

- trained more than 1,161 of Afghanistan's 1,371 sitting judges;
- supported the Afghan Supreme Court in establishing a judicial education and training committee and developing its financial and human resources management capacity;
- developed and populated a personnel database for the Supreme Court and produced 3,577 judicial ID cards for 1,380 judges and 2,197 administrative staff;
- trained Ministry of Justice employees in legislative drafting;
- created the first online database of Afghanistan's laws;
- implemented a case file and tracking system in courts throughout Afghanistan;
- conducted 2 National Conferences on Core Curriculum for 230 university vice chancellors, Law and Sharia Faculty deans and professors from across Afghanistan;
- trained 60 Law and Sharia professors from 7 universities on modern teaching methodology;
- trained 100 university vice chancellors, Law and Sharia Faculty deans and professors from 7 universities on the credit-hour system and on producing objective based syllabi.
- published and distributed:
 - 151,300 volumes of legal references
 - 41,020 basic legal texts and supplement
 - 30,000 volumes of judicial bench books
 - 18,500 law textbooks for university students
 - 19,580 sets of the Official Gazette 1 and 2
 - 4,000 Dari-Pashto Legal Dictionaries
 - 4,000 volumes of the Legal Research Manual
- established the first modern law library in Afghanistan;
- educated Afghans about the legal system by printing and disseminating 22,037 copies of the Afghan Constitution, 458,637 comic book sets, 140,119 Dari and Pashto pamphlets, and 82,834 bumper stickers bearing legal awareness messages;
- conducted 2 province-wide women's access to justice campaigns in Nangarhar and Baghlan provinces;
- held 120 public discussions, roundtables, and seminars on women's rights under Islam in 23 provinces across Afghanistan;
- distributed 227,500 items (including school bags, canvas bags, posters, stickers, pens, brochures, calendars, pamphlets, training manuals) promoting women's rights;
- sponsored Academic Legal English programs at 5 Afghan universities for more than 1,500 Law and Sharia students and faculty every year.

COMPONENT 1.A SUPPORT FOR COURT ADMINISTRATION

The principal goals of ARoLP's Court Administration Component were to improve case management and strengthen court operations and to enhance the Court system's management capacity. The Project's focus on case management and improved operations culminated in the design, development, and implementation throughout the country of the Afghanistan Court Administration System (ACAS). The goal of strengthening management capacity was achieved through implementation of programs to restructure the Supreme Court's management structure, to develop professional resources to better manage human resources, information technology, judicial and non-judicial training, and financial and budget systems; and through establishment of a strategic planning process to develop and adopt modern rules and policies of fair and transparent judicial administration.

In addition to Afghanistan Court Administration System training, ARoLP has made non-judicial staff training a principal component of our overall goal to strengthen management capacity. In 2009, ARoLP staff and consultants conducted targeted training for Supreme Court senior management staff in merit recruitment to facilitate implementation of Priority Reform and Restructuring, and in budget management to facilitate the introduction of program budgeting in year 1389. ARoLP and ASI collaborated on an Introduction to Program Budgeting Training and in Job Description Preparation in 2008. With logistical assistance from the Bearing Point CDP project, ARoLP staff planned and participated in international study tours for Supreme Court administrative staff in 2009, including facilitating the first-ever attendance by an Afghanistan Supreme Court delegation at the Annual Meeting of the International Association for Court Administration in Dublin, Ireland in April 2008; and a week-long visit in May 2008 by a Supreme Court delegation, including one justice and six senior administrative staff, to the Colorado State and 10th US Circuit and District Federal Courts in Denver, Colorado. The Colorado Study Tour was a result of Chief Justice Azimi's visit to the U.S. Supreme Court in December 2007 where he met Chief Judge Robert Henry of the US 10th Circuit Court of Appeals, who invited the Chief Justice to send a delegation of senior Afghan Supreme Court administrative officials to the US on a study tour.

Afghanistan Court Administration System Fully Implemented

Implementation of the Afghanistan Court Administration System (ACAS) remains virtually complete with numerous follow-up activities taking place during the reporting period as well as the production and distribution of Year 1388 ACAS materials to all provinces. ARoLP has received approval from the Supreme Court for a final formal ACAS training program to be held in Kabul to train judges and administrators from courts that were unable to send staff during the initial ACAS training process. This training program will be identical to previous trainings except that participants will come from across the country rather than from a specific region or province.



The Herat Court of Appeals is fully utilizing the ACAS, including the party index card component.

As part of the ACAS follow-up process, ARoLP staff traveled to courts to discuss implementation issues and to ensure that proper procedures are used and adequate materials are available. The ACAS is designed to capture caseload data to enable the Supreme Court to track where and when cases are filed at the courts. Courts where ARoLP conducts follow-up activities have begun to capture caseload data to transfer to the Supreme Court. During the reporting period, ARoLP worked on follow-up activities with 64 courts in 12 provinces: Herat, Balkh, Kunar, Laghman, Takhar, Baghlan, Kunduz, Kabul, Parwan, Kapisa, Panjshir, and Nangarhar.

ARoLP dedicated significant resources in conjunction with our Women's Rights under Islam program's women's access to justice campaign to measure cases filed by women in 19 courts in Nangarhar. Total case filings along with the number of cases filed by women was gathered by courts, including the Court of Appeals and urban District Courts, and reported to ARoLP.

This will serve as baseline caseload data that will help determine the impact of ARoLP's women's access to justice campaign conducted in January 2009. ARoLP staff will return to the Nangarhar courts in April/May to determine if there has been an increase in the number of women filing cases.

In anticipation of the new year 1388, ARoLP produced 220,000 file jackets along with new registry books. These materials were distributed to all provinces prior to the beginning of the year to ensure that courts would have a seamless transition from one year's filings to the next. During the year 1387, ARoLP distributed 189,000 file jackets and 700 file shelf units in our initial ACAS implementation rollout.

3,577 Judicial ID Cards Issued

ARoLP has produced a total of 3,577 judicial ID cards as of May 2009 for 1,380 judges and 2,197 administrative staff. ARoLP and Supreme Court staff are following up on the 535 judges and court staff whose personnel records could not be validated during the review process conducted between August 2008 and January 2009.

373 Judges from 150 Courts Trained in Afghanistan Court Administration System (ACAS)

ARoLP trained judges and court administrators from 56 courts in Kunar, Laghman, Nangarhar, and Nuristan provinces in the largest provincial ACAS training since the ACAS rollout process began in November 2007. 373 judges and 231 administrators from 150 courts attended the trainings. The trainings included classroom style instruction on ACAS procedures as well as several days of hands-on work with cases filed at the mentor courts. (Mentor courts are the provincial courts of appeal and the urban primary courts at the training locations that received special week-long trainings so staff from the outlying districts could receive additional practice using ACAS with actual cases.) An added benefit is that the mentor courts receive additional resources to convert and manage their respective caseloads. To date, 826 judges and 898 administrators from 356 courts in all 34 provinces have received ACAS training.



Judges and administrators from 56 courts in the largest provincial ACAS training.



Acting Head of Civil Service Commission Rafiqi and Supreme Court Chief Justice Azimi sign protocol authorizing implementation of Priority Restructuring Reform.

Priority Restructuring Reform (PRR) MoU Signed

At a ceremony at the Supreme Court on March 25, Chief Justice Azimi and Acting Head of Civil Service Commission Board Rafiqi signed a Memorandum of Understanding officially acknowledging the Civil Service Commission's approval of the Supreme Court's non-judicial personnel PRR proposal. The signing ceremony marked the culmination of a 15-month effort by the Supreme Court and the Civil Service Commission to reorganize the Supreme Court's non-judicial staffing structure. Priority Reform and Restructuring (PRR) is an element of the Government

of Afghanistan's Public Administration Reform Program. The PRR process is facilitated by the Civil Service Commission and requires all Government agencies to review their organizational structure and staffing and restructure their organization, identifying the staffing needed to most effectively achieve organizational goals.

ARoLP collaborated with the Supreme Court PRR Advisory Committee and staff, advisors from the Civil Service Commission, and the European Community Justice Sector Reform Program to develop the PRR submission. The proposal is a set of documents, totaling over 600 pages, which includes a narrative document, and a range of annexes detailing the proposed structure, Terms of Reference for each Department, Recruitment Plan, cost for PRR, and job descriptions for all non-judicial staff within the new structure, as well as a functional review of the Supreme Court.

Approval of the PRR proposal authorizes the Supreme Court to immediately begin PRR implementation, a two-year process, to be followed by Pay and Grade implementation, an additional one-year process. Staff and consultant assistance to the Supreme Court in implementing these systems will be provided by national and international staff of a Reform Implementation Management Unit (RIMU) to be funded by the ARTF/AJSRP and to be established at the Supreme Court within the next 90 days. A joint Supreme Court/Civil Service Commission application to fund the RIMU will be submitted to the World Bank within the next 30 days.

PRR implementation will begin with the recruitment of staff to posts delineated in the new structure, training programs for these staff, and implementation of a new performance assessment system. Implementation of the PRR proposal will result in salary increases, open competition for civil service positions, professional development opportunities, and expanded employment opportunities for women.

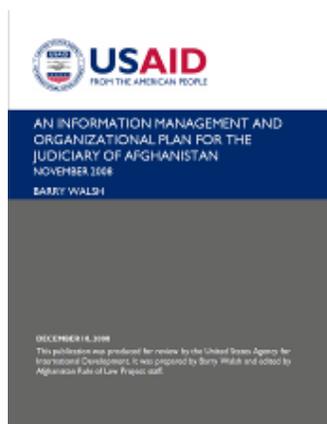
Supreme Court Staff Complete Advanced IT Training

On January 25, 20 Supreme Court employees completed a comprehensive three-month training program in Advanced Information Technology, funded by USAID and conducted at IQRA University. On March 5, the Afghanistan Supreme Court hosted a graduation ceremony to honor their achievements. The Supreme Court staff members enrolled in the three-month IT training program acquired skills in web design, database design, and network administration. The skills brought to the Court by the newly-graduated IT personnel will lead the way for other computerized programs that will ensure that the Supreme Court delivers high quality justice services throughout Afghanistan. ARoLP has trained a total of 31 Supreme Court IT staff since March 2008.



Supreme Court IT professional receives certificate of completion for Advanced IT training from Judge Samiullah, Advisor to the Supreme Court .

Supreme Court's Information and Communications Technology (ICT) Plan



On December 25, 2008, AROLP submitted to USAID the final draft of “An Information Management and Organizational Plan for the Judiciary of Afghanistan,” a report prepared by international court management consultant Barry Walsh, that provides strategic planning guidance to assist the Supreme Court in achieving its management information system goals over the next 5 years.

The report evaluates the needs of the Afghanistan court system according to recently published standards of the International Framework for Court Excellence, recommending a four-stage strategy for the coordinated development of information systems.

This strategy provides management information system solutions for the Supreme Court's highest priority management information needs over the next 5 years. The report recommends that the Supreme Court follow this study with a survey of current IT usage within the Court and an assessment of the Supreme Court's technical capacity, including establishment of hardware and software specifications and operational policies.

Afghan Supreme Court Visits Washington, DC

Members of Afghanistan's Supreme Court discussed issues such as court administration, judicial selection and promotion, judicial ethics and discipline, and judicial education with their counterparts in Washington, DC during AROLP's November 2007 judicial study tour. Participants including Chief Justice Abdul Salam Azimi, Associate Justices Mohammad Aleem Nasimi, Gholam Nabi Nawayi and Mohammad Qasim



Afghan Supreme Court Chief Justice Abdul Salam Azimi and U.S. Chief Justice Roberts meet at the U.S. Supreme Court in Washington, DC.

Dousti, and Director General of Administration Dr. Abdul Malik Kamawi attended a session of the United States Supreme Court. Afghan Chief Justice Azimi met with U. S. Chief Justice John G. Roberts, Jr. During the tour, the participants also 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.

Supreme Court Adopts Afghanistan Court Administration System (ACAS)

After nine months of development, the Supreme Court adopted the Afghanistan Court Administration System (ACAS) on September 25, 2007, approving its implementation in all of Afghanistan's 449 courts. The ACAS is crucial to developing a more simple, open, and consistent process for managing cases brought before Afghan courts.

ARoLP worked closely with working groups comprised of judges and court administrators at four model courts and eight early implementation courts in the provinces to develop the case-filing system. In addition to the working groups, ARoLP worked with a special committee created by the Chief Justice to make final revisions to the ACAS before presentation to the Supreme Judicial Council. ARoLP developed a system that features unique case numbers; an index of parties to each case to enable litigants, attorneys, clerks and interested citizens to find cases of interest; and a numbered file folder for filing cases. The number of case registration books has been reduced from five to one. The working groups also developed an ACAS procedure manual that will be integral to implementation of ACAS.

Once implemented, the ACAS will improve records management services in Afghanistan's courts, increase transparency for case processing, create more open access to court and case information, and make the case-filing system more consistent. This will increase the likelihood that citizens will understand the judicial process, and will trust and use the court. Judges, clerks and court administrators will be held more accountable to the public.

Provincial Judicial Conferences Started



Justice Behsoudi speaks at the Daykundi Provincial Judicial Conference.

In August, ARoLP assisted the Supreme Court's effort to improve communications with provincial courts by sponsoring Provincial Judicial Conferences in all 34 Afghan provinces. So far, conferences have been held in Bamyán, Ghor, Daykundi, and Faryab. The conferences are one part of the Afghan Supreme Court's larger plan to curb corruption in Afghanistan's courts and restore public trust in the judiciary. Each

conference is preceded by a Supreme Court-mandated court inspection to ensure that courts are working properly. After each inspection, the

Court leads a conference for local appeals, urban primary, and district court judges to learn more about Afghanistan's justice system. ARoLP sponsors the Supreme Court's travel to the provinces as well as to conferences which focus on the inspection results, judicial policy issues and changes, and the new ACAS. The conferences also provide an opportunity to train judges in the newly adopted Regulation of Judicial Conduct.

Supreme Court Judicial Personnel System

All personnel records for judicial staff are maintained at the Supreme Court's Personnel Department. With approximately 1,500 judges and 1,400 support staff, an efficient and simple system for records management is essential. ARoLP is assisting the Supreme Court in developing a simple yet detailed database for recording judicial personnel information. Initially, this database was used to create and print judicial identification cards. Upon review of the personnel system in place at the Supreme Court, ARoLP staff developed a plan to re-organize and re-index all judicial personnel files.

The old system was organized around provinces. Information on all judges assigned to a particular province was stored in the cabinet or drawers for that province. Inside the drawer(s) was an index sheet that changed as a judge was reassigned, an event that happens

with frequency. The index sheets were out of date, the files were misplaced as they were moved often, and file space was often restricted as records on newly reassigned judges were moved to drawers that were not up to date.

To simplify the filing system, ARoLP designated a unique personnel ID number for every judicial officer. Once each judge had an ID number, the files were arranged in numeric order, drawers labeled accordingly, and the files tagged with the ID number, current assignment location, and the date of the most recent assignment.

The records management system and database of all judicial personnel files was completed during the quarter. A unique ID number is assigned to all judiciary staff, all changes to staff positions such as promotions and transfers are tracked in the system, and the movement of files is kept to a minimum. ARoLP is training two Supreme Court staff to maintain the database.

Supreme Court Launches Website

The Supreme Court officially launched their website on March 8, 2007. ARoLP worked closely with the Court's website committee to develop the website along with the process and procedures to add information. When the website was launched, the following information was available in Dari, Pashto, and English:

- biographies of the justices;
- structure and jurisdictions of the different courts throughout the country;
- copies of the Court's publications, including monthly and bi-weekly gazettes;
- selected Court decisions and opinions;
- history of the Afghan judicial system.



Chief Justice Azimi discusses on the newly launched Supreme Court website.

Flowcharting of Case Processing

With completion in this quarter of flowcharting for the Civil and Public Rights Divisions, ARoLP finished flowcharting Supreme Court case processing. ARoLP also completed primary and appeals case processing flowcharts for all 10 provincial/urban primary test courts. The flowcharts will serve as the basis for discussions with the Supreme Court on standardizing case processing.

COMPONENT 1.B&C LEGAL EDUCATION

The principal goal of the Legal Education Component was to strengthen and modernize the teaching of legal subjects within the law and Sharia faculties of the Afghanistan provincial universities. To that end ARoLP in partnership with the Ministry of Higher Education organized and held the first ever National Conference on Core Curriculum and Quality Legal Education in Kabul in January 2008. At this conference the participants determined that there should be 11 Core Courses (two, Civil and Criminal Law, are comprised of several courses, bringing the total of separate courses to 20). During the following year, ARoLP, working

with law and Sharia faculties, organized working committees for each of the courses, facilitated the development of modern course syllabi for the courses and supported the development of modern textbooks for each of the courses. By the time of the second National Conference in January 2009, 11 modern syllabi had been developed and were being used to teach the subjects. Five textbooks had also been completed, copies of which have been distributed to faculties and libraries in the provincial universities. Significant work has been accomplished in the syllabi and textbook development for the remaining courses so that there will be an excellent beginning point for the follow on. The National Curriculum Conference has become a permanent annual event.

Since the development of textbooks on this scale was something without precedent in the Afghanistan university system, several questions were raised during the Second National Conference regarding the development of the new books. In response the Minister of Higher Education appointed a Joint Coordination Committee to make recommendations and deal with issues relating to the textbook development. The committee has had an initial meeting and will be an important body for setting the boundaries for the development of new textbooks.

An additional goal of ARoLP was to support and further the use of modern interactive teaching methodologies allowing more student participation and interaction. To further this goal ARoLP organized a study tour of students and professors to visit Philippine law schools to learn from them how to organize moot court activities, student government and student staffed legal aid offices. ARoLP also presented a teaching methodology workshop in January 2009 and presented another workshop at Balkh University in March 2009. Additionally ARoLP funded construction of Moot Court practice rooms in the Kabul University Law and Sharia faculties and model instructional classrooms in the law and Sharia faculties of Kabul, Herat, Balkh, Nangarhar, Al Biruni and Khost universities. ARoLP also funded the installation and initial operation of Internet computer labs at these universities. Finally ARoLP has funded and supported the publication of several issues of the Kabul University Law Journal, giving professors and others a forum to publish legal articles of interest to the Afghanistan legal community.

A final goal of ARoLP was to enhance opportunities for professors and students who wanted to become professors to obtain masters of laws degrees in US universities. To do that required major efforts to enhance the legal academic English skills of potential candidates. To this end ARoLP operated three Academic Legal English programs lasting up to eight weeks for law and Sharia professors and students. These programs have been extremely effective in raising the abilities of the attendees. ARoLP has also organized and held English classes in the law and Sharia faculties of the provincial universities and has developed several manuals and books for use in the classes. These classes are for the most part being taken over by the Afghan universities.

Second National Conference on a Core Curriculum



Deputy Minister of Higher Education Prof. Barbury delivering remarks at the National Conference on a Core Curriculum.

As mandated at the first National Conference on Core Curriculum held in January 2008, ARoLP, in partnership with the Ministry of Higher Education, conducted the second National Conference on a Core Curriculum at the Safi Landmark Hotel in Kabul on January 3 and 4, 2009. More than 130 participants from all over the country, including chancellors, assistant chancellors, deans, senior professors, and representatives of the Supreme Court, the Attorney General's Office, the Ministry of Higher Education, and the Ministry of Justice, participated in the conference. The conference afforded professors and

educators the opportunity to discuss issues with the Ministry of Higher Education and with each other.

Completed textbooks for Introduction to Law, Commercial Law, Constitutional Law, Family Law, and Forensics Medicine were on display at the National Conference. After a lengthy discussion on the process of creating new textbooks, participants agreed that the Deputy Minister for Academic Affairs of the Ministry of Higher Education would organize a Joint Coordination Committee comprised of Law and Sharia professors to serve as a resource for the development of new textbooks. ARoLP assisted the Deputy Minister in selecting committee members and the universities were notified of members of the committee in mid-March. The first meeting of the committee has not yet been scheduled by the Deputy Minister.

Workshop Introduces Participatory Teaching Methodologies

As part of its mission to introduce and encourage participatory teaching techniques into Law and Sharia curricula, ARoLP presented a two-day workshop on participatory teaching techniques and modern theories of learning following the Second National Conference on a Core Curriculum at the Safi Landmark Hotel in Kabul. Over 60 Law and Sharia professors from around the country attended. The workshop was led by Professors Laurel Oates and Mimi Samuel from Seattle University. Participating in small group exercises, role playing, and short lectures, professors enthusiastically practiced techniques they could use in their classrooms and pass on to other professors in their Faculties.

Third Academic Legal English Program

130 Law and Sharia professors and students from across Afghanistan attended the third Academic Legal English program at the Safi Landmark Hotel in Kabul from January 20 to March 11, 2009. The program offered students and professors intensive courses to improve their academic English skills in order to take the TOEFL examination and to prepare them for LLM and other postgraduate opportunities at U.S. law schools. The curriculum included academic legal English courses and law courses in commercial contracts, legal reasoning, and mortgage contract law taught by U.S. law professors from the University of San Francisco and the University of New Mexico. In addition to class work, students participated in two moot court exercises and presented academic research projects in small group settings. For many of the students, this was the first time they have studied with foreign professors and been exposed to modern participatory teaching methodologies. The visiting professors also trained four Afghan professors to be instructors in an anticipated in-country LLM program.

Moot Court and Instructional Classrooms Dedicated at Kabul University

On March 19, ARoLP dedicated USAID-funded moot court and instructional classrooms at Kabul University Law and Sharia Faculties. The new classrooms offer Afghanistan's future legal professionals opportunities to develop their oral presentation and advocacy skills as they participate in simulated role-playing scenarios and moot court exercises. Professor Hamidullah Amin, Chancellor of Kabul University, thanked USAID for its support, and said that the new classrooms mean "progress for Kabul University, better lawyers for Afghanistan, and ultimately, restoration of the rule of law in our country." Professor Deen Mohammad Gran, Dean of the Sharia Faculty, described the classrooms as "laboratories for law students where they can learn how to prepare a proper defense statement and how to represent a client in court." Each classroom is fitted with a computer, a digital projector and screen, and a whiteboard. The two moot court classrooms are each furnished with a judges' bench, counsel tables, a dock, and a witness stand.



Professor Hamidullah Amin, Chancellor of Kabul University, and Mr. Bahaudin Baha, Justice of the Afghan Supreme Court, dedicate Kabul University Law Faculty's new moot court classroom.

Model Instructional Classrooms Completed at 5 Provincial University Law and Sharia Faculties

Following completion of model instructional classrooms at Kabul University, ARoLP installed instructional classrooms in faculties in five provincial universities: Balkh, Herat, Nangarhar, Khost, and Al Biruni. The classrooms are equipped with modern teaching equipment such as a projector for Power Point presentations and slides, screens, and white boards. The classrooms are venues for presentations by the authors and assistants who developed modern textbooks for the core courses and will be valuable resources for future teaching training.

Core Curriculum Syllabi Finalized and Textbooks Printed



Course professors discuss Islamic Criminal Law Course syllabus.

Significant progress has been made this quarter in developing common syllabi for core courses. Plenary committee meetings for Islamic Criminal Law, Forensic Medicine, and Inheritance Law produced agreement on common syllabi for these courses. The plenary committee for Principles of Fiqah, comprised of Sharia scholars, met and prepared a syllabus for an abbreviated version of the course that is suitable for teaching in law faculties. This syllabus is being circulated to law faculties for comment. Progress has been made in producing modern textbooks for core courses. This quarter, textbooks have been printed and are ready for

distribution for courses on Introduction to Law, Commercial Law, and Constitutional Law and the sub-courses of Family Law and Forensic Medicine.

In cooperation with ARoLP, IDLO has produced textbooks for the sub-courses of General Criminal Law and Penology. IDLO expects in the near future to complete a textbook for the Commercial Procedure core course and the Criminology sub-course. Printed textbooks for several of the completed core and sub-courses will be available for inspection at the Second National Conference on Core Curriculum in January 2009.



Study tour participants in a teaching methodology class.

International Study Tour to the Philippines

In November, ARoLP advisors led a study tour comprised of law and Sharia professors and students to Manila. There they met with representatives of 3 top Philippine law schools and with representatives of the Philippine Bar Association Continuing Legal Education Committee. The group also visited the Philippine Senate, House of Representatives, and

Supreme Court and attended a lecture by a member of the War Crimes Tribunal of the former Yugoslavia.

The tour introduced professors and students to learning opportunities that empower law students such as moot court competitions, legal aid clinics, and student Bar Association activities.

New Core Curriculum Adopted at National Conference

At the January 5 to 8, 2008 National Conference on a Core Curriculum -- jointly organized by ARoLP and the Ministry of Higher Education --100 educators, scholars, and jurists from across the country chose 11 courses that will become required learning for all Law and Sharia students in Afghanistan who want to enter the legal profession. The 11 agreed-upon courses include: Introduction to Law, Constitutional Law, Human Rights,



National Conference on a Core Curriculum participants discuss courses to be required for all Afghan Law and Sharia students.

Principals of *Fiqh* (Islamic jurisprudence), Criminal Law, Criminal Procedure, Civil Law/Civil Code, Civil Procedure, Commercial Law, Commercial Procedure, and Professional Responsibility and Ethics for Lawyers.

At the end of the conference, the core curriculum was presented to the Ministry of Higher Education for review. ARoLP and the law and Sharia faculty working committees at Al Biruni, Balkh, Herat, Kabul and Nangarhar Universities have begun working on syllabi and teaching materials for each of the 11 courses.

Winter Academic Legal English Program

Following the success of its inaugural summer Academic Legal English (ALE) Program, ARoLP implemented a second winter ALE, which took place from January 6 through March 13, 2008 in Kabul. English placement and diagnostic TOEFL exams were given to over 400 candidates from Al Biruni, Balkh, Herat and



150 professors and students of law and Sharia from across Afghanistan graduated from the Academic Legal English program.

Kabul Universities to select 150 professors and students for the program. Participants spent 10 weeks improving their vocabulary, grammar, and academic reading and writing skills with native English-speaking teachers. The ALE Program included lectures on company law, international financial law, and law and development, delivered by U.S. law professors. The graduation ceremony was presided over by Minister of Higher Education Mohammad Hazam Datfar who distributed certificates of completion to participants.

Two of the highest-performing students, Mohammad Bashir Mobasher and Hashmat Khalil Nadirpor, both recent graduates of Kabul University's Faculty of Law and Political Science, received scholarships to the University of Washington. They will spend six months in Seattle studying English and law.



Graduates of ARoLP's inaugural summer Academic Legal English Program.

Summer Academic Legal English Program Completed

On September 4, 2007, 21 professors and 18 students of Law and Sharia from Nangarhar University, along with five provincial judges and 12 members of the Ministry of Justice's Taqin Department graduated from ARoLP's inaugural summer Academic Legal English Program. Participants in the eight-week program received six hours of English training to improve their TOEFL, grammar, vocabulary, and writing skills. U.S. law professors held seminars for the

participants on topics such as contract law, alternative dispute resolution and property law. The graduation ceremony was attended by representatives from the Supreme Court and the Ministries of Higher Education and Justice. Graduate speakers offered their remarks in English.

English Program Delivered at 2007 Stage

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. 183 students were assessed and placed in seven classes at three competency levels. Four Sharia professors taught the lowest English levels, while three Law and English graduates from Kabul University taught the two higher levels. 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.

Legal Research Center Up and Running



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

On May 23, 2007, the Legal Research Center opened its doors at Kabul University's Faculty of Law and Political Science. Attendees at the opening ceremony included Afghanistan's Minister of Higher Education, the Vice Chancellor of Kabul University, and the President 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.

Pedagogy and Curriculum Development Workshop

ARoLP conducted a four-day Pedagogy and Curriculum Development Workshop in September 2006 for 33 professors from the Law and Sharia Faculties of Kabul, Balkh, Herat, and Nangarhar Universities. Two professors from law schools in India facilitated the workshop with a focus on curriculum development, pedagogy, clinical legal education, and legal research and methodologies. The workshop provided Afghan professors the opportunity to participate in a debate and dialogue with the Indian professors on designing and updating curriculum, preparing relevant syllabi, and learning legal teaching methods, including interaction with students.

Law and Sharia Faculty Professors Travel to India for Legal Training

ARoLP conducted a two-month training program in India for 21 professors from the Law and Sharia Faculties of Kabul, Balkh, Herat, and Nangarhar Universities. The training included topics on India's legal system, selected laws, human rights principles, legal aid, legal research, and teaching methods. Each student was required to produce one research paper and report.

COMPONENT 1.D SUPPORT FOR JUDICIAL TRAINING

Since January 2005 ARoLP has through its Judicial Training Component sought to build Afghanistan's judicial branch by developing and presenting judicial education and training programs for Afghanistan's judges. Its goal has been to support the Supreme Court in building a well-educated, professional judiciary that will inspire public confidence in the rule of law.

In its first several months of operation, ARoLP conducted an assessment of Afghanistan's judicial branch to determine which training programs were most needed and would have the most impact in developing an effective, internationally respected judiciary. As a result of this needs assessment, ARoLP focused its initial efforts on supporting basic judicial education, by initiating in August 2005 a Foundation Training Program for those serving judges who, because of Afghanistan's long history of war and civil unrest, had failed to receive either a formal legal education or had not had the opportunity to be formally trained in judicial skills.

The Foundation Training Program offered serving judges the opportunity to undergo an intensive month-long training course in core legal subjects and judicial skills. A total of 860 judges successfully completed the program between its initiation in August 2005 and the graduation of its final class in January 2009.

In order to strengthen its judicial education effort for law graduates whose career goal is to enter Afghanistan's judiciary, ARoLP began its support of the Supreme Court's Judicial Stage program in September 2005 by providing financial, administrative, and logistical support to law graduates selected for judicial training. ARoLP continued its support of the Stage by providing not only financial assistance, but also sponsoring a Judicial English program in both the academic and practicum segments of the Stage. The project has served the Supreme Court in an advisory and support capacity in both development of the academic curriculum and of the Stage Practicum.

Since October 2007, ARoLP has provided at least one continuing legal education program to 1,161 of Afghanistan's judges. The judicial training effort sponsors substantive legal training through workshops and seminars in a wide range of core legal subjects as well as the opportunity for serving judges to explore current legal trends and developments that may impact their day-to-day decision-making by sharpening their judicial skills and by assisting them in calendar and courtroom management. As part of its effort to establish a continuing judicial education program under the management and direction of Afghanistan's Supreme Court, the Judicial Training Component has actively sought to select and train a cadre of judges as a continuing legal education faculty by sponsoring workshops in teaching methodology. Eleven of the project's training texts have been included in a three-volume set of Bench Books for distribution to all of Afghanistan's judges as well as to University Law and Sharia Faculties, libraries and to international organizations active in judicial training. The Bench Books include manuals on Constitutional Law, Work of the Judge (legal reasoning) and Legal Research, Commercial Law, Commercial Procedure, General Penal Law, Private Penal Law (elements of crimes), Regulation of Judicial Conduct, Criminal Procedure, Special Criminal Laws, and Family Law.

ARoLP has made an intense effort to foster recognition of and adherence to professional ethics among members of the Judiciary by encouraging the adoption of a modern code of judicial conduct for all of Afghanistan's judges. In early 2007, members of a working group of judges appointed by the Supreme Court, using a preliminary draft submitted by ARoLP staff and reference materials from the United Nations, the United States, and model codes from a number of international sources, drafted the *Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan*. At the urging of Chief Justice Azimi, the working group's draft was approved by the Supreme Court for publication in June 2007. Following publication, ARoLP prepared focused training materials in both Dari and Pashto and, as of May 2009, had conducted training sessions in the Regulation for 1,043 of Afghanistan's judges. While there is work yet to be done to strengthen awareness and to insure strict adherence to ethical standards among Afghanistan's judges, including the adoption of a structured and transparent enforcement procedure, the effective partnership between ARoLP and the Supreme Court to build public confidence in Afghanistan's judicial system is best demonstrated by the adoption and extensive training conducted in *The Regulation of Judicial Conduct*.

Final Foundation Training Completed

A ceremony marking completion of the 24th and final Foundation Training Program was held at Kabul's Safi Landmark Hotel on January 14, 2009. Twenty-six judges from 16 provinces were presented with certificates of completion at a ceremony attended by members of the Supreme Court, representatives of USAID, and members of the Foundation Training faculty. Since August 2005, ARoLP has offered month-long intensive skills training to sitting judges who did not receive Stage training. The Foundation Training Program covered core subjects including penal law and criminal procedure, commercial law and commercial procedure, civil law and civil procedure, and Afghan constitutional law, as well as instruction on the Regulation of Judicial Conduct, women's issues, and legal research techniques. Judicial training materials prepared by ARoLP are used to teach many of the subjects. Since its inception, the Foundation Training Program has graduated 860 participants, including 43 women. Judges from every province in Afghanistan have received certificates of completion from the program. All of Afghanistan's judges who did not attend the Stage have either completed the Foundation Program or have been offered the opportunity to do so. The final class included judges from Badakshan (5), Bamyan (2), Day Kundi (2), Ghazni (2), Jawzjan (1), Kabul (2), Kapisa (1), Kunar (1), Kunduz (2), Laghman (1), Logar (1), Nangarhar (2), Samangan (1), Sari Pul (1), Takhar (1), and Wardak (1) provinces attended the training.



Criminal Justice Trainings Completed in Kabul and Herat

Two-week Criminal Justice Programs for judges responsible for criminal cases from districts identified by the Combined Security Transition Command – Afghanistan (CSTC – A) in cycles 1 – 6 of its Focused District Development (FDD) program were completed in both Kabul and Herat during the quarter. ARoLP is sponsoring criminal justice training for the judges responsible for criminal cases in those districts in order to complement training of Afghan National Police by Security Transition Command A and training of prosecutors by the Justice Sector Support Project in those same FDD districts.

Certificates of Completion were awarded in Kabul on January 11 to 22 judges assigned to primary courts in or responsible for criminal cases from the following provinces: Ghazni (1), Helmand (1), Jozjan (2), Kandahar (2), Kunduz (2), Nangarhar (4), Paktia (3), Wardak (3) and Zabul (4). On February 10, Certificates of Completion were awarded to 28 primary court judges who completed the FDD Criminal Justice Program in Herat. The judges represented five provinces: Badghis (1), Farah (4), Ghor (4) Herat (15), and Nimroz (4).

The Kabul and Herat training programs were the fourth and fifth FDD training programs conducted by ARoLP. A sixth program is scheduled to be offered in Mazar-e-Sharif during the third quarter. The two-week FDD Criminal Justice programs include courses in Afghan Constitutional Law, Penal Law-General Principles, Private Penal Law, Criminal Procedure, including principles of fair trial and police law, and Special Criminal Laws (anti-corruption, anti-money laundering, counter-narcotics, and crimes against internal and external security). Judicial training course materials prepared by ARoLP in these subjects are used as texts and the programs are presented by experienced judges and law professors.

Mechanism for Enforcing Regulation of Judicial Conduct Adopted

On June 10, 2008, the Supreme Council of the Supreme Court adopted a regulation for disciplining judges. The regulation was the result of a concerted effort by the working group assigned by the Chief Justice to develop a mechanism for enforcing the Regulation of Judicial Conduct with technical assistance from ARoLP.

After months of detailed discussions with ARoLP, the Supreme Court working group drafted a regulation that includes an enforcement mechanism in line with internationally accepted standards, making room for the inclusion of a citizen complaint procedure, requirements for confidential investigations to determine probable cause, public hearings in cases where probable cause has been determined, and due process rights for judges alleged to have committed violations of the Regulation of Judicial Conduct. The draft was submitted to the Supreme Council.

It is clear that the Supreme Court intends to enforce the ethical standards set forth in the Regulation of Judicial Conduct. The new regulation provides for an initial confidential investigation to determine whether there is sufficient basis to proceed with a hearing, and does not prohibit citizen complaints. The Council deleted those articles in the working group's draft regulation that established a citizen complaint procedure, that required a public hearing in cases where probable cause has been determined, and that specified the due process rights of the accused judges.

ARoLP raised the action of the Supreme Council at a meeting with the Chief Justice and Dr. Kamawi, the Director of General Administration of the Judiciary. Following separate meetings with Dr. Kamawi and Justice Rashid, who chairs the working group, the chair called the working group back together for a meeting in November. At that meeting, the working group agreed to present to the Chief Justice and the Supreme Council amendments to the disciplinary regulation designed to bring the regulation more in conformity with international standards. ARoLP prepared those amendments and submitted them to the chair of the working group.

Financial Investigation Techniques and Special Criminal Laws Training

The United States Treasury Department, in partnership with USAID and INL, conducted a workshop in Kabul from November 15-18 on financial investigative techniques (FIT) for prosecutors and investigators. A separate workshop was held for judges on November 19-20. Four investigators from the Supreme Court and 34 judges, including three women, from Kabul (20), Kapisa (1), Kunar (2), Kunduz (2), Laghman (1), Nangarhar (7), and Wardak (1) provinces attended the workshop with financial support from ARoLP. The judges were selected by the Supreme Court on the basis of their current assignment in the criminal and public security divisions of the primary and appeals courts. To provide the judges with background for the FIT workshop, ARoLP presented a two-day training on November 17 and 18 on the following special criminal laws: the Anti-Money Laundering and Proceeds of Crime Law (2004), the Afghanistan Law on Combating the Financing of Terrorism (2004), the Counter Narcotics Law (2005), the Law on Crimes against Internal and External Security (1987), and the Supervision Law on Implementation of Anti-Corruption Strategy (2008).

Women's Legal Professionals Workshop Develops Communication Skills

Afghan women are afforded limited opportunities to advance their education and achieve prominence in most fields, including the legal profession. Those who have earned judicial, professorial or prosecutor's posts have demonstrated exceptional perseverance and overcome significant obstacles while rising to these positions. Women entering professional legal positions are for the most part graduates of law faculties. Their education may have been enhanced by additional training, such as Foundation or Stage courses, or donor study tours. Programs for women only audiences addressing professional women's work-life balance issues are non-existent in Afghanistan. To fill this gap, ARoLP presented a workshop from December 15-18 for 177 women from 11 provinces. Participants included 96 judges, 48 prosecutors, 2 law professors, 21 Ministry of Justice staff, 6 Ministry of Women's Affairs staff, and 2 JSSP staff. The training was designed to support women in developing skills in communication and a context for self-expression and discussion of work-life balance.



177 women attend ARoLP's Women's Legal Professionals Workshop.



220 Faculty of Law and Sharia and madrassa graduates enrolled in a Supreme Court training program for future judges.

2008 Stage Judicial Training Program Begins

Classes began for 202 judicial candidates, including 29 women, enrolled in this year's Stage Judicial Training Program, held at the newly refurbished Kabul Polytechnic University. The campus facilities were repaired with funds provided by the French government and furnished by USAID and include four large and several small classrooms, as well as offices for the Supreme Court and the

Stage's two implementing partners, ARoLP and IDLO.

Candidates who passed the February 2008 entrance examination and were approved by the Supreme Court come from Badakhshan (14), Badghis (5), Baghlan (11), Balkh (3), Bamyán (6), Daykundi (3), Farah (3), Ghazni (7), Ghor (3), Helmand (2), Herat (36), Kabul (36), Kandahar (1), Kapisa (9), Kunduz (2), Laghman (5), Logar (8), Nangarhar (9), Nuristan (2), Parwan (17), Samangan (2), Sar-i-Pul (1), Takhar (7), and Wardak (10) provinces.

As part of their core training in legal subjects, ARoLP is providing legal English classes to all judicial candidates and to six Supreme Court Stage administrators. Twelve of the 14 classes for judicial candidates are held for one hour and 45 minutes every Saturday, while two classes are held for 90 minutes twice-weekly for higher-level English speakers. Stage administrators' legal English classes are held four times per week for 90 minutes.

Foundation Training Program Graduates 62 Judges

Since August 2005, ARoLP has offered month-long intensive skills trainings to sitting judges who did not receive Stage training. This Foundation Training Program covers core subjects, including penal law and criminal procedure, commercial law and commercial procedure, civil law and civil procedure, and Afghan constitutional law, as well as instruction on women's issues and legal research techniques, and on the Regulation of Judicial Conduct, using course materials prepared by ARoLP.

ARoLP graduated two classes of Foundation Training participants. The first, Foundation Training 20, was held in Kabul for 31 judges -- including one woman -- from Bamyan, Daykundi, Ghazni, Kabul, Khost, Nangarhar, Paktya, Panjshir, Parwan, and Wardak Provinces. Foundation Training 21, was held at the UNODC Justice Support Center on the grounds of the Balkh



Thirty-one judges from Afghanistan's northern provinces graduated from ARoLP's 21st Foundation Training Program.

Court of Appeals in Mazar-i-Sharif. Thirty-one judges from Balkh, Faryab, Jawzjan, Samangan, Sar-i-Pul, and Takhar provinces graduated from the Mazar training. All 62 judges received copies of ARoLP's second edition Judicial Reference Set. The final two Foundation Training programs are planned for July and October 2008 to ensure that all remaining eligible judges are trained before the end of the year.

National Policy Modernizing the Enforcement of Judgments Completed

With ARoLP assistance, the Islamic Republic of Afghanistan (IRoA) completed a draft national Afghan policy on the enforcement of judgments. The Islamic Republic of Afghanistan (IRoA) will refer to the policy as it drafts a new law on the enforcement of civil judgments, replacing the current Law on Acquisition of Rights. The policy represents months of consensus-building among Afghan government stakeholders, including the Ministry of Justice, Ministry of the Interior, the Office of the President, and the judiciary at a series of three roundtables organized and funded by ARoLP. The final draft policy includes input from all and was submitted to the Ministry of Justice in June 2008 for final review. The policy clarifies the exclusive jurisdiction of the Hoqooq to enforce judgments; updates and enlarges the types of assets that can be levied against debtors; authorizes the Hoqooq to compel debtors to appear before it and provide information about their assets; authorizes the freezing and seizure of assets to satisfy court judgments; and reduces the fees charged by the Afghan government for enforcement of judgments.

First Criminal Justice Program for Judges Offered



Five judges from Herat participated in ARoLP's first criminal justice training program for judges.

ARoLP's first Criminal Justice Program for judges was offered from May 5 to 11, 2008 in Herat. In coordination with the CSTC-A's FDD training program, ARoLP will offer these concentrated, week-long programs to judges from FDD districts, while JSSP will train prosecutors from those districts. The Herat training included judges from the Adraskan (2) and Shindand (1) districts in Herat province and Bala Murghap (2) district from Badghis.

A detailed, 36-hour course outline includes seminars delivered by Afghan judges and professors on subjects such as Afghan constitutional law; general principles of penal law; private penal law; special criminal laws, such as anti-money laundering, anti-bribery and corruption, counter-narcotics, and crimes against internal and external security; police law; criminal procedure law; and principles of a fair trial. The next rounds of criminal justice trainings are tentatively scheduled to take place in Kabul in September and November for the remaining judges from all FDD districts.

Judges Put on Notice of Regulation of Judicial Conduct

Following Supreme Court adoption of the Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan, ARoLP prepared a focused training course for judges on the Regulation, consisting of a syllabus, course outline, and written materials, including lecture notes, hypothetical scenarios for discussion, and background sources. The materials have since been published in Dari and Pashto and are now available to the court and other organizations in hard-copy format and online at www.afghanistantranslation.com and on the Supreme Court's website.

Since the Regulation was adopted, 531 of Afghanistan's 1,280 sitting judges have received training on the Regulation's ethical standards in the judicial training programs and conferences supported by ARoLP, including most recently the 19th Foundation Training Program in Kunduz, the Commercial Law Training Program in Jalalabad, and the ACAS rollout training in Kabul. Of the 531 judges trained, 437 have been trained using ARoLP's focused training course. The goal is to train all sitting judges on the Regulation of Judicial Conduct by the end of September 2008.

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, to brief them on the activities of the Supreme Court over the past year, and to 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 agreed on decisions for more than 300 questions. These decisions were subsequently approved by the Supreme Court. Participants received ARoLP training materials on the Regulation of Judicial Conduct and were introduced to the new Afghan Court Administration System (ACAS).



200 jurists attended the Conference of Chief Judges.

Regulation of Judicial Conduct and Ethics

At the beginning of this quarter, Supreme Court Chief Justice Azimi announced his support for 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 and edited ARoLP's materials 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 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. 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. ARoLP will 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 prepare 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 Program for 170 Judicial Candidates Begins

The Supreme Court's one-year Stage Program began in September 2005 for 170 judicial candidates. ARoLP has provided administrative support, logistical assistance, texts of laws, and training courses on Human Rights, Commercial Law, Commercial Procedure Code, Fair Trial Practices, Juvenile Code, and Management to the Stage. With the end of the Stage's classroom component in July 2006, ARoLP's assistance to the program concluded. The judicial candidates are expected to complete the practical component of the Stage in October 2006.

Women Judges Trained in English Language and Computer Skills

To build capacity of judicial personnel to use English language and computer skills in legal research and other professional skills, ARoLP completed English language and computer trainings for 19 women judges in Kabul. The women judges received laptop computers from First Lady Laura Bush through the U.S. State Department's Under Secretary for Democracy and Global Affairs Paula Dobriansky. They also received printers and DVDs containing Afghan legal information.

National Judicial Training Needs Assessment Completed

ARoLP conducted a National Judicial Training Needs Assessment to develop a judicial training strategy for the Supreme Court and completed a National Training Needs Assessment report and Judicial Training Strategy Document. The report included a judicial training matrix prepared by ARoLP showing judicial experience, educational background, and number and type of pre-service and in-service judicial trainings attended by all judges of the courts of Afghanistan. The Supreme Court distributed the report to the international community for comment.

Judicial and Legal Training Launched

The judicial and legal training component of ARoLP was launched in mid-March with the arrival of a long-term Legal Training Specialist and the commencement of a training needs assessment.

COMPONENT 1.E SUPPORT FOR COMMERCIAL COURT REFORM

ARoLP's Commercial Court Reform Component focused on improving the quality of commercial jurisprudence. In partnership with the Supreme Court, activities included technical and other assistance to Afghan commercial court counterparts, and the Hoqooq, which plays a dispute mediation role in the provinces and also helps file civil and commercial disputes with the courts. Activities were designed to improve the quality and increase the number of sustainable judicial-training and capacity-building activities for commercial law counterparts both in and outside Kabul. ARoLP also worked to improve the English language skills of Supreme Court and Ministry of Justice professional staff to help them qualify for training opportunities abroad. Commercial court reform efforts have been hampered by the Supreme Court's reluctance to make a commercial court system a top priority.

Fourth Commercial Law Training Graduates 32



ARoLP's Saaed M. Rahi lectures to 32 judges from 11 provinces at Commercial Law training.

ARoLP's fourth Commercial Law training concluded at the Central Hotel in Kabul on March 1 with the award of Certificates of Completion to 32 judges. The training offered a comprehensive agenda of commercial law subjects, including contracts, leases, banking, corporations, partnerships, bankruptcy, arbitration, mediation, and commercial procedure. The 32 judges who completed the program represented the following 11 provinces: Balkh (3), Daykondi (2), Gazne (1), Herat (1), Jwzjn (1), Kabul (6), Konoz (6), Kunar (1) Laghman (2) Nengharhar (8) and Paktia (1).

Huqooq and the Law on Obtaining Rights Adopted

During this reporting period, a final draft of the Law on Obtaining Rights was adopted by the legal advisors and leadership of the Ministry of Justice and submitted to the Ministry of Justice Taqin Department. Once enacted by Presidential decree in the coming months as expected, this new law – which sets forth in greater detail the authorities, obligations, and practices of members and directors of the Huqooq nationwide – will enhance the mediation

and enforcement of judgments' work of those working inside the Huqooq Department of the Ministry of Justice.

Kabul Primary, Appeals Courts Hold Regular Public Hearings

One of the most important rights guaranteed Afghan citizens under Article 128 of the Afghanistan Constitution is the right to an open and public trial: “In the courts in Afghanistan, trials shall be held openly and every individual shall have the right to attend according to the law.” To make sure this right is protected, ARoLP worked with the Supreme Court and the Kabul Court of Appeals to improve the seating and layout of the Appeals Court’s hearing room, which holds approximately 200 individuals. ARoLP also installed a sound system so judges, attorneys, parties, and witnesses can be heard in the gallery.

Because of the improved conditions in the hearing room, the Court of Appeals began regularly holding open public hearings and trials during the quarter. ARoLP held meetings with Kabul’s four zonal primary courts to assist them with developing a plan for holding more open public hearings. These courts have now scheduled specific days for using the Court of Appeals hearing room for holding public hearings. Local Kabul district courts have followed the primary courts’ lead and have started holding public hearings in the Court of Appeals hearing room as well.

National Policy Modernizing Enforcement of Judgments Completed

With ARoLP assistance, the Islamic Republic of Afghanistan (IRoA) completed a draft national Afghan policy on the enforcement of judgments. The IRoA will refer to the policy as it drafts a new law on the enforcement of civil judgments, replacing the current Law on Acquisition of Rights. The policy represents months of consensus-building among Afghan government stakeholders, including the Ministry of Justice, Ministry of the Interior, the Office of the President, and the judiciary at a series of three roundtables organized and funded by ARoLP. The final draft policy includes input from all these groups and was submitted to the Ministry of Justice in June 2008 for final review. The policy clarifies the exclusive jurisdiction of the Hoqooq to enforce judgments; updates and enlarges the types of assets that can be levied against debtors; authorizes the Hoqooq to compel debtors to appear before it and provide information about their assets; authorizes the freezing and seizure of assets to satisfy court judgments; and reduces the fees charged by the Afghan government for the enforcement of judgments.

Commercial Law Trainings

Seventeen members of the Hoqooq and 31 commercial and civil court judges graduated from ARoLP’s third Commercial Law Training Program on March 19, 2008. The program, held in Jalalabad, focused on Afghan commercial law, as well as judicial ethics and legal research and included a seminar on international commercial law by ARoLP’s provincial legal education adviser and international commercial lawyer, Mark Hough. The training also included lectures on



31 judges and 17 Hoqooq members graduated from ARoLP’s Commercial Law Training Program in Jalalabad.

ACAS and the Regulation of Judicial Conduct.

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 Ministry of Justice. 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, lectured on international commercial best practices and alternative dispute resolution.

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, 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.



Participants in ARoLP's second Commercial Law Training Program in Kabul.



Participants in ARoLP's first Commercial Law Training Program.

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.

Professor Theodore Parnall and Dr. Samson Sempasa lectured on international commercial best practices and alternative dispute resolution. Professor Parnall and Dr. Sempasa will provide lectures at the ARoLP Academic Legal English Course. Dr. Sempasa will also provide four days of additional alternative dispute resolution training to Kabul-based members of the Hoqooq Department and will help create an alternative dispute resolution training manual for future use by 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 make improvements based on participant feedback and project review. ARoLP plans to implement the Commercial Law Training Program in early FY2008 for judges located in the provinces.

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 was hosted by the Philippine Supreme Court and included visits to the Supreme Court, the Sandiganbayan (Philippine Graft Court), a commercial court, the Ministry of Justice, 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.



ARoLP study tour participants included 5 judges, 2 Kabul University professors and 1 Deputy Minister of Justice.

COMPONENT 2: LAW REFORM AND LEGISLATIVE DRAFTING

The Law Reform and Legislative Drafting Component's primary objectives were to improve the Afghan legal community's access to laws and legal information, and to strengthen the legislative process. Early in the project, ARoLP recognized that the Ministry of Justice required basic assistance in legislative drafting and review. Training for the *Taqnin* (the Ministry's legislative drafting department) on statutory interpretation, conflict of laws and legal research methods were accompanied by the development of a 60-page manual, along with 3-day-per-week English language classes with supporting materials. ARoLP's work with legislative drafting initiatives extended from two 10-week workshops for the Ministry of Justice to the Afghan Parliament in 2007, with Parliamentarians attending two nine-week seminars, held cooperation with the USAID-funded Afghanistan Parliamentary Assistance Project. In addition to strengthening legislative process through legislative drafting and review, ARoLP worked to improve access to laws by assisting the Ministry of Justice in compiling, codifying and distributing laws and legal information through print and electronic formats. In four years, ARoLP collected all laws of the Official Gazette from 1964 to present – more than 30,000 pages which were typed, proofread and formatted for publication in hard-copy, DVD, and an electronic database via the Ministry of Justice's website, which today the Ministry of Justice IT staff maintains. While the Official Gazette project culminated in 100 sets of 170 published volumes distributed in 2009, the digitization of these laws enabled staff to create a first, second and third set of civil, criminal and commercial codes and other laws, with each set improved by amendments, new title/volume organization, and indexing. The Basic Legal Texts with 3,335 sets published and 1,000 copies of its supplement, and later the Judicial Reference Set (1st and 2nd edition) with 4,100 sets published, were distributed to the Ministry of Justice and Taqnin, as well as all law faculties and the Supreme Court and to 1,300 judges in all 34 Afghan provinces. In addition to publishing and organizing laws, from 2008-2009, ARoLP created its own content – a Dari-Pashto Legal dictionary, a Legal Research Manual and a volume of Supreme Court decisions. The project distributed 4,000 dictionaries, 4,000 research manuals and 1000 volumes of the court decisions to judges, government ministries, law schools and Afghan attorneys throughout the country. The Official Gazette and other training materials were also made available on DVD, with more than 3,000 copies distributed in four years. In 2008, ARoLP took steps to ensure access to legal information would be easier for legal practitioners from university, government and

non-governmental organizations with the creation of the 5,000-volume law library at the Independent National Legal Training Center. The law library opened in August 2008, averaging more than 750 patrons per month, who take advantage of the country's most complete collection of Afghan and international primary and secondary source legal collection, with assistance from a professionally-trained library staff.

The Law Reform and Legislative Drafting component has focused on not only publishing and distribution of legal materials, but also training users how to find and search for legal information to improve their work product. In 2006, ARoLP conducted training for 42 members of the Taqin with a ten-session Introduction to Legislative Drafting course that focused on statutory interpretation and research. Thirty-two legislative staff members of the Afghan Parliament were later provided the opportunity to attend this course, conducted for them over two 10-week seminars. In addition to legislative drafting training and review, Taqin members from 2005-2007 also took advantage of English-language discussions offered three days per week by the project's Senior Attorney/Legislative Drafting Specialist, in which up to 12 Taqin members generally attended. In 2007, 11 female members of Afghanistan's National Assembly completed an ARoLP intensive training workshop that was taught in conjunction with UNIFEM. A year later, five senior Afghan legislative drafters, including two women, participated in ten days of intensive training with the International Law Institute in Washington, DC on an ARoLP study tour. Their training included coursework on issues such as principles of legislative drafting and legislative language, implementing treaties through domestic legislation, and drafting legislative forms. Once ARoLP's library staff was hired in early 2008, the project began incorporating legal research training into instruction requested by other project components or outside organizations, such as the U.S. military. The library staff has conducted legal research training for judges participating in Judicial Foundation training, as well as judges and others attending ACAS training sessions in Kabul from provinces primarily in central and southern Afghanistan. In fall 2008, the library staff conducted a day-long class for 11 Afghan attorney advisors from Kabul and Baghram working with the US military, and in 2009, the library staff began training INLTC instructors and their assistants, with future training planned for the center's 240 Stage students through June 2009. The library staff continues its legal research instruction daily for patrons using the library, as part of its mission to provide reference services.

Publication and Distribution of New Legal Materials

With the launch of the Dari-Pashto Legal Dictionary, the completion of a Dari-Pashto Legal Research Manual, and republication of the Official Gazette, ARoLP continues to make thousands of volumes of laws and legal reference materials available to the legal community in Kabul and in each of the 34 Afghan provinces. In March, the project distributed a record 10,000 individual hard-copies of laws and legal reference materials, with several thousand more to be distributed through the project's completion in May.

In February, ARoLP introduced the first dictionary of Dari and Pashto legal terminology published in Afghanistan in 38 years. The dictionary improved upon the 1972 text, including for the first time cross-referenced terms in both Dari and Pashto languages. Six Kabul University law faculty professors who selected and wrote terms of art covering civil, criminal, and commercial areas of law as well as other legal subject areas produced the dictionary over an 18-month period. The terms were reviewed by Supreme Court and Ministry of Justice representatives who edited and corrected them for substance. In addition,

two linguists from Kabul University contributed grammatical and stylistic improvements. ARoLP staff managed the project, proofreading and technically composing the dictionary's format and page graphics. Of the 4,000 copies published, ARoLP has distributed 3,046 through the end of April. By the end of April 2009, all Judges from the Supreme Court, Kabul, and all provinces will have received a copy, as well as all Law Faculty professors. Other recipients of multiple copies to date have included the Afghan Bar Association, UNDP's provincial Justice Support Centers, and both houses of the Afghan Parliament, whose members requested and were presented with 402 copies - one for each member, plus administrative offices and the Parliament library.

Other recent ARoLP publications include the republication of all laws of Afghanistan since 1964. ARoLP staff typed, proofread, and digitally formatted more than 30,000 pages of the *Official Gazette, completing a four-year process in cooperation with the Ministry of Justice*. In addition, ARoLP staff procured older laws from sources outside the Ministry of Justice, scanning copies from the Afghan National Archives, the Kabul Public Library, and the Academy of Sciences library. The updated Official Gazette set is 170 volumes in Dari and Pashto languages; the project published 100 sets. Both hard-copy and electronic copies of the Official Gazette were presented to Minister of Justice Sarwar Danish, making this version the most complete set that the Ministry has had in its possession. Sets were also distributed to all provincial courthouses; law faculties in Herat, Khost, Nangarhar, Kapisa, Balkh, and Kabul; the Afghan Bar Association; and the International Legal Foundation-Afghanistan.

The INLTC law library staff completed writing what is considered the first Legal Research Manual published in Afghanistan in 30 years or more. The manual walks readers through legal research using hard copy and electronic sources, and gives a brief overview on updating laws. The library staff has already incorporated this manual into their legal research instruction using the law library's computer lab, whose equipment and Internet access was provided by ARoLP. In March, the staff taught a half-day workshop to new instructors who teach Attorney General and Ministry of Justice Stage classes at the INLTC. This class was a first for these instructors, as Afghan law schools do not yet include legal research as part of their curriculum. ARoLP has distributed 950 Legal Research Manuals to judges, law faculties, government legal professionals, and libraries throughout Afghanistan.

New Law Library Opens at Independent National Legal Training Center

After more than 10 months of preparation, the new law library at the INLTC opened its doors on August 27, 2008. For the first time, Afghanistan's legal community has access to the country's most comprehensive collection of Afghan, foreign, and international laws. Designed and developed by ARoLP, the new law library houses all of Afghanistan's laws in both Dari and Pashto, as well as 3,100 legal texts and international legal materials from Egypt, France, Pakistan, the European Union, and the United States. The law library's collection also includes magazines, journals, and newspapers from the Supreme Court, Ministry of Justice, and Parliament. The library will eventually house more than 5,000 legal volumes and will become Afghanistan's first depository library where future laws and legal materials will be available and preserved in one place.

At the library's opening, remarks were made by INLTC Executive Director Wadir Safi; Ministry of Justice Deputy Minister Hashamzai; Judge Piero Spera, from the Italian Justice Sector Project; and Jose Garzon, USAID's Democracy and Governance Director. All four cut the ceremonial ribbon officially opening the library, and then toured the library and its computer lab with 100 other guests from government ministries and libraries, Kabul University, and donor organizations. At the opening ceremony, Mr. Garzon called the library's opening "a tremendous milestone" in the development of the justice sector in Afghanistan.



USAID's Jose Garzon and INLTC Executive Director Dr. Wadir Safi officially open the INLTC Law Library.



Interior of the INLTC Law Library's main floor.

The library can accommodate up to 75 patrons. Its space includes a reference desk, study tables, chairs, shelves, and a second-floor office that houses the library's archival and technical services units. Patrons have access to 11 computer terminals that have been pre-loaded with the digital version of the Official Gazette, which contains all Afghan laws and regulations promulgated since 1964, and to the INLTC Law Library's catalog and the Internet.

The library's trained staff members are developing an integrated automation system that includes an electronic library catalog, searchable in both Dari and Pashto languages; a check-in and check-out circulation tracking system; and a monograph and serials bar-coding system. The web-based INLTC Law Library catalog will be online so other Afghan and international libraries can search the library's holdings and request materials, the first step toward a national inter-library loan system in Afghanistan.

The library staff will also teach a legal research course to INLTC students and other library members. Staff have already taught legal research for the project's other activities such as Foundation training; materials used for this course will be available on the library's website. By the end of September, the library had registered 218 members, including students from the INLTC, students and teachers of law and Sharia faculties, staff from government ministries, attorneys, and other legal professionals, and international donors. Approximately 35 to 50 patrons per day use the library to study and access its collection.

Afghan Legislative Drafters Receive Intensive Training in Washington, D.C.



6 Afghan legislative-drafters participated in a ten-day study tour to Washington, D.C.

From June 16 to 27, 2008, five senior Afghan legislative drafters, including two women, participated in ten days of intensive training with the International Law Institute in Washington, DC on an ARoLP study tour. Their training included coursework on issues such as principles of legislative drafting and legislative language, implementing treaties through domestic legislation, and drafting legislative forms.

ARoLP followed class lessons with meetings on Capitol Hill with Dr. Allan Burman, former administrator of the U.S. Office of Federal Procurement Policy; Douglas Bellis of the Congressional Office of Legislative Counsel; Frank Burke, former head of the Senate Office of Legislative Counsel; and with the Office of the Federal Register, which provides public access to official texts of federal laws, presidential documents and administrative regulations and notices. The Afghan delegation also met with representatives from the offices of Representatives Betty McCollum (D-MN), Steve Israel (D-NY), and Sheila Jackson Lee (D-TX), who co-chairs the Congressional U.S.-Afghan caucus.

Legal Research Trainings Included in ARoLP Judicial Trainings

New legal research trainings led by the library staff of the Independent National Legal Training Center law library have now become an integral part of ARoLP's trainings for judges across the country. In April, INLTC law librarians conducted a legal research training workshop for judges from Helmand, Kandahar, Uruzgan, and Zabul provinces attending ACAS training sessions in Kabul. A similar training was held for judges from Bamyan, Daykundi, Ghazni, Kabul, Khost, Nangarhar, Paktya, Panjshir, Parwan, and Wardak Provinces in Kabul for ARoLP's 20th Foundation Training Program in May. The course included hands-on legal research techniques using print and web Afghan legal resources, such as the Official Gazette, the Ministry of Justice and Supreme Court websites, and ARoLP's online collection of laws and regulations, www.afghanistantranslation.com.

Afghan Laws Are Now Full-Text Searchable Online



The Ministry of Justice's new online searchable legal database.

For the first time, Afghan laws are available to legal researchers via ARoLP's new full-text searchable online database, launched on February 21, 2008. The database includes all 20,000 pages of Afghanistan's 86-volume Official Gazette which contains all laws passed in Afghanistan since 1964. All 920 issues are now full-text searchable online for the first time, at www.Ministry of Justice-research.gov.af. The

database was introduced at a program that included remarks and congratulations from Ministry of Justice Deputy Minister Adalatkhah

and a demonstration by ARoLP staff offering instruction in searching Afghanistan's laws in Dari and Pashto by Official Gazette number, title, word, phrase or date. Future improvements to the online database include adding an advanced search form where users can search by subject, amendment, or regime. An English version of the database search form is also in production, and new content, such as the *Osol Namas* and *Nezamnamas* -- laws passed prior to the Official Gazette's first publication in 1964 -- will be added by summer 2008.

Complete Official Gazette Available in Digital Format

After three and a half years of work, the USAID-funded Afghanistan Rule of Law Project has converted Afghanistan's Official Gazette into electronic format. For the first time, all Afghan laws, decrees, and regulations contained in the Official



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

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

ARoLP Completes Training of Women Parliamentarians in Legislation Review



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

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 the women will make later this year.

Publication of Second Edition of Judicial Reference Set

Three thousand 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 redesigned 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 recently introduced regulation of Judicial Conduct. The second edition of the JRS 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 reformatted 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 enables users to locate laws faster and easier in the Judicial Reference Set's 17 volumes.



The 1st edition of the Judicial Reference Set is delivered to judges and government officials in Kandahar province by the Canadian Joint Task Force.

The Legislative System of Afghanistan and its Current Challenges Conference

The *Legislative System of Afghanistan and its Current Challenges* conference brought together stakeholders from the government, private sector, and international donors to discuss the roles of these organizations in the development of a legislative agenda. It served as a starting point for dialogue and cooperation among key government agencies directly involved in the legislative process and the setting of a legislative agenda for the Government of Afghanistan. Over 180 people from government agencies, non-governmental and international organizations took part in the Conference. Speakers included the second Vice President, the Minister of Justice, presidential advisors, USAID and AROLP. Following group discussion, the Ministry of Justice issued a preliminary six-month agenda for the first time since 1993. Nine laws on this agenda were reviewed and sent by the Taqin Department to the Office of Administrative Affairs of the President; five were signed into law and the remainder were sent on to the National Assembly for further consideration. A new agenda is being developed for next year; AROLP advisors will play a role in the development of this agenda.

Legislative Drafting Training



Training on electronic legal research using AROLP's legal information DVD.

In November and December 2006, AROLP conducted an “Introduction to Legislative Drafting” training workshop for staff of the National Assembly and the Independent Electoral Commission in cooperation with the Afghanistan Parliamentary Assistance Project (APAP/SUNY). The workshop offered a thorough introduction to the concepts, theory, methodology, and processes of legislative drafting, and is intended to be the first of a series of legislative drafting training workshops, the second of which will focus more on

practical legislative drafting skills.

The subjects discussed in this workshop included topics such as “Understanding the problem to be solved by the legislation;” “Communicating with the proponent of the legislation in order to facilitate a better draft and drafting process;” “Understanding the persons (stakeholders) and agencies (implementers) involved;” “Statutory interpretation in the U.S. and Afghanistan;” and “Comparative legislative processes in the U.S. and Afghanistan.”

ARoLP Finalizes and Distributes Supplement to the Basic Legal Texts

With 4,000 sets of the 1st and 2nd editions of the Basic Legal Texts distributed across Afghanistan, AROLP has updated the laws contained in these sets and produced 1,600 sets of a Supplement which updates those laws printed in the 1st and 2nd editions. This will give the Basic Legal Texts sustainability into 2007.

Legislative Drafting Course

To improve the capacity within the Ministry of Justice (MoJ) to draft and review legislation, AROLP and the Ministry’s Legislative Drafting Department (the Taqin) agreed to AROLP training for 42 of the department’s professional drafters, starting with a ten-session

Introduction to Legislative Drafting course. This course took place in July 2006; all participants successfully completed the course, which included lessons on statutory interpretation, conflict of laws, and legal research methods. The Minister of Justice, attending the closing ceremony, called the course a first step in professionalizing Afghanistan's legislative drafters.

Ministry of Justice Website

The initial work on the Ministry of Justice website was undertaken by BearingPoint under a contract with USAID and then transferred to ARoLP. In this quarter, ARoLP met with the Minister and other Ministry of Justice officials on the contents and launching of the Ministry of Justice's website. The Project revised the format of the website and collected and translated documents from the Ministry of Justice for inclusion. The website was officially launched in a ceremony at the Ministry of Justice. ARoLP's support to update and further refine the site will continue over the life of the Project.

COMPONENT 3: ACCESS TO JUSTICE/INFORMAL SECTOR

Access to justice and the linkage between the formal and informal justice sectors are essential to improving the rule of law in Afghanistan. In order for Afghan citizens to have better access to justice and for the relationship between the formal and informal justice sectors to improve, citizens need to know their legal rights and responsibilities and where they can go to resolve legal disputes. There also have to be systems in place to resolve these disputes. ARoLP's Access to Justice/Informal Sector Component has developed and mounted national and provincial public outreach campaigns to educate Afghans on their legal rights and responsibilities under the Constitution of Afghanistan. The project's outreach strategy included public awareness activities and civic education initiatives carried out in conjunction with national and international organizations working in the same areas. National mass-media campaigns have aired video and radio dramas, cartoons, talk shows, and quiz shows in Dari and Pashto. The project has produced over 1,000 minutes of audiovisual legal awareness materials on the basic legal rights of citizens, women's rights under Islam, human rights, the positive and negative aspects of informal justice, and the Afghan judicial system. ARoLP has printed and disseminated 22,037 copies of the Afghan Constitution, 458,637 comic book sets, 140,119 Dari and Pashto pamphlets, and 82,834 bumper stickers bearing legal awareness messages. Many of these printed materials were distributed with the help of other USAID-funded provincial reconstruction teams (PRT's), the Afghan Civil Society Forum (ACSF), and the Ministry of Justice.

ARoLP has established 34 Community Cultural Centers in the provinces of Maidan-Wardak, Parwan, Kapisa, Kunduz, Baghlan, and Panjshir. Volunteers in each Center build important linkages between Afghanistan's informal and formal justice sectors and the Afghan people through public education campaigns informing Afghans of their legal rights and how to press for those legal rights in the informal and formal justice sectors. Using a variety of public outreach media including comic books, pamphlets, bumper stickers, and audio and video CDs, the centers disseminate outreach messages and materials focused on access to justice, particularly for women and children, to schools, health clinics, local shuras, police stations, Hoqooq offices, and NGOs.

While the informal sector plays a critical role in providing a venue for dispute resolution, it can often overstep appropriate bounds. The informal sector can settle many every day disputes more efficiently and effectively than the formal sector and this should be encouraged. A national policy, developed by the Ministry of Justice and endorsed by the Council of Ministers is the first step toward ensuring that informal justice plays a positive role in developing Afghanistan's justice system. ARoLP assumed the lead in drafting guidelines for a national policy on state relations with informal justice mechanisms in Afghanistan and in May 2009 presented a progress report to the National Policy Working Group whose members include the Deputy Minister of Justice and representatives from the Supreme Court, the Afghanistan Independent Human Rights Commission, ARoLP, UNIFEM, UNAMA, DFID, USIP, and IDLO. ARoLP's progress report laid out guiding principles for a national informal justice policy which encourages use of the formal justice system while recognizing the importance of resolving disputes through traditional justice dispute resolution mechanisms at the community level.

Legal Aid An effective and sustainable approach to providing legal defense for indigent criminal defendants is not only a constitutionally-mandated guarantee but a key component of recovery in the Afghan justice sector. ARoLP has worked closely with the Ministry of Justice to support establishment of Ministry offices in at least eight provinces and Independent Legal Aid Board services through the Secretariat. ARoLP provided technical assistance to the Ministry of Justice in areas in which the Government of Afghanistan must focus to ensure uniform delivery of legal aid services throughout Afghanistan. ARoLP has overseen the subcontract to the International Legal Foundation to ensure consistent and high quality legal services. With Project support and assistance, ILF has opened Legal Aid offices in 13 provinces (six supported by ARoLP) and provides legal services in 17 provinces, and has provided vital legal services to more than 9,000 indigent clients, oftentimes women and children. The Legal Aid Component has also worked closely with ARoLP's Legal Education Advisors to design clinical legal education programs at Afghan Law and Sharia Faculties, laying the groundwork to establish clinics that will provide thousands of students with practical legal skills.

34th Community Cultural Center Opened in Kunduz Province

ARoLP inaugurated its 34th Community Cultural Center in Kunduz province, expanding rule of law public outreach activities in the north of Afghanistan. The Center's male and female volunteers provide community and cultural services to youth and adults throughout the province. ARoLP trained core staff on public and media outreach, legal referral, human rights, and principles of fair trial, and provided the Center with digital equipment such as a



Distribution of ARoLP comic books, pamphlets, stickers, pocket constitutions, and CDs to Kunduz Community Cultural Center.

computer, printer, scanner, projector, screen, and digital camera. ARoLP also provided the Center with comic books, pamphlets, bumper stickers and audio and video CDs for distribution at outreach activities. During the quarter, ARoLP distributed 548,622 comic books, 59,600 bumper stickers, 443,100 pamphlets, 1,214 CDs, and 2,000 copies of a pocket version of the Afghan Constitution to Kabul, Kandahar, Badghis, Herat, Baghlan, Bamyán, Paktia, Kunduz, Sare-e-Pul, Helmand, Ghore, Nangarhar, Balkh, Ghazni provinces.

Developing an Informal Justice Policy



National Informal Justice Policy Working Group meets at Ministry of Justice.

ARoLP has taken a lead in drafting guidelines for a national policy on state relations with informal justice mechanisms in Afghanistan. On April 12, ARoLP presented a progress report to the National Informal Justice Policy Working Group whose members include the Deputy Minister of Justice and representatives from the Supreme Court, the Afghanistan Independent Human Rights Commission, ARoLP, UNIFEM, UNAMA, DFID, the United States Institute of Peace, and the

International Development Law Organization. The report laid out guiding principles for a national informal justice policy which encourages use of the formal justice system while recognizing the importance of resolving disputes through traditional justice dispute resolution mechanisms at the community level. Under the leadership of the Ministry of Justice, the Working Group will begin drafting the Afghanistan Informal Justice Policy on May 12. Draft policies will be shared with a task force comprised of national and internal stakeholders whose feedback will inform ongoing work.

Earlier in the quarter, ARoLP attended a coordination meeting at the Ministry of Justice with international donors including UNIFEM, UNAMA, USIP, JSSP, DFID and the Deputy Minister of Justice Mr. Hashemzai to discuss development of a Traditional Dispute Resolution (TDR) mechanisms policy. In a separate meeting at the US Embassy-Kabul with INL, USIP and JSSP, the project discussed technical aspects of the TDR policy development process.

In support of a comprehensive and inclusive TDR policy which will be drafted by the Ministry of Justice with technical help from international donors, ARoLP launched a pilot informal justice survey in Jalalabad and Parwan provinces to gather information on linkages between formal and informal justice systems, including which laws are applied by informal practices and human rights issues in informal justice decisions. ARoLP will launch a countrywide survey in the follow-on project to further inform the TDR policy. In support of the Minister of Justice's request to hire an Afghan national TDR consultant and a consultant assistant, ARoLP announced these two positions and hired the TDR consultant assistant. ARoLP will hire the consultant as soon as a qualified candidate is identified. The Afghan national traditional justice dispute resolution consultant will partner with a UNIFEM international consultant to help the Ministry of Justice draft its national informal justice policy.

Independent Legal Aid Board Established

In late 2008, the Afghan government's legal aid efforts were moved from a small group at the Supreme Court to the Ministry of Justice as a result of the newly passed Advocates Law. Early this quarter, the Ministry of Justice established the Independent Legal Aid Board which is tasked to coordinate the work of government legal advocates and NGOs in the delivery of legal aid services. The Board is responsible for the implementation of policies and

procedures that affect all legal aid providers in Afghanistan. ARoLP supported the formation of the Board and agreed to provide technical assistance, including assistance in redrafting the Legal Aid Board regulations, a comprehensive set of policies designed to standardize the provision of legal aid and indigent defense services in Afghanistan. ARoLP's Legal Aid Advisor met with the Board on a weekly basis to discuss the structure and language of regulations that will govern and support legal aid practitioners in Afghanistan. The Legal Aid Advisor has also surveyed the activities of NGOs and made recommendations to both the Ministry of Justice and Board regarding areas on which the government should focus to ensure uniform delivery of legal aid services in Afghanistan, especially in remote areas where it is difficult for persons charged with a crime to find criminal defense representation.

In February 2009, ARoLP signed a memorandum of understanding with the Independent Legal Aid Board agreeing to support the Board's office of the Secretariat. The Secretariat will support the Board in an administrative capacity and will propose policies, procedures, and regulations for the Board's approval, and will act as liaison with other NGO-based legal aid providers, donors, and the private bar.



ARoLP established a new community cultural center in Baghlan province.

Community Cultural Center Established in Baghlan Province

ARoLP expanded its public outreach activities in the north of Afghanistan with the opening of a 34th Community Cultural Center in Baghlan province. The project outreach team traveled to Baghlan province and met with provincial authorities including the provincial deputy governor and appeals

court chief judge to present the ARoLP community public legal awareness plan. The team also met with independent community leaders including elders and educated community activists to discuss the use of the Community Cultural Center. The project identified and specified a strong team of community leaders, opinion leaders, and educated individuals who volunteered to run a community cultural center. ARoLP provided the center with digital equipment such as a computer, projector, screen, printer, scanner, loudspeakers, an amplifier, and a 100 KW generator to facilitate power for public outreach activities. The Center's staff was trained by ARoLP's outreach team on public outreach and computer skills. Training on legal referral skills to help communities access justice will be held in February 2009.

Developing Legal Aid Services for Indigents

During this quarter, ARoLP contributed to a series of weekly meetings to coordinate the efforts of international partners interested in the development of legal aid services for indigents. This is an active time for those in the international community who are working with the Legal Aid Department at the Ministry of Justice, as the Independent Legal Aid Board has held its inaugural meeting and adopted new bylaws to direct its operations, and the Secretariat employees charged with the responsibility of administering the policies and directives of the Board are expected to start work early in 2009.

Legal Aid Contract Completed with International Legal Foundation

Core support for five ILF-A offices through ARoLP's subcontract with the International Legal Foundation (ILF) ended this quarter. Since May 2008 when ILF signed a subcontract

with ARoLP to provide legal aid services in Badghis, Baghlan, Bamyan, Sar-i-Pul, and Paktya provinces, ILF-A has represented 250 clients, obtaining a total of 35 acquittals and 84 non-custodial sentences. In one case, ILF-A was able to reverse the conviction of a woman in Baghlan who had been sentenced to 15 years in prison for a murder committed by her son. In Badghis, the case against an ILF-A client charged with theft after he was caught gathering pistachios to feed his destitute family was dismissed after ILF-A's lawyer found that a law issued by the Ministry of Agriculture permitted such gathering of fruit and nuts. Through December 2008, ARoLP will continue to offer support to ILF-A to install Internet communications equipment in all of its new offices and secure vehicles for offices in Baghlan, Bamyan, and Paktya. ILF-A will use some of the remaining funds from the subcontract with ARoLP to open an office in Helmand, the first legal aid office in the province. Going into the new year, ILF-A has secured funding from CIDA and the German Foreign Office through the end of 2009 for the five offices it opened under its subcontract with ARoLP.

ARoLP Carries Out Massive Public Outreach Campaign to Centers

During the quarter, ARoLP printed and began distributing 164,000 comic book sets; 64,000 pamphlets; 32,000 bumper stickers; and 16,000 CDs to 32 ARoLP-supported Community Cultural Centers in four provinces, who in turn distributed these materials at elementary schools and at community events.

International Legal Foundation to Open New Offices with ARoLP Assistance



Bismillah Gul (l) was released after being detained illegally for seven months in Paktya prison with help from his defense attorney, Ashraf Stanikzai, (r), who works for the International Legal Foundation.

With ARoLP assistance, the International Legal Foundation (ILF), a not-for-profit legal aid organization, opened offices in Paktya and Baghlan provinces and will soon open legal-aid offices in Farah, Baghdis and Sar-i-pul. Under its subcontract with ILF, ARoLP will provide ILF's five new offices with financial and technical assistance until August 2008. ILF's new offices have already met with success: Within three days of opening its doors in Paktya, ILF obtained the release of one detainee who had been held in Paktya prison without charge for over seven months. Through the cooperation of prosecutors, judges and prisons officials and ILF defense counsel, the criminal charges against the prisoner were immediately dismissed, his case was closed and he was released to go home to his wife and family.

Supreme Court and Ministry of Justice Receive Public Outreach Assistance

Public outreach teams at the Supreme Court and the Ministry of Justice received outreach materials and training during the quarter. ARoLP delivered a computer, projector, projection screen, amplifiers, cameras, and generators to the Ministry of



The Ministry of Justice received new digital equipment and training.

Justice during a ceremony attended by the Deputy Minister of Justice. ARoLP bought and delivered similar equipment to the Supreme Court's public outreach team, including televisions, CD and DVD players, a photocopier, microphones, and other digital equipment for producing and distributing information on the Afghan court system.



The Supreme Court's new digital equipment.

At the Supreme Court, ARoLP carried out 20 days of training in public outreach skills and in the use of their new digital equipment. The Court's public outreach team learned how to shape and broadcast civic education messages and how to integrate their new computers, cameras, projectors, and other equipment in their outreach efforts. A similar training for the Ministry of Justice will begin in April.

75,000 Comic Book Sets Delivered to Schools in Kandahar

ARoLP printed and distributed 75,000 comic book sets with legal awareness messages for 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 broadcast ARoLP television and radio spots as part of the campaign. An additional 25,000 comic book sets were printed for distribution by 32 ARoLP-supported Community Cultural Centers in Kapisa, Panjshir, Parwan, and Wardak provinces.



75,000 ARoLP comic book sets are distributed in Kandahar province.

Draft Informal Justice Policy Statement Reviewed by Government

At the Ministry of Justice's request, ARoLP drafted a national policy on informal justice in late FY2007. The goal is to present the Ministry of Justice 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. Once the Ministry of Justice has reviewed ARoLP's draft policy statement, ARoLP will discuss the statement with formal and informal justice sector stakeholders in the provinces. Their feedback will be incorporated into ARoLP's final policy recommendations and presented to the government in 2008.

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 opens its 32nd Community Cultural Center in Panjshir province.

The new Centers will facilitate community discussions and public events to promote the rule of law in remote communities. Public outreach teams were provided legal awareness materials and digital equipment to implement outreach activities in more remote districts and villages. Center personnel are trained in community legal-awareness techniques, civic education, legal referral, and computer skills.

Training on Justice Sector Reporting for Provincial Journalists

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

Public Awareness and Education Programs

During this quarter, ARoLP moved from research of the informal justice sector to implementation of public awareness and education programs.

- Legal awareness comic books were published by the USAID-funded Afghan Governance and Legal Reform Project and transferred to ARoLP for distribution. During this quarter, distribution of 28,900 comic books was completed.
- As a legal awareness initiative, the Project prints and distributes copies of Afghanistan's Constitution. In this quarter, 3,000 copies of the Constitution were printed and 500 copies were distributed to communities through US-PRTs.
- ARoLP entered into a subcontract with Equal Access to develop and broadcast legal awareness radio dramas. This activity will develop 18 radio dramas for broadcast to communities in Parwan, Kapisa, and Surobi/Kabul through satellite radio. A content advisory committee was formed with representatives from ARoLP, Equal Access, and the Supreme Court to identify themes for 18 legal awareness episodes. To date, the scripts for three of 18 programs have been prepared and the first script has been produced and aired.
- Radio Television Afghanistan (RTA) and ARoLP agreed to a joint effort to conduct a legal awareness quiz show. ARoLP developed contents/questions, agenda, venue, and

other programmatic and logistic requirements. The show was conducted in the studio of RTA where hundreds of people attended, including students and Professors of the Law and Sharia faculties, and was broadcast through the RTA and Afghanistan Educational Radio and TV.

Research on Afghan Informal Justice Sector

In previous quarters, ARoLP conducted research in several provinces on the relationships of the formal and informal justice systems of Afghanistan. In this quarter, the report on this research was completed and submitted to USAID. Project staff traveled to Bamyan and Kunduz provinces to interview provincial and district judicial personnel, village and district shura, clients of the primary courts, community leaders, members of the elders' and religious scholars councils, women's affairs office, UN-Habitat, and governmental organizations to study the relationships of both formal and informal justice systems in Afghan communities. ARoLP also met with individuals from the urban shuras of Kabul, elders of Nooristan Province, Norwegian Refugee Council (NRC), and others in Kabul to collect information on informal dispute resolution mechanisms, their current relationship with the formal court system and possible linkages that can be built between the two systems to improve justice in Afghanistan. Among the primary recommendations of the researchers was the design and implementation of legal awareness initiatives in both rural and urban communities.

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

The goal of ARoLP's Women's Rights under Islam program was to enable both women and men to understand and think critically about the customs, traditions, and practices that are currently justified by using narrow, repressive interpretations of Islamic norms that are unjust and degrading to women. The program has created a space for public discourse and dialogue among religious scholars (moderate and conservatives) and civil society and women's rights activists. The program has held more than 120 public discussions, roundtables, and seminars in 23 provinces across Afghanistan. These events include public discussions; high school teachers' seminars; district-level public discourses; seminars for graduate students of Law, Sharia, and Journalism; public discussions on domestic violence and children's rights; and interactive sessions at village levels with government officials, religious and legal experts, civil society representatives, and other local opinion leaders.

Achievements of ARoLP's Women's Rights under Islam Program's include:

- 31 public discussions on women's rights under Islam with local religious experts, government officials, and civil rights representatives;
- 7 seminars for graduate students of Law, Sharia, and Journalism;
- 7 high school teachers' seminars;
- 44 district-level public discourses;
- 34 radio roundtables;
- 12 television roundtables;
- 47 airings of public service spots on radio and television;
- 22 training seminars for judges attending ACAS trainings ;
- 1 human rights and legal aid assessment;
- 1 legal empowerment and women's access to justice campaign;
- 1 survey of women in Islam
- 1 month-long access to justice campaign in Nangarhar Province;

- 1 month-long access to justice campaign in Baghlan Province;
- Publication /production and distribution of:
 - 500 booklets bearing women’s rights messages
 - 500 training manuals on women’s rights under Islam
 - 60,000 pamphlets
 - 22,000 wall and pocket calendars (for years 1386 and 1387)
 - 55,000 school bags
 - 42,000 canvas bags
 - 8,500 posters and stickers
 - 19,000 pens imprinted with women’s rights messages
 - 10,000 newsletters
 - 10,000 brochures.

Women’s Access to Justice Campaigns Launched In Nangarhar and Baghlan Provinces

ARoLP’s Women’s Rights under Islam program mounted a comprehensive campaign in Nangarhar province to raise awareness of women’s right to access justice and to dispel misperceptions associated with women’s right to file cases with the formal court system. The first campaign was conducted in Nangarhar province in January and February, covering 21 districts in addition to Jalalabad city. The campaign only covered districts which had court facilities, with the exception of Behsood district which is covered by the closest urban court. Before the campaign was launched, ARoLP’s ACAS program determined the number of women plaintiffs in each districts, and learned that between March 2008 and January 2009, 57 women had registered as plaintiffs in all 21 district court facilities.



Local Shura members in Bati Kot district of Nangarhar province promote ARoLP’s Women’s Access to Justice campaign.

Campaign messages were broadcast throughout the province via radio and television programs which aired public service announcements and spots highlighting women’s rights to access justice, women’s equal rights before the court, and women’s right to inheritance and to own property. A total of 208 minutes of airtime was dedicated to campaign messages through radio and television channels such as Ariana, RTA, Killid Radio, Sharq Television and Radio, and Radio Nargis and Muram.



Local men read message affirming women’s right to access justice on ARoLP poster.

A women’s access to justice campaign was launched in Baghlan province in March in partnership with ARoLP-supported Community Cultural Centers in all 14 districts of the province as well as in the capital, Pul-e-Khumri. The campaign reached out to women, men, and school children with affirmative messages such as "Access to justice is the right of every man and woman." Campaign messages were broadcast in local media and on posters, shopping bags, and school bags, as well as on other items that get frequent public use. ARoLP utilized a

total of 185 minutes of airtime on media outlets in Baghlan province to reach residents across the province with campaign messages. Mr. Naseem Sahar, deputy principal of Khatam al Anbia boys' high school in Pul-e-Khumri commended AROLP, saying "Your campaign is effective in reaching young and old and literate and illiterate." In Tala wa Barfak district, Mr. Emam Ali, head of the local Shura, welcomed the campaign's approach to educating people about women's rights, promising that "every family in our district will hear about women's right to access justice" at the Shura's weekly meetings.

114,500 materials containing women's rights messages were distributed in Pul-e-Khumri and 14 districts of Baghlan province, including 30,000 school bags (including pen, pencil, notebook, pencil sharpener, and eraser), 12,000 canvas bags, 20,000 pamphlets, 500 posters, 2,000 stickers, and 50,000 comic books.

Afghanistan Independent Human Rights Commission Opens Audio Recording Center

With support from AROLP, the Afghanistan Independent Human Rights Commission opened a new recording studio to independently produce and disseminate human rights programming for national distribution. The audio/visual recording facility enables the Commission to develop and air human rights awareness messages on local, regional, and national issues. At the opening ceremony, AIHRC Commissioner Nader Nadery said that the studio can compete with all radio stations in Afghanistan except for national radio. Topics addressed include thematic issues and region-specific issues such as basic human rights, women's rights, torture, human trafficking, and child rape. The Commission tailors programs for specific localities and develops programs on generic issues, as well.

Public Discourse on Women's Right to Divorce

The Women's Rights under Islam program held its final public discourse on women's rights to divorce from an Islamic perspective on January 10 in Kabul. Participants included AROLP's consultative group members, civil society representatives, and religious scholars. Divorce is a controversial issue that is rarely discussed in public. Some scholars and members of civil society believe if the issue is talked about, more women will seek divorce. While some conservative scholars states that it is a man's God-given right to dissolve his marriage at any time without any reason, the majority of participants argued that unity of the family is a priority for the sake of children and that divorce is always the last choice after exhaustion of all possible means of reconciliation.

At the conclusion of the discussion, participants thanked AROLP for facilitating important dialogues on women's rights issues among liberal and conservative scholars over the past two years. Abdul Ahad Muslim, Vice President of Administrative Affairs at the Education University, said he had been in denial about women's problems and challenges in Afghanistan, and praised the program for "providing us an opportunity to travel to the provinces and meet with religious scholars and ordinary citizens to learn firsthand about women's problems as a result of the misinterpretation of Islamic laws and the injustices women face."

Thirty-two such public discussions in total have been held in Kabul. Since its inception in November 2006, AROLP's Women's Rights under Islam program has facilitated more than 100 public dialogues for 2,858 individuals in 23 provinces, including academics, civil society

representatives, community leaders, government officials, high school teachers, judges, and scholars, both men and women.

Media Campaign on Women's Rights Marks International Human Rights Day

A two-week media campaign was organized in December 2008 to mark the International 16 Days of Activism Against Gender Violence and International Human Rights Day. ARoLP's consultative group members participated in 12 roundtables, including live call-in shows on Saba Television, Radio Killid, Good Evening Afghanistan, and Radio Voice of Afghan Women. Topics discussed at the roundtables included women's role in decision-making; women's right to maintenance, property ownership, and inheritance; polygamy; women's right to education; and consent to marriage. Feedback from Radio Voice of Afghan Women listeners was positive. The radio station received several calls from Logar, Parwan, and Kapisa provinces asking them to invite the speakers to future programs and to expand the time of these shows. The issues of women's role in decision-making and polygamy attracted the greatest number of listeners and the most debate as different interpretations of Islamic laws pertain to these issues.

Television spots highlighting negative reactions to the birth of a girl child, the practice of forcing parents to agree to a proposal of marriage by bringing a Quran to the girl's family home, and the issue of harassment of girls and women in public from an Islamic perspective were broadcast 24 times on Tolo, Ariana, Ayeena, Noor, Noorin, Saba, Afghan, Lemar, and Shamshad television stations.

Public Discourse on Women's Right to Education, Public Life, and Marriage

ARoLP's Women's Rights under Islam program held 6 public dialogues with judges from Kabul, Kunduz, Baghlan, Takhar, Nangarhar, Panjsher, Kunar, Nuristan, and Khost provinces on women's right to public life, education, and marriage. Judges from Nuristan and Kunar showed the most interest



Judges participate in seminar on women's rights and dignity.

in the topics and asked ARoLP to share materials on women's rights issues with them. Judge Mirza Mohammad Sediqi from Nuristan, also the Imam of a Nuristan mosque, thanked ARoLP for providing him with an opportunity to expand his knowledge of women's rights. He promised to share the issues that were discussed in the training in his Friday Khutba (sermon) in the mosque. Judge Sediqi said most Nuristanis are unaware of the most basic women's rights and that it is the responsibility of those who participate in such trainings to share that knowledge with others.

National Conference on Women's Rights under Islam

ARoLP organized a National Conference on Women's Rights under Islam from July 16 to 17, 2008 in Kabul. The conference highlighted practices and traditions that are contrary to Islam and introduced conference participants to more progressive interpretations of religious texts. Each discussion was led by a panel of religious experts drawn from ARoLP's women's rights consultative group. Panelists first provided topical introductions to each discussion, then opened up discussion to the conference's participants, which included 47 male and 33

female religious scholars, academics, civil and human rights activists, and legal professionals from Balkh, Bamyan, Herat, Kabul, Kandahar, Kunduz, Paktya, Parwan, and Nangarhar provinces.



80 participants from 9 provinces participated in ARoLP's first-ever national conference on women's rights in July 2008.

Of the many topics discussed during the two-day conference, the most heated discussions centered on whether *Fiqh* (Islamic jurisprudence) is responsive to women's needs in the 21st century. Speaking about such topics openly and publicly is rare in Afghanistan. The conference was covered by national media outlets including Radio and Television Afghanistan (RTA); the *Good Evening Afghanistan* and *Good Morning Afghanistan* (GMA) radio programs; GMA.com; Tamadon Television; Voice of America/Radio Liberty; NAWA Radio; Radio Killid, Emroz Television; the *Daily Outlook* newspaper; and *Wakht* newspaper and www.wakht.com.

Two National Women's Rights Assessments Completed

ARoLP completed its national survey on women's rights and Islam in Afghanistan and submitted it to USAID on June 2, 2008. The report, prepared by the International Foundation for Election Systems (IFES), represents four months of work conducting more than 1,500 interviews with Afghans from 23 provinces. The report assesses the differences between Islamic teachings and existing religious-cultural traditions and



Heads of the Jalalabad City Family Court with the author of ARoLP's assessment of women's legal empowerment and access to justice in Afghanistan.

customs in Afghanistan as they relate to women's rights. In May, ARoLP also completed its national assessment of women's legal empowerment and access to justice in Afghanistan. The report provides information on challenges women face accessing justice in the formal and informal justice systems, women's prospects as students of law and as legal professionals, and activities conducted by the Islamic Republic of Afghanistan and nongovernmental organizations to improve women's legal empowerment and access to justice.



Afghan scholars meet with religious experts from the Sharia Court in Kuala Lumpur during ARoLP study tour to Malaysia.

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

Seven Afghan scholars participated in a nine-day study tour to Kuala Lumpur, Malaysia from November 2 to 11, 2007. They met 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.

Consultative Group Members Selected

ARoLP identified members of the consultative group to assist in implementing the Women's Rights under Islam program. The 45-member group is comprised of scholars, mullahs, academia, civil society, and media representatives, and is further divided into focus and core groups. The 15 members of the focus group will take part in high-level advocacy efforts and will help develop women's rights messages. The core group of 5 scholars will participate in panel discussions. Core group members will be selected based on responses to a questionnaire developed to assess the consultative group members' knowledge and beliefs about women's rights issues. ARoLP continued regular meetings with Ministry of Religious Affairs authorities and with individual Mullahs, Imams, Khateeb, and religious scholars (both Shia and Sunni) to raise concerns as a result of misinterpretation of Sharia in public forums and mosques