Focus group discussion with a *Spinsary* group in Kandahar City that benefited from USAID training on traditional justice and rule of law. *Spinsaries* are female elders or traditional justice actors that play a limited role in community decision making and dispute resolution. The discussion was held at the Kandahar Youth Center.

Performance Evaluation of the Rule of Law Stabilization-Informal Component Program

PERFORMANCE EVALUATION OF THE RULE OF LAW STABILIZATION - INFORMAL COMPONENT PROGRAM

May 2014

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ACRONYMS

ADR	Alternative Dispute Resolution
CCC	Community Cultural Centers
DG	District Governor
DR	Dispute Resolution
FGD	Focus Group Discussion
GIRoA	Government of the Islamic Republic of Afghanistan
KII	Key Informant Interview
ODG	Office of Democracy & Governance
NGO	Non-governmental Organization
PMP	Performance Management Plan
PTRO	Peace, Training and Research Organization
RLS-I	Rule of Law Stabilization-Informal Component
SOW	Statement of Work
TDR	Traditional Dispute Resolution
TLO	The Liaison Office
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

BACKGROUND

Conflict and political upheaval over recent decades resulted in a weak formal system of state-provided justice in Afghanistan. In this context, traditional dispute resolution (TDR) actors including local village elders, family elders and religious leaders, act as important providers of justice for local communities. While the slow development of formal, effective, efficient and reliable justice services from the state continues, TDR practices serve as the most important source of justice for the large majority of the Afghan population. While TDR mechanisms have been remarkably resilient over the past 30 years in Afghanistan, decades of conflict have weakened TDR capabilities in many areas by disrupting the informal justice institutions through which elders and other locally legitimate actors adjudicate disputes. Lack of access to justice, whether it comes from formal or informal providers, is a source of instability that USAID Afghanistan is addressing through programs such as Rule of Law Stabilization - Informal Component (RLS-I).

The RLS-I program was designed to achieve the following three objectives: 1) Strengthen TDR mechanisms, 2) Strengthen linkages between informal and formal justice sectors, and 3) Develop approaches that successfully resolve long-term intractable disputes. The project was implemented by Checchi and Company Consulting, Inc. in a total of 48 districts and continued until March 13, 2014, over the course of three different phases. This report conveys the findings of a final performance evaluation of the program's third phase.

Figure 1: Evaluators Interview Informal (left) and Formal (right) Justice Providers in Rodat District of Nangarhar Province

The research completed for this evaluation measured the achievements and challenges of RLS-I in six provinces of Afghanistan: Baghlan, Faryab, Kandahar, Nangarhar, Uruzgan and Wardak. A set of mixed quantitative and qualitative methods were used for data collection. Figure 1 above displays photographs taken during in-depth interviews with key informants.

The evaluation brought together information from an extensive desk review of programmatic documents, 40 key informant interviews with local government officials, implementing agency staff, and program beneficiaries, and nine focus group discussions. The participants in the focus group discussions included male and female TDR actors, key parties to disputes, and indirect beneficiaries, i.e. the general population of the districts where RLS-I implemented program activities. Finally, a perception survey was used to collect quantitative data from a representative sample of 600

randomly selected indirect beneficiaries across the six target districts. The survey allowed for measuring project outcomes as perceived by the general population. The interview questionnaires and evaluation instruments were carefully designed to ensure that the data collected using different methods was effectively integrated into an analysis, and a set of findings that yield deep insights into the performance of the RLS-I program and actionable recommendations for policy making and future programming. Fieldwork was conducted from April 21st to May 5th 2014. Data collection was subject to rigorous quality control procedures that the implementer, Sayara Research, enforced to ensure the validity, reliability, and accuracy of all data collected in the field.

KEY FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

The evaluation found strong performance on some RLS-I program objectives and weaker performance on others. Direct beneficiaries that participated in training activities for TDR actors – a central facet of the RLS-I program – noted general satisfaction with the training experience and reported gaining valuable knowledge of legal principles and procedural justice. These TDR actors also seemed to put their training to good use; a significant majority of the indirect beneficiary population reported that the quality of traditional justice had improved compared to before the RLS-I program. Further, direct and the indirect beneficiary population alike reported a reduction in the incidence of cultural practices that are harmful to women such as *baad* (the exchange of daughters to settle disputes or debts). Confidence in the ability of TDR actors to resolve disputes generally increased, though this strengthening of TDR mechanisms was not accompanied by a perceived strengthening of the formal justice system or a greater rate of referrals of cases from traditional to formal justice providers. No direct or indirect beneficiaries interviewed were aware of the Community Cultural Centers (CCCs). RLS-I staff noted in key informant interviews that the CCCs typically consisted of already existing organizations, such as local youth associations, that assisted RLS-I with the dissemination of information on TDR when it was available.

The key findings and conclusions below address lessons learned from RLS-I and are presented in response to each of the evaluation questions included in the evaluation statement of work (see Annex 1). Based on these findings and conclusions, the recommendations were developed to inform a potential expansion, continuation or follow-on programming to RLS-I.

Evaluation Question 1: Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?

Key Findings:

- 58% of the indirect beneficiary population reported that TDR actors' knowledge of Afghan law increased over the past two years. This finding indicates that new knowledge and skills gained from RLS-I trainings were used to improve the quality of justice, as perceived by the local population in the targeted districts.
- 76% of male and female direct beneficiaries indicated high levels of satisfaction with the trainings provided by the RLS-I program. Beneficiaries noted in qualitative interviews that they felt their knowledge of Afghan law improved as a result of the training, which further enhanced their ability to make decisions in accordance with Afghan law.
- 85% of female direct beneficiaries believed that they personally benefited through either increased knowledge and/or the increased respect that they received from male family members after conveying their new legal knowledge. Similarly, about half of the female direct beneficiaries interviewed said that they felt more empowered to speak up in their families and resolve disputes.
- Compared to their male counterparts, female trainees perceived that trainings were of poor quality and that their female trainers had significantly less knowledge than the male trainers.
- All *spinsary* members (female elders that traditionally play a limited role in community decision making and sit on female *jirgas* or *shuras*) indicated that the training instilled in them a strong sense of personal responsibility to resolve disputes in their communities.

- A third of the direct beneficiaries (34%) interviewed said that they were unable to maintain the fast pace of study during the trainings, often forgetting previously learned material because too much information was condensed into a few hours of training.

Conclusions:

- Trainings provided to male and female beneficiaries improved (1) elders' knowledge about Afghan law, and (2) elders' ability to make decisions in accordance with Afghan law. Perceptions of improved quality of traditional justice among indirect beneficiaries in the target districts are plausibly linked to the application of the new knowledge and skills that TDR actors gained from RLS-I training, though this performance evaluation was not designed to test for causal impacts.
- Due to a lack of capacity as well as cultural and security concerns, few qualified female trainers were identified and recruited for the project, which resulted in relatively poorer-quality training for female TDR actors compared to the training given to their male counterparts.
- Female beneficiaries reported that when they applied the new legal knowledge and skills they gained from the training they gained increased respect from their male peers and male family members. Thus the female trainees benefited in their personal lives as well as gaining new capacity to provide benefits to their communities.
- In some areas, RLS-I was implemented over too short a time period, particularly in Baghlan province where beneficiaries reported a six-month timeline. Beneficiaries in all areas reported inability to keep up with the fast pace of trainings, which may have had some bearing on the relatively poor linkages between formal and informal justice providers noted below.

Recommendations:

- Trainings should continue and be expanded to benefit more participants because of their demonstrated value for direct and indirect beneficiaries alike. Training with a greater focus on family law, inheritance law and land law is particularly in demand, according to key informant interviews.
- Trainings held in the future should be lengthened and include regular review sessions (either short-term ones every week or consolidated reviews every 4-8 weeks) to refresh beneficiaries' memory of the information received and consolidate knowledge attained. The curriculum should be tailored to the needs of different groups of trainees with different levels of education.
- More rigorous and extensive trainings for trainers should be developed for female trainers, and more competitive recruitment of female trainers should be instituted to improve the quality of training outputs and outcomes, and increase trainee satisfaction.

Evaluation Question 2: What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to the local communities? To what extent do they plan to continue that role after RLS-I ends?

Key Findings:

- While the evaluation question suggests that CCCs were meant to be sustainable institutions for disseminating knowledge on informal justice, no CCCs dedicated to TDR were identified during the evaluation. RLS-I staff described the CCCs as existing institutions, such as youth associations, that the program worked with to disseminate outreach and educational materials on TDR. RLS-I was not designed to provide direct support to CCCs, which were created under a previous USAID rule of law program that ended in 2009.
- The evaluators who traveled to the field and attempted to find CCC members using the contact information provided by RLS-I were unable to locate a single CCC member, apparently because the information was outdated or inaccurate.

- Other than RLS-I staff, only one key informant – a member of the High Peace Council in Wardak Province – was able to recognize or accurately define CCCs in accordance with their description in program documents.
- While CCCs were not identifiable, the quantitative survey revealed that the population in the target districts had been exposed to significant TDR messaging on the radio and other media.

Conclusions:

- No evidence was found to suggest that the dissemination of informal justice knowledge by CCCs was a sustainable outcome of the RLS-I program. It appears that that CCCs have not served as institutions with a lasting capacity to disseminate TDR knowledge.

Recommendations:

- Future programming should establish CCCs as stand-alone institutions with premises dedicated to TDR training and knowledge dissemination, certifications, record keeping of disputes, and other potentially valuable means of institutionalizing best practices in TDR.

Evaluation Question 3: To what extent did RLS-I reduce harmful social practices that violate women's rights, such as *baad*?

Key Findings:

- 55% of the indirect beneficiary population reported that *baad* and similar practices had occurred less often over the past two years than previously. Both the TDR and formal justice actors largely agreed with the assessment that the incidence of *baad* and similar violations of women's rights had decreased over the past two years in which RLS-I was implemented in their district, though this trend reportedly began around the time that the Karzai government was established.
- When asked a batter of survey questions about violations of women's rights – physical beatings, sexual harassment, sexual abuse and exploitation, forced/early marriage and harmful practices such as *baad* – an average of 51% of indirect beneficiaries reported that such violations had occurred less often over the past two years.

Figure 2: In-Depth Interview (left) and Focus Group Discussion (right) with RLS-I Beneficiaries in Baghlan-e-Jadid District, Baghlan Province

- *Baad* cases were most often resolved by *shuras/jirgas* (24% of the time), followed by government courts (21% of the time).

- 40% of the indirect beneficiary population indicated that women's involvement in community decision-making had increased, and often involved the resolution of family issues (36% of the time), marriage and engagement issues (18% of the time) or land disputes (11% of the time).
- Key informant interviews revealed that insecurity hampered the ability of women to participate in TDR trainings when travel to a training center was required in relatively high-risk areas.
- 58% of the indirect beneficiary population indicated that more long-standing and intractable disputes had been resolved over the past two years than previously, though direct beneficiaries thought that there had been no change.

Conclusions:

- RLS-I's focus on educating TDR actors about the rights of women under Sharia and Afghan constitutional law over the past two years has coincided with a perceived reduction in the incidence of harmful practices against women in the target districts. While this performance evaluation was not designed to test for causal impacts, this finding suggests that RLS-I made a positive contribution to reducing violations against women.
- The reduction in cases of *baad* reported by key informants, indirect and direct beneficiaries, is a positive finding that appears to precede the start of the RLS-I program, though the program may have contributed to an acceleration of this trend over the past two years.
- The reported increase in women's involvement in decision-making, particularly in Pashtun communities in the south, central and eastern provinces, suggests that RLS-I's training activities may have had particularly strong effects on increasing the stature of female elders and *spinsary* groups in community decision-making.
- The discrepancy between direct and indirect beneficiary assessments of change in rate of resolution of long-term and intractable disputes is due to a difference in understandings of the definition of long-term disputes between direct beneficiaries that received RLS-I training and indirect beneficiaries that did not receive the training. More weight should be given to the assessment of direct beneficiaries, though it is a positive finding that the general population perceived a higher rate of dispute resolution over the past two years.

Recommendations:

- Future programming designed to strengthen TDR mechanisms should be based on more detailed evidence of the most common violations that occur in Afghan communities. Stronger evidence-based programming would enable an increase in the relevance of trainings to the specific issues faced by local communities in target districts. Better equipping male and female TDR actors with the specific skill sets required for solving local problems would increase the stature of elders, particularly female elders, and improve TDR outcomes for female disputants.
- A survey of potential beneficiaries should occur in the design phase of any follow-on to the RLS-I program to allow TDR actors to identify the gaps in their own knowledge. Future TDR trainings should meet the demand identified from interviews with beneficiaries and key informants for additional knowledge of women's rights and responsibilities under Sharia law, rights of family members (particularly husbands from their wives, and wives from their husbands), inheritance law, land law, and other property rights.
- The general lack of detailed information about incidents of *baad* is a function of the low likelihood of disputation in cases of *baad*, and the generally poor records that are kept of the TDR dispute resolution process. Future programming should focus on improving record keeping to document lessons learned from the resolution of cases.
- Any future programming for improving TDR outcomes should entail a nuanced gender strategy based on detailed information about the different roles and responsibilities of male versus female TDR actors in resolving different types of disputes. This gender strategy should include tactics for delivering training to women in insecure areas and fostering

greater cooperation between male and female TDR actors to further reduce practices that are harmful to women.

Evaluation Question 4: To what extent are there increased formal-informal justice sector linkages in RLS-I target districts? For example, to what extent are RLS-I trained elders more likely to refer criminal cases to the formal justice system and register decisions with government actors?

Key Findings:

- Though the evaluation team could obtain no exact counts of the number of referrals, interviews with both TDR and formal justice actors found few accounts of referrals from the informal justice sector to the formal justice sector. In contrast, the interviewees agreed that referrals from the formal to informal sector were common throughout the evaluation districts.
- 46% of the indirect beneficiaries population said they would go to a government court to seek justice if they were the victims of a serious crime, compared to 27% that would seek resolution in the TDR system.
- 39% of the indirect beneficiary population said they had the most trust in government courts to provide justice, compared to 33% that had the most trust in *shuras* or *jirgas*. The statistical significance of this finding is created by much higher frequency of trust for government courts among women. 42% of women said they trusted government courts more than any other justice provider, compared to only 28% that had the most trust in *shuras* or *jirgas.* There was no statistically significant difference in the number of men that reported having the most trust in *shuras* or *jirgas* (37%) versus government courts (36%).
- Among the indirect beneficiary population, women were more likely to correctly identify that there existed a government court in their area. 67% of female respondents were aware of the presence of a government court in the district, compared to only 50% of male respondents.
- Respect for TDR mechanisms was higher that respect for formal justice institutions among both TDR actors and formal justice actors.
- Key informants and FGD participants including TDR actors, key parties to disputes and formal justice actors generally preferred the informal justice system because they believed that it was more timely, more affordable, less corrupt, more just, more active and better able to investigate cases.
- TDR was more available than formal justice in the target districts. 67% of the indirect beneficiary population noted the presence of a *shuras/jirga* in their communities, whereas only 58% indicated the presence of a government court in their communities.
- 76% of the indirect beneficiary population said that local *jirgas/shuras* accept the decisions of government courts, and 67% said that government courts accept the decisions of *shuras/jirgas*.

Conclusions:

- The generally one-way flow of referrals from the formal justice system to TDR mechanisms is mainly a result of the low capacity of the formal system. Nevertheless, indirect beneficiaries were generally aware that the formal system was the correct venue for criminal cases.
- The contrast between generally poor perceptions of the formal justice system among TDR actors, and higher levels of trust in the formal system among indirect beneficiaries, is explained by the high value that TDR actors place on their skills and abilities.
- The higher rates of awareness of government courts and trust in the formal system among women is due to the perception that the formal system resolves disputes according to laws that respect women's rights. This perception accounts for the stronger preference for

dispute resolution in government courts compared to TDR mechanisms across beneficiary and non-beneficiary women.

Recommendations:

- Collaboration between the formal and informal justice systems should be enhanced by improving perceptions of the formal justice system among TDR actors through additional trainings, facilitated collaboration, and increased exposure of TDR actors to the formal system. Formal justice system actors should give trainings to TDR actors on, for instance, special topics of family law or inheritance law. By establishing specialized, "expert" trainings twice a month by formal justice providers for TDR actors, future programming would allow for increased exposure between the justice sectors, and encourage greater respect for the formal justice system.
- Facilitated cooperation between the formal justice system and TDR actors should focus on resolving long-standing and intractable disputes. The recommended methodology is to ask TDR actors what long-standing disputes may benefit from collaboration with the formal justice sector. The facilitation of collaborative decision-making and problem solving will increase exposure between groups, allowing for closer relationships for future collaboration.
- Additional community outreach should be undertaken to increase knowledge among the general population of the roles and responsibilities of the formal versus informal justice sectors for resolving different types of disputes, and for how formal and informal justice actors should work together.

INTRODUCTION

This report presents the results of a final performance evaluation of USAID's Rule of Law Stabilization – Informal Component program. RLS-I was implemented by Checchi & Company Consulting in three distinct phases: Phase 1 (April 2010 to August 2011), Phase 2 (September 2011 to July 2012), and Phase 3 (July 2012 to March 2014). USAID contracted Sayara Research to complete this evaluation of Phase 3 of RLS-I. The evaluation was conducted from March to May 2014.

The slow development of an effective, efficient and reliable system of formal justice provided by the Afghan state is accompanied by traditional dispute resolution (TDR) practices that serve as the most important source of justice for the large majority of the population. While TDR mechanisms have been remarkably resilient over the past 30 years in Afghanistan, decades of conflict have weakened TDR capabilities in many areas by disrupting the informal justice institutions through which elders and other locally legitimate actors adjudicate disputes. Lack of access to justice, whether it comes from formal or informal providers, is a source of instability that USAID Afghanistan is addressing through activities such as those implemented by the RLS-I program. RLS-I's three core objectives are united in the understanding of TDR mechanisms as an intrinsic part of rule of law (RoL) in Afghanistan that complement, rather than supplant, formal justice mechanisms. Informal and formal justice mechanisms will be complementary to the extent that both function according to the jurisprudence of Sharia, Afghan constitutional law, and international norms of human rights. These specific objectives are to:

1. Strengthen and improve TDR mechanisms
2. Strengthen linkages between formal and informal justice sectors
3. Facilitate cooperation to address longstanding, intractable disputes

These three objectives are a component of USAID's Afghanistan's Democracy and Governance Assistance Objective, which aims to "increase stability in the project districts, where stability is indicated by perceptions of increased access to justice, increased confidence in TDR mechanisms, and a decrease in longstanding, intractable disputes." Each of RLS-I's three core objectives entails a set of activities, expected results, and indicators that are listed in the evaluation scope of work (see Annex 1). Dialogue, workshops and trainings provided to TDR actors are the key activities under RLS-I's first objective of strengthening TDR mechanisms. TDR mechanisms must be strengthened such that decisions taken by village elders or other traditional decision makers do not ignore the principals of Sharia or disrespect the legal rights of disadvantaged groups. The evaluation examined whether programmatic activities achieved their intended results of supporting information exchange among TDR actors, encouraging women's participation in TDR, reducing *baad* and other traditional TDR practices that are harmful to women and other disadvantaged groups, and promoting best practices in TDR.

Achieving RLS-I's second objective of enhancing linkages between formal and informal justice sectors was also essential for ensuring that the development of the two sectors is complementary. RLS-I's activities under this objective were designed to ensure that TDR actors recognize that government jurisdiction over criminal prosecution and penalty corresponds to the Sharia concept of *haq-ullah* – the rights of God that the state, and only the state, is charged with satisfying. Training for TDR actors on accessing the formal justice system, record keeping, and referrals to the formal justice system for validating TDR decisions were key activities under this component. By collecting data from local government officials responsible for providing formal justice, local disputants, and TDR actors, Sayara evaluated whether these activities were implemented as planned, and whether they achieved their expected results of enhancing the quality, permanence, and validity of decisions made by both informal and formal justice actors.

The evaluation sought to answer the following questions as a basis from which to evaluate RLSI's performance:

1. Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?
2. What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to the local communities? To what extent do they plan to continue that role after RLS-I ends?
3. To what extent did RLS-I reduce harmful social practices that violate women's rights, such as *baad*?
4. To what extent are there increased formal-informal justice sector linkages in RLS- I target districts? For example, to what extent are RLS-I trained elders more likely to refer criminal cases to the formal justice system and register decisions with government actors?

These questions were investigated through an extensive desk review of documentation, and the collection of qualitative and quantitative data in Kabul and in the districts where RLS-I implemented activities. A total of 40 key informants were interviewed, including USAID officials, local government officials, RLS-I staff and direct beneficiaries of the program. Nine focus groups, including three focus groups with women were conducted in the provinces of Baghlan, Faryab, Kandahar Nangarhar, Uruzgan and Wardak with TDR actors and parties to disputes. The geographic and gender distribution of the interviews allowed for reaching a broad cross-section of key informants and beneficiaries. In addition to this qualitative research, a total of 600 quantitative survey interviews were conducted with indirect beneficiaries – the general population of RLS-I's Phase 3 focus districts – across six different districts and provinces using population-proportionate-to-size random sampling. This evaluation research allowed for in-depth analysis into the performance of RLS-I.

Several limitations and challenges arose during the fieldwork as follows:

- **Elections:** A delay in the start of evaluation fieldwork was created by the timing of the first round of the Afghan presidential elections in early May and the preceding period of relative insecurity created by heavy campaigning and efforts by anti-government actors to disrupt the election. The delay was mitigated by the mobilization of additional data collectors, enabling fieldwork to occur in a shorter timespan than originally envisioned. Nonetheless, a smaller number of key informant interviews were completed than originally planned because many key informants were occupied with activities surrounding the elections or unwilling to participate in interviews due to the heightened security risk during the election period.
- **Insecurity:** Rising tensions in Rodat District in Nangarhar Province limited the amount of fieldwork that could be conducted on location. Field teams were under heavy pressure to leave the area in a relatively short period of time, and many potential key informants were unwilling to speak with research teams due to fear that this might cause them to be targeted by anti-government elements. The deputy police chief of the district, a government judge and a number of elders who participated in the RLS-I training refused to participate in the evaluation. The scope of qualitative and quantitative data obtained from Rodat District is thus limited, as a result.
- **Geography:** The lack of RLS-I programming in Pul e Khumri District resulted in a change to Baghlan e Jadid – a district north of the capital of Baghlan Province. This change in geography from the original scope of work was approved by USAID.
- **Outdated Contact Information:** RLS-I staff provided a list of CCC representatives (composed of 34 individuals in six provinces). This contact information proved to be outdated or inaccurate. Field teams, nonetheless, attempted to identify the individuals by inquiring about the CCC representative through the community elders, but were unable to identify a single CCC member. Limited information was gathered about CCCs, as a result.

METHODOLOGY

The evaluation was carried out using a mixed-methodology consisting of four different qualitative and quantitative methods used for data collection and analysis:

1. DESK REVIEW

A review of key programmatic documents was the first data collection method used for analysis of program performance and the design of the in-depth interview, focus group, and quantitative survey instruments. The desk review provided key information on the background and context of the RLS-I program, its geography, monitoring and evaluation framework, progress over time in implementing activities, key challenges reported by the program for achieving its objectives, and other key performance data.

In coordination with USAID and RLS-I staff, the Evaluation Team identified, collected, and reviewed relevant programmatic documents including, but not limited to, the following:

a) Statements of work
b) Activity designs, training curricula, conference agendas, and other key documents for understanding the content of activities
c) Work plans
d) Quarterly reports
e) Annual reports
f) Activity monitoring reports
g) Performance Management Plan (PMP) and other M&E documents, especially reports on the impact evaluations completed internally by RLS-I staff

The document review informed the selection of provinces and districts for field research (see Annex 2) and the design of questionnaires (see Annex 3) for in-depth interviews and focus group discussion guides. A list of critical documents reviewed is available in Annex 4.

2. KEY INFORMANT INTERVIEWS

Sayara's evaluation team used the knowledge of RLS-I gained from the desk review to inform the design and conduct of the in-depth interviews with key informants. These interviews composed a key method of data collection for the evaluation, and were conducted with the following individuals:

a) USAID Afghanistan officials from the Office of Democracy and Governance;
b) Relevant Afghan Government Officials;
c) TDR decision makers such as elders and other program participants including female participants (*spinsary* and non-*spinsary* members);
d) Key parties to disputes;
e) RLS-I program staff in Kabul and district managers;
f) Relevant civil society actors engaged in TDR;
g) Implementing partners with RLS-I;
h) Key staff from other donors or donor programs that interact with RLS-I or support programming that shares its objectives and geography.

A full list of key informants interviewed is displayed in Annex 2, along with a list of places visited and focus group discussions (see Component 3 below). In total, 30 key informant interviews were held in person, over the telephone or via Skype with individuals including RLS-I trainers, RLS-I

implementing partners, Afghan government officials and current and former RLS-I employees from Checchi.

Figure 3: Data Collectors Collecting Information from Beneficiaries of RLS-I

The guidelines for these interviews followed a semi-standardized format that encouraged respondents to describe their experiences with the RLS-I program, while also allowing interviewers to probe for information to uncover new insights about program performance. The key informant interview questionnaires, along with guidelines for focus group discussions, and an English copy of the quantitative survey questionnaire are contained in Annex 3. The names of all respondents mentioned in this report have been changed to protect confidentiality.

3. FOCUS GROUP DISCUSSIONS

Focus group discussions (FGDs) were the third method of data collection that was used for the evaluation. The FGDs allowed for the collection of in-depth information on the effects of participation in program activities from groups of beneficiaries. A major advantage of the FGD method, as opposed to other forms of qualitative research, is its flexibility for in-depth exploration of the knowledge and attitudes of the group towards TDR and the outcomes of the RLS-I activities in which they participated.

The FGDs were conducted by skilled facilitators in the provinces and observed by the Evaluation Specialist or Team Leader. On certain occasions, including in Baghlan, Maidan Shar and Kandahar provinces, the Team Leader directly supervised or conducted the focus group discussion as a means of quality control. Further quality control was ensured by the use of digital audio recorders to record the entire FGD. The recordings were then transcribed and translated at Sayara's headquarters in Kabul.

FGDs were conducted with at least five and no more than 11 TDR actors, including male elders, female *spinsary* members, non-*spinsary* female trainees, key parties to disputes, and indirect beneficiaries (see Table 1).

Table 1: List of Focus Group Discussions

#	Province	Type	# of Participants
1	Baghlan	Male TDR Actors	6
2	Baghlan	Female beneficiaries/*spinsary*	7
3	Faryab	Male Indirect beneficiaries	7
4	Kandahar	Female beneficiaries/*spinsary*	11
5	Kandahar	Male TDR Actors	10
6	Nangarhar	Male Key Parties to Disputes	6
7	Uruzgan	Male Key Parties to Disputes	5
8	Wardak	Male TDR Actors	6
9	Wardak	Female beneficiaries/*spinsary*	7

This mix of focus group compositions allows for comparing findings across different types of RLS-I beneficiaries and non-beneficiaries. The average size of a focus group was 7.2 individuals. The groups were separated by gender and type of RLS-I beneficiary. Three of the nine groups were held with female beneficiaries.

4. QUANTITATIVE SURVEY

A quantitative survey of 600 respondents was also implemented to (1) act as an additional means of quality control; (2) expand the scope of the evaluation to include indirect beneficiaries, including individuals who did not participate in the trainings conducted by RLS-I and its implementing partners but who were living in areas where TDR actors were trained by RLS-I; and (3) provide additional in-depth information regarding perceptions of and experiences with formal and informal justice in areas where the RLS-I program was implemented.

A quantitative survey questionnaire was developed (see Annex 3) and administered to 600 adult respondents in the districts of greatest interest to USAID in the six target provinces for Phase 3 of the RLS-I program. The 600-person sample was distributed across the six provinces and districts in proportion to the size of population of each district as a portion of the combined population of the six districts. This sampling distribution (see Table 2) used the latest population figures available from Afghanistan's Central Statistics Office.

Table 2: Quantitative Survey Sampling Distribution

Province	District	Population	% of Sample	# of Interviews
Baghlan	Pul e Khumri (urban)	207,000	19%	114
Faryab	Pashtun Kot (rural)	186,000	17%	102
Nangarhar	Rodat (rural)	99,000	9%	54
Maydan Wardak	Maydan Shar (urban)	40,000	4%	24
Kandahar	Kandahar City (SD 5, urban)	505,000	46%	276
Uruzgan	Chora (rural)	50,000	5%	30
	Totals	1,087,000	100%	600

The sample carries a margin of error of +/-4% at the 95% confidence level. The brief analysis of the survey demographics below reveals that the sample matches the characteristics of the population as a whole in the districts where the survey took place.

- The sample was split 49% female, 51% male.

- The ethnic distribution was 78% Pashtun and 12% Uzbek, and 7% Tajik with the remainder composed of other groups. Most Uzbek respondents were located in the northern province of Faryab, with Pashtun respondents existing across the southern provinces of Uruzgan and Kandahar, the eastern province of Nangarhar and the central province of Maidan Wardak.
- Only adults over the age of 18 years participated in the survey. Thirty percent were 18-29 years old, 32% were 30-39 years, 26% were 40-49, and the remainder was over 50.
- 41% of respondents were employed full or part-time, with 28% employed in agriculture (mostly in the rural districts), 12% classifying themselves as skilled workers, and 11% as unskilled workers.
- 57% of respondents reported monthly household incomes less than 6000 AFS (roughly 105 USD), and only 17% of respondents reported income higher than 12,001 AFS per month (roughly 210 USD).
- 38% of respondents identified themselves as illiterate, having never attended to school or having attended only a madrasa where they did not attain literacy. 17% of respondents had only completed lower-level primary school (Grades One to Five), and 12% of respondents had only completed higher-level primary school (Grade Six). Very few respondents finished secondary school (16%), and fewer completed high school (12%). Only 4% of respondents had attended or completed university-level education.

FINDINGS

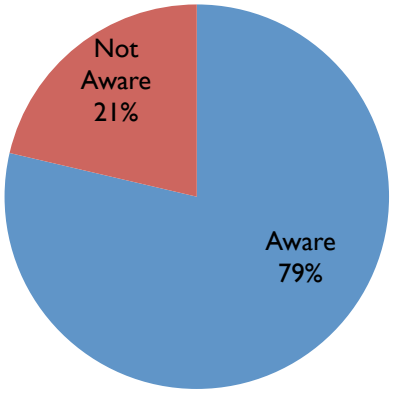
The desk review, qualitative field research and quantitative survey aimed to address a set of key evaluation questions. Each of these questions is answered below in detail.

EVALUATION QUESTION 1: EFFECTIVENESS OF TDR TRAINING

Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?

The primary aim of the RLS-I program was to provide trainings to community elders that increased their knowledge and improved their skills in dispute resolution in accordance with Afghan law. The underlying deficiency targeted under this goal was a belief that TDR actors – including male elders, religious leaders and other local leaders – were resolving cases in ways that were not in compliance with Afghan constitutional law and Sharia law, and this lack of compliance was due to a lack of understanding of the law among TDR actors. The evaluation thus considered whether the trainings (1) increased elders' knowledge of Afghan law, and (2) encouraged decisions in line with Afghan law.

Figure 4: Awareness of Training for Local TDR Actors



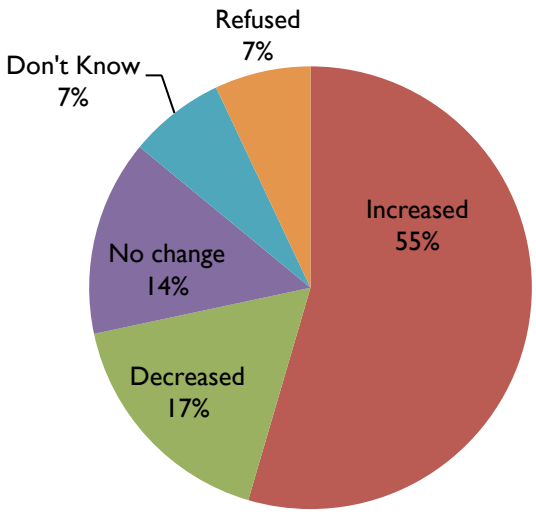
The quantitative survey found that a large majority of the indirect beneficiary population was aware that TDR actors in their district were receiving the training (see Figure 4). As such, the survey of the general population in the six districts was an appropriate method for assessing the extent to which the TDR trainees used their increased knowledge and skills to more effectively resolve disputes. This evaluation question is therefore answered using data collected from both direct and indirect beneficiaries.

1. Indirect Beneficiary Perceptions

Because the TDR actors trained by the RLS-I program served their local communities with informal justice services, all members community members that did not receive the training were potential indirect beneficiaries of the training activities. The survey of the general population of indirect beneficiaries in the six target districts was thus instrumental for measuring whether the training actually effected changes for the normal citizen hoping to attain a fair decision from his or her local *shura* or *jirga*. This aspect of program performance was explored through the quantitative survey both here, and under Evaluation Question 3, where respondents were asked whether certain harmful practices have been reduced in their communities.

Approximately 55% of beneficiaries believed that the knowledge of elders who sit on *shuras* and *jirgas* increased over the past two years during the RLS-I program, compared to only 17% of respondents who believed that their knowledge decreased and 14% of respondents who believed that their knowledge did not change (see Figure 5).

Figure 5: Change in TDR Actor's Knowledge of Islamic and Afghan Law



2. Direct Beneficiary Assessments

Approximately 76% of key informants interviewed indicated high levels of satisfaction with the trainings.[1] Many FGD members noted that they felt their knowledge of Afghan law improved due to the training, thereby helping them make decisions more in line with the law. This finding is in accordance with Figure 5, which indicated that indirect beneficiaries perceived a general increase in their community elders' knowledge of Afghan law over the past two years.

> "My uncle participated in the program and used to come home and share his new knowledge with us. He learned a lot of information from the RLS-I program and I think that, in the near future, the impact of this program will be evident to all people in this area."
>
> - Abasin, Key Party to Dispute, Uruzgan

> "I really believe that this program must continue so that other women benefit from it. I don't say this for my own benefit but say it for others. We can't rely on the government so we have to rely on ourselves. What if the Taliban come back? The government won't be there to help us. It's up to us to be aware of these things. It is not helpful or sustainable if the program ends now. It's true that some of us had training, but we didn't have any follow ups or any specific responsibility to spread it. Unless more trainings happen, and more regularly, it won't be beneficial."
>
> - Laila, Female *Spinsary* Member, Kandahar

> "I think that this program should be extended to all districts of this province so that people from far flung areas can also learn from it. Now this program only works in a few selected districts like Maidan Shahr and Nerkh districts."
>
> - Member of High Peace Council, Maidan Wardak

> "This program helped to substantially improve the way we solve disputes. We used to discuss things and decide on the verbally on the spot. Now we write down all of our

[1] Percentages derived from key informant interviews, focus groups, and other qualitative data sources are rough calculations. Direct beneficiary assessments were all collected through qualitative fieldwork. To quantify direct beneficiaries' responses, interview transcripts were gathered, positive and negative reviews of the

rulings in a formal way and keep our records on file. We do this in front of witnesses and get signatures of disputants to ensure that we do not violate anyone's rights."

- TDR Actor, Uruzgan

Improvement was also observed at the level of family disputes. Approximately 85% of beneficiaries indicated that they had personally benefited from the training through either increased knowledge or obtaining increased respect from their male family members. About half of the female beneficiaries interviewed also noted that they felt more empowered to speak up in their families, and help solve disputes – a task they otherwise typically referred to their male elders. They felt a responsibility to resolve disputes in their local community, particularly disputes that concerned family law in which they often felt that women and girls were otherwise unrepresented.

> "Before I joined this group and received trainings, I was unhappy with my husband, I was depressed and I could hardly raise my kids. I was always upset with them and would beat them a lot. My family engaged me to an illiterate man even though I am not illiterate so I would fight with him a lot too even though he treats me very well. I was just embarrassed and was listening to other women. But this training helps me understand what rights my children and my husband have over me, and what rights I have over them. Now I am very happy in my marriage and with my kids."
>
> - Nooria, Female *Spinsary* Member, Kandahar

> "There was a time in my house when I was not even allowed to open the door for anyone. But then I went to this training and I brought back the training materials with me. My husband found them one day, and read it. Now he respects me a lot more. I go out, and sometimes I help solve problems between our neighbors even, and my husband supports me doing this."
>
> - Mariam, Female *Spinsary* Member, Baghlan

Some criticisms were provided of the trainings provided. Namely, 88% of participants reported that female trainers lacked sufficient knowledge about Afghan law, and trainings were conducted over too short a period of time. Firstly, approximately three quarters (74%) of female beneficiaries in Maidan Shar, Kandahar and Baghlan provinces indicated that some of the female trainers lacked sufficient knowledge. Beneficiaries claimed that trainers simply read the training materials during the training sessions – "Something that we could have done at home" – rather than engaging more deeply with the training materials and the participants and answering questions. All female interviewees in Kandahar Province reported that the trainers improved over the course of the training, but generally continued to lack sufficient knowledge:

> "There was one trainer who didn't know anything at all. She only read the materials and hardly interacted with us. She could never answer our questions. The materials were very good so it wasn't a big problem but she was unhelpful. She was also very though sometimes and could be rude."
>
> - Fatma, Female *Spinsary* Member, Kandahar

> "The male trainers knew much more than the female trainer. The female trainer did not have a good background in the civil code or even in Islamic law, so she always had to answer our questions days after we asked them, and sometimes forgot. She was still good, because she tried, and she helped us learn a lot that is helping us reduce violence against women."
>
> - Deputy of female *shura*, Nangarhar

Secondly, beneficiaries in all locations reported that the trainings were rushed, and/or too much information was packed into too few hours of training. Approximately a third of respondents (34%)

generally felt unable to maintain the pace of study; falling behind and often forgetting previously learned material:

> "The pace of the trainings was too fast. We kept forgetting what they taught us because so much of it was new, or was previously misunderstood by us, so it took us time to correct these issues. But, as we were trying to understand, they moved onto the next topic. I could never catch up and had to study with the books after the trainings, but it was not as useful outside of the training environment during which time I could ask questions if I didn't understand something."
>
> - Male TDR Decision-maker, Baghlan

> "There was a problem of timing. They gave us too little time to understand a book. It was very hard to finish a book in three or four hours. We needed two or three days for each. They explained a whole book in one day and we forgot it again tomorrow. It is hard to learn all of the materials in a book in one day."
>
> - Male TDR Decision-maker, Kandahar

According to both direct and indirect beneficiaries, overall the trainings did appear to be effective in terms of increasing the skills and knowledge of TDR actors, as well as increasing their sense of duty and responsibility. According to one beneficiary:

> "The TDR mechanisms have improved a lot. It is satisfactory. Previously, the elders wouldn't resolve issues quickly but, now, they resolve cases quickly and make fair decisions. There are still some elders who want disputants to offer them something, like a lamb, but most are good now."
>
> - Key Party to Dispute, Nangarhar

To improve the training, the trainees recommended that the trainings should occur over a longer period of time, female trainers should achieve higher qualifications, and participants should be provided with regular reviews of learned material to consolidate their new knowledge. Further, future programming should establish new mechanisms for delivering training to women in less secure, generally Pashtun-majority districts because women in these areas were often unable to travel to trainings in district centers due to insecurity on the roads.

EVALUATION QUESTION 2: ROLE OF COMMUNITY CULTURAL CENTERS

What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to local communities? To what extent do they plan to continue that role after RLS-I ends?

The evaluation found that Community Cultural Centers (CCCs) were not new institutions created by RLS-I and were not intended to be permanent sources of information on informal justice. Rather the CCCs consisted of existing organizations and local volunteers – primarily those working in relevant fields, such as attorneys and law students, as well as civil society activists – that helped distribute illustrated booklets and other media produced by RLS-I. According to RLS-I's Phase 3 Technical Final Report, the CCCs were part of the program's broader public outreach activities as follows:

> "With the objective creating public demand for improved dispute resolution practice, RLS-I conducted five outreach campaigns consisting of distribution of 470,370 illustrated booklets, calendars and pamphlets in two districts each in the south and east and one in the north. RLS-I also produced and aired 3,305 minutes of media content on radio and TV in Kandahar and Nangarhar...RLS-I continued to distribute outreach materials through approximately 105 community cultural centers (CCC) volunteers…"

A reported total of 420,000 illustrated booklets; 30,000 pamphlets; 6,000 calendars were distributed in the target provinces.[2] Groups of volunteers were occasionally provided with digital equipment training (on the use of a computer, projector, printer, etc.) and information on sustainable fundraising strategies. These reported figures were not verified by research staff in the field, who were unable to confirm the distribution of materials by CCCs.

A key informant who previously managed the CCC component of RLS-I noted that a total of 40 CCCs were supported, including eleven in Maidan Wardak, nine in Parwan, seven in Panjshir, five in Kapisa, three in Nangarhar, three in Kandahar, one in Baghlan and one in Kunduz. However, field teams in Maidan Wardak, Nangarhar, Kandahar and Baghlan were unable to identify any CCC members despite being provided with a list of 34 contacts of CCC members in six provinces. Of the contacts provided, 21 (62%) phone numbers were no longer functioning and 13 (38%) did not recognize CCCs, RLS-I, Checchi, or Checchi's implementing partners.

Similarly, no other participant in key informant interviews or focus group discussions recognized CCCs apart from RLS-I staff and a single member of the Provincial Peace and Reintegration Committee in Maidan Wardak (see quote below). RLS-I implementing partners essentially adopted the role of CCCs in Baghlan and Takhar provinces by distributing public legal outreach materials during trainings and other events, thus reducing and perhaps eliminating the need for CCCs in both locations.

> "The CCCs helped a lot in knowledge dissemination about informal justice to locals by distributing pamphlets and delivering speeches in mosques."
>
> - Member of Provincial Peace and Reintegration Committee, Maidan Wardak

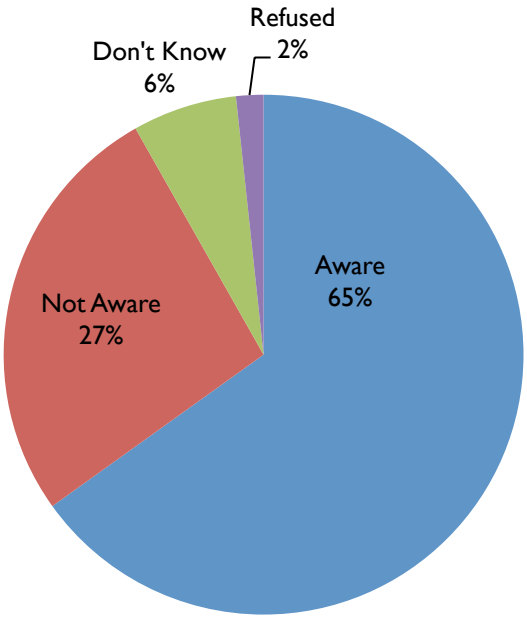
> "TLO [The Liason Office, which implments rule of law programming and assessments] distributed very useful booklets for us that had information on Islamic and civil law. We received some during the training, and then I believe that the district governor's office received additional ones but we don't have access to them. I don't know who has the key but someone has locked it up and does not share it with anyone."

[2] Phase 3 Technical Final Report, Rule of Law Stabilization Program – Informal Component (RLS-I), Checchi and Consulting Company, Inc. April 2014

- TDR Actor in Baghlan e Jadid

Radio broadcasts were however one highly recognizable component of RLS-I's community outreach activities supported by CCCs. A civil society organization in Maidan Wardak noted extensive efforts to broadcast RLS-I related programming and programs maintained a relatively high amount of listenership. This finding was confirmed by the quantitative survey, which showed that 65% of respondents were aware of radio or television-based information dissemination (see Figure 6).

Figure 6: Awareness of Radio and Television Programming on TDR



Thus, while the evaluation team was not able to identify any CCCs in existence post-RLS-I, the large majority of the population in the target districts was aware of media programming on TDR. This suggests that RLS-I's outreach and communications activities did contribute to raising awareness of TDR issues, though the CCCs were not established as a sustainable mechanism for further outreach.

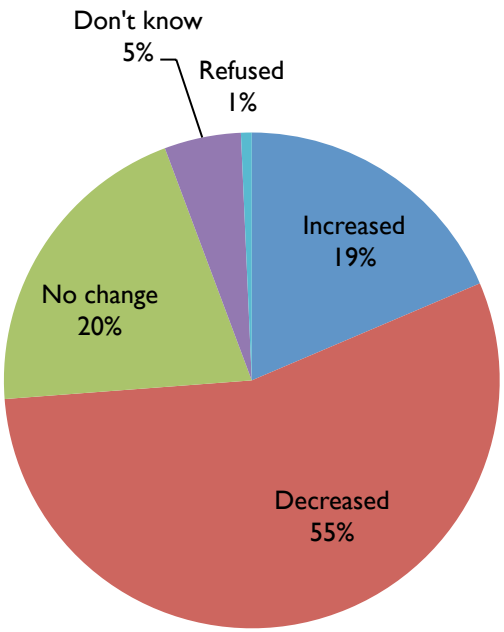
EVALUATION QUESTION 3: REDUCTION OF HARMFUL SOCIAL PRACTICES

To what extent did RLS-I reduce harmful social practices that violate women's rights, such as baad?

> "My grandmother was given in baad and they would treat her so poorly, punishing her and always keeping her hungry."
>
> - Gulbrishna, Female Spinsary Member,

A primary aim of the RLS-I component was to reduce harmful social practices. While harmful social practices encompass a wide scope of customs, such as *badal* – exchange of daughters to cancel a bride price – a special focus was given to the practice of *baad*. *Baad*, the giving of a girl to marriage as compensation for a relative's crimes, is typically seen as an opportunity by communities to avoid the development of long-standing disputes between families. For instance, if a girl's brother kills a young man in a neighboring village, his family may give a daughter of theirs for marriage to the victim's family in order to avoid a future "blood war" of endless killings between two families. *Baad* itself is illegal in Afghan law and, based upon Qur'anic provision that no crime can be passed from the shoulder of one person to another person's shoulders, also considered illegal within Sharia law. However, the practice of *baad* continues in Afghanistan, often resulting in young girls being treated poorly by their new "families." The young girl, often viewed as bearing the guilt of the murderer, may be tortured, beaten and sometimes even killed. It is with this understanding that the RLS-I component developed a training focusing on the reduction of *baad*. When asked generally whether violations against women's rights had increased, decreased or stayed the same, indirect beneficiaries indicated a significant reduction (55%) in violations over the past two years while RLS-I was implemented (see Figure 7).

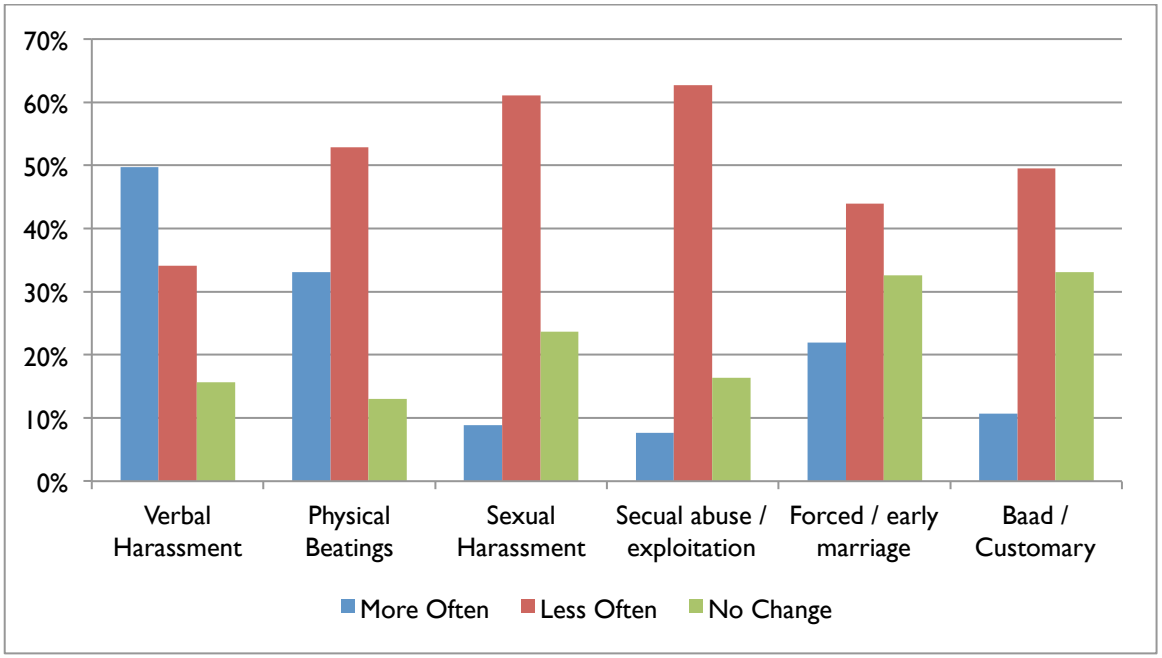
Figure 7: Change in Violations of Women's Rights in the Local Area over the Past Two Years



When asked more specifically about harmful social practices that violate women's rights, such as physical beatings, sexual harassment, *baad*, etc., the indirect beneficiary population reported a decrease in violence against women (see Figure 8). Fifty-four percent of respondents confirmed that the incidence of *baad* had decreased over the past two years when asked a separate question in which *baad* was not phrased in terms of a violation of women's rights. The sole exception to the

perceived decrease in violations against women was verbal harassment, which reportedly increased. Verbal harassment was particularly prevalent and likely to occur "more often" in Faryab and Nangarhar where 71% and 82% of survey respondents, respectively, noted an increase in verbal harassment over the last two years.

Figure 8: Change in Violations Committed Against Women



Qualitative data supported quantitative findings. While this evaluation was not designed to test for causal linkages between RLS-I programming and decreases in *baad* and other violations against women, several key informants, such as the one quoted below, noted that the practice had declined significantly. This reduction however occurred gradually over the past five to ten years, but it may have accelerated during the implementation of Phase 3 of RLS-I.

> "We used to give girls away in *baad* but thankfully this hasn't been an issue for a long time. It's decreased a lot in the five or ten years. It started to decrease a lot during the first few years when Karzai became president and now it hardly happens anymore. If it does happen, it's often sent to the court. It's not solved at the community level anymore. When it gets that bad, it goes to the courts."
>
> - Bibi, Female *Spinsary* Member, Kandahar

> "In the time that I have worked here as a judge in Baghlan, we haven't had a single *baad* case come across our office, as far as I remember. Thankfully, I don't think it's a big problem anymore. But it's possible it's still occurring in the districts without our knowledge, as people there may not bring the case to court."
>
> - District Judge, Baghlan

Other beneficiaries suggested that trainings, including RLS-I, were the causes for the reduction of harmful social practices by increasing the public's understanding and awareness of civil law.

> "In the past, people would exchange their daughters for the compensation of crimes but now both the crimes and these harmful practices have been reduced. This is due to programs like RLS-I which have increase the awareness of people in the area."
>
> - Torylai, Key Party to Dispute, Uruzgan

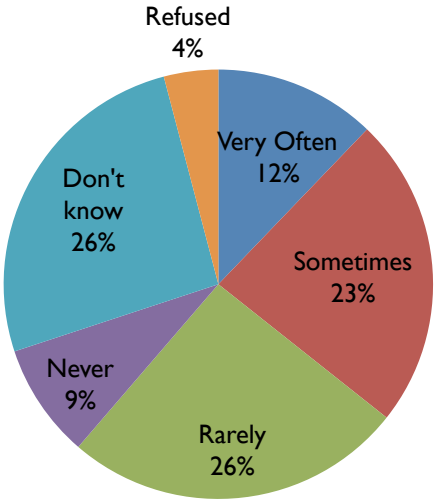
"According to traditional law, teenage daughters would be exchanged if another family member committed a crime. But this law is old fashioned and impractical. The credit to its reduction in practice can go to this training for increasing people's awareness."

- Haji Kharooti, TDR Decision-maker, Maidan Wardak

All survey respondents indicated less frequent occurrence of *baad*. Only 11% of respondents indicated that *baad* occurred "very often," though the subjective analysis leaves room for further investigation. Approximately 69% of respondents indicated that *baad* occurred at least four times a year in their communities, and 15% of respondents indicated it occurred at least ten times annually.

Respondents further indicated that cases of *baad* are not often disputed, most likely because when *baad* occurs it results in the settlement of a different dispute between the victim's family and another family. Thus, the victim is prevented from seeking or receiving formal or informal justice. Only 12% of the population said that cases related to *baad* are disputed "very often" (see Figure 9) while 63% of respondents thought that five or less cases are disputed annually.

Figure 9: Frequency that *Baad* is Disputed



Cases of *baad* that are disputed are most often resolved by local elders, mullahs or religious leaders, followed by government courts (see Table 3). Given the criminal nature of *baad* that requires cases to be resolved in the formal justice sector, this finding reveals that efforts to eradicate the practice of *baad* must continue.

Table 3: Justice Provider that Most Often Resolves Cases of *Baad*

Justice Provider	Percentage
Shura/jirga	23.7%
Government court	21.3%
Religious leader/mullah	11.4%
Individual local leader	9.6%
Family elders	6.0%
DG	2.4%
Taliban Court	1.1%
Don't Know	11.2%
Baad is never disputed	12.5%
Refused	0.9%

Women's Involvement in TDR

Female beneficiaries of TDR training saw increased involvement of women in decision-making processes at the community level as an important means of further reducing harmful practices. Female *spinsary* groups – female elders that traditionally play a limited role in community decision-making and sit on female *jirgas* or *shuras* – reported to the evaluation team that women's involvement in decision-making was linked to a reduction in violence against women. The findings suggest that where female *spinsary* groups were relatively strong, harmful practices targeting women were reduced. Specifically, the existence of female TDR bodies such as *spinsaries* seem to be an effective means of decreasing social practices that are harmful to women.

> Reduction of Harmful Social Practices through the Development of Spinsaries
>
> Several female beneficiaries indicted a strong belief that "traditional customs" were designed in favor of men, and often neglected the rights of women. Compared to male interview respondents, female respondents were more likely to support dispute resolution through the formal judiciary system, noting that the Afghan civil code provided more rights to women than traditional justice mechanisms. One success of the development of spinsary groups in Uruzgan, Faryab, Kandahar, Baghlan, Nangarhar and Maidan Wardak was the increased ability for female TDR actors to decide cases between female disputants.

One of the most difficult goals of the RLS-I program, the development of strong *spinsary* groups, led to mixed results. In some cases, such as in a focus group of key parties to disputes held in Uruzgan Province, participants indicated that women had no significant involvement in traditional dispute resolution. Similar statements were made in Maidan Wardak, where a TDR decision-maker, Gul Habib Habibi, noted that, "As far as women's involvement in traditional dispute resolution is concerned, we do not have any notable examples of this in our community." Male community leaders, represented by focus groups held with TDR decision-makers who partook in RLS-I training, expressed some disagreement about the possibility or use of women's involvement in local affairs:

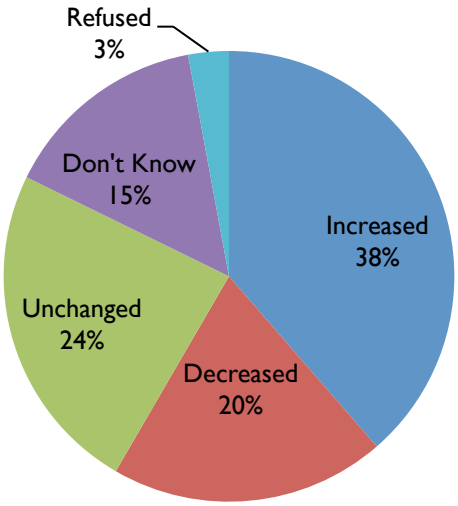
> "Women cannot resolve disputes. Men can but women cannot because they are unable to."
> - Male TDR Actor, Faryab

> "We allow them to solve disputes but they are unable to."
> - Male TDR Actor, Faryab

> "I disagree. We have a women's council. Women's participation is valuable and important, and disputes can be resolved by women. If a man and wife have problems with each other, for example, women can resolve it. These seminars we received were not only for men, but also for women. There are issues women can resolve. I have seen it a lot and have seen them have a very positive effect."
> - Male TDR Actor, Faryab

Quantitative data presented a more positive outlook on women's involvement in *shuras* and *jirgas*. When asked about women's involvement over the past two years, 38% of respondents indicated that involvement had increased, whereas only 20% of respondents indicated that it had remained the same (see Figure 10).

Figure 10: Change in Female Participation in Dispute Resolution



Similarly, 52% of survey respondents said that *spinsaries* solved conflicts in their communities. Of the disputes solved by women, family issues were the most prevalent (see Table 4).

Table 4: Type of Dispute Most often Solved by Spinsaries

Type of Dispute	Percentage
Land Disputes	11%
"Family Issues"	36%
Marriage and Engagement-Related Disputes	18%
Criminal issues	3%
Inter-tribal / Inter-community	5%
Long-term Disputes	9%

Spinsaries' role in the resolution of land disputes was of particular importance, considering that 33% of respondents indicated that land issues were the most prevalent dispute type in their communities, followed by marriage and engagement-related disputes. Most respondents further indicated that *spinsaries* had history in their communities. Thirteen percent of respondents reported that *spinsaries* had been resolving conflicts for more than ten years, and 24% of respondents said that *spinsaries* had been solving conflicts for more than two years. Only 13% of respondents indicated that *spinsaries* existed in their communities for two years or less. The existence of *spinsaries* was higher in Pashtun areas. For instance, 76% of respondents in Kandahar, 81% of respondents in Nangarhar, 53% of respondents in Uruzgan and 40% of respondents in Wardak noted the existence of spinsaries, compared to only 10% of respondents in Baghlan and 20% of respondents in Faryab.

Despite the general knowledge of *spinsaries* across the population, few concrete examples of *spinsaries* were identified during fieldwork. Several women interviewed said they had no knowledge of the existence of any working *spinsary* groups. Other interviewees who were members of *spinsary* groups themselves noted that many members were no longer part of the group for a lack of interest or cultural restrictions. *Spinsary* interviewees estimated that between 25% and 50% of their original members of their *spinsaries* did not maintain membership or activity.

> "We don't really have the opportunity to meet. Sometimes we will call each other, and sometimes we will meet – two or 3 people at a time. But we have not gotten together very much as a big group since the training. It's very hard because it's expensive to go places, and we are restricted to certain locations and days and times. It's not easy to organize."
>
> - Khojista, Female *Spinsary* Member, Kandahar

Others noted that, upon realizing that *spinsary* groups would not receive the benefits of trainings, including a generous stipend for transportation and lunch, some members of the group left. This observation was shared by all *spinsary* group members in Kandahar, Baghlan and Maidan Shar, and was reiterated by an RLS-I monitor in Kandahar. The former RLS-I monitor in Kandahar noted:

> "There were a lot of instances in which women would just come to the trainings for the money. They didn't want to learn anything so they would send someone else in their name to collect the money. So I would try to identify these people and make sure it doesn't happen again."
>
> - Shazia, former RLS-I Monitoring Officer, Kandahar

Regardless of these challenges, data collected in the field indicated that the portion of *spinsary* groups that continued to meet were undertaking significant problem solving responsibilities in their individual families and communities. *Spinsary* members often worked with other local leaders, including elders, *maliks* (traditional village chiefs) and occasionally the District Governor, in order to address community issues. Most issues solved by *spinsary* groups were disputes between family members or neighbors. For instance, as shown in the quotes below, few *spinsary* members were requested by their communities to solve a problem. However, due to a high level of responsibility adopted by the members, they often intervened in issues as they became aware of them.

> "I heard some fighting next door at our neighbor's house so I looked out of the window to see what was happening. In that moment, it seemed to get louder so I went to put my hijab on and go see what was happening. My son told me not to go, that I may get hurt in the middle of the issue. But I explained to them that I am an older woman, so they will have some respect for me. I went over and the two brothers were on the verge of killing each other. They were arguing, and one had gone to get a knife. I had to forcibly separate the brothers, to ensure that we could speak to them separately and help calm them down. Once I managed to do this, I spoke to them individually, and explained to them that they are brothers, they are family, and they must not hurt one another. Eventually, I managed to calm them down enough that they were able to speak again and, through dispute resolution, I negotiated with them and solved their problem."
>
> - Gulalai, Spinsary member, Baghlan

> "No one asks us for help. And we can't just go into their homes or problems and say, 'I am here now to solve your problems.' We don't have that kind of respect, that [male] elders do, but we can go in and ask them what's wrong as family members, as neighbors, as Muslims. After assessing the situation, and asking questions, then it is possible for us to help them resolve their problems. But this takes time and patience that men don't need to give."
>
> - Fauzia, Spinsary member, Kandahar

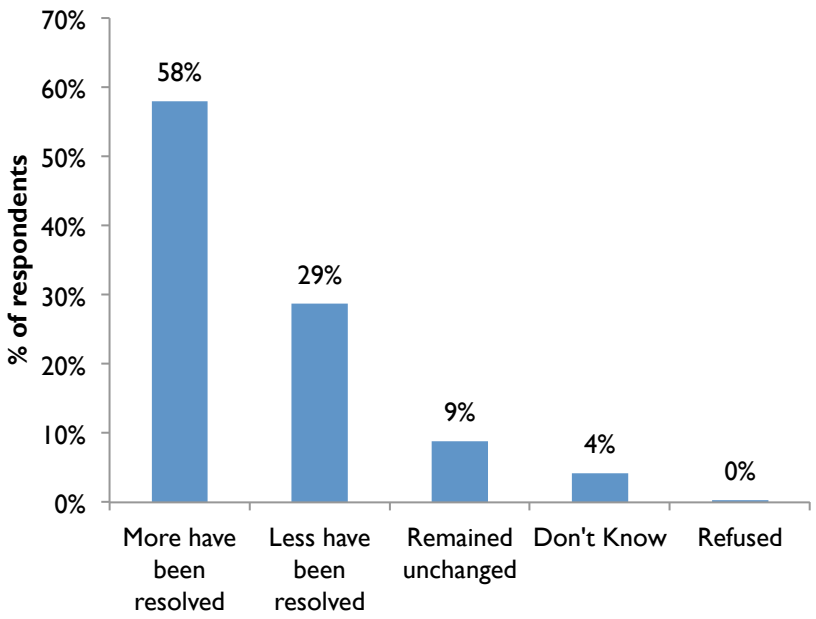
Spinsary members who continued to meet thus exhibited high levels of initiative as decision-makers in their committees, believing that respect and recognition was to be gained by building a record of successful problem-solving. Qualitative interviews also indicated that of social practices harmful to women and girls should be reduced by the development of active *spinsary* groups that gain a stronger decision-making role in their communities through the used of increased TDR knowledge and skills.

While the evaluation found that harmful social practices were generally reduced in target communities, it is not entirely clear the degree to which the RLS-I training was responsible for this reduction compared to other possible factors such as trainings given by other programs.[3]

Resolution of Long-Standing Disputes

An important objective of RLS-I was to give TDR actors better skills for resolving long-standing disputes. Data from in-depth interviews and FGDs indicated little to no progress towards the resolution of long-standing disputes, with many respondents indicating that such disputes continued to exist without any resolution expected. The quantitative survey data however indicated that 58% of indirect beneficiaries believed that more long-standing disputes had been resolved in the past two years compared to previously, with only nine percent of respondents reporting that there had been no change (see Figure 11).

Figure 11: Perceived Change in the Resolution of Long-Standing Disputes



Approximately 88% of respondents in Nangarhar, 91% of respondents in Wardak, 50% of respondents in Baghlan, 17% of respondents in Faryab, 69% of respondents in Kandahar, and 53% of respondents in Uruzgan reported that they believed more cases of long-standing disputes had been resolved in the past two years than previously.

The discrepancy between the data gathered from key informants and the general population on the resolution of long-standing disputes is explained by the fact that direct beneficiaries received training on the definition of "long-standing and intractable disputes," while indirect beneficiaries relied only on a prompt from the survey interviewer to define this term. Thus, the qualitative data collected from direct beneficiaries on long-standing disputes should be given more weight than quantitative interviewees because the survey data is capturing disputes that do not qualify as "long-standing and intractable" according to the definition promulgated by RLS-I. Nevertheless, it is clearly a positive finding that the population perceived a higher rate of resolution of serious disputes during the two years that RLS-I was implemented in their district compared to previously.

[3] While attempts were made by interviewers to differentiate between trainings and assess only the effects of RLS-I program, interviewees demonstrated confusion between different trainings and were unable to speak to the effects of the RLS-I program alone.

EVALUATION QUESTION 4: IMPROVED LINKAGES BETWEEN JUSTICE SECTORS

To what extent are there increased formal-informal justice sector linkages in RLS- I target districts? For example, to what extent are RLS-I trained elders more likely to refer criminal cases to the formal justice system and register decisions with government actors?

A primary aim of the RLS-I program was to enhance linkages between the formal and informal justice sectors to strengthen rule of law overall by increasing the complementarity and compatibility of the two systems. RLS-I's activities under this objective were designed to ensure that TDR actors recognize that government jurisdiction over criminal prosecution and penalty corresponds to the Sharia concept of *haq-ullah* – the rights of God that the state, and only the state, is charged with satisfying. Training for TDR actors on accessing the formal justice system, record keeping, and referrals to the formal justice system for validating TDR decisions, were key activities under this component. By collecting data from local government officials responsible for providing formal justice, local disputants, and TDR actors, a number of key findings were identified:

1. Few cases were referred from the informal justice sector to the formal justice sector, whereas case referrals from the formal to informal sector were common throughout target provinces.
2. Respect for formal institutions by traditional decision-makers was generally low in comparison to respect for informal institutions by formal justice actors.
3. Respondents - including TDR decision-makers, *spinsary* members, key parties to disputes and formal justice actors – generally preferred the informal justice system.

Finding 1: One-Way Referrals

Formal justice officials often referred cases, particularly those dealing with family law or land issues, to informal justice providers through a formal, documented system. This enabled the reduction of the formal justice system's backlog of cases to be resolved, and further demonstrated a level of institutional respect by actors in the formal justice system for TDR actors.

> "My interaction with the formal justice system is such that whenever some issue would arise in our village, the formal justice system sends us a letter asking us to help resolve the issue. We would resolve the issue and would send a letter back stating that we have resolved this issue."
>
> - Member of Provincial Peace and Reintegration Committee and Village Elder, Maidan Wardak

While referral from the formal justice system to TDR mechanisms was common, the evaluation team found few instances of referrals from the informal justice system to the formal justice system. While many participants in focus group discussions and key informant interviews displayed knowledge of *haq-ullah* – noting that certain cases, particularly complicated criminal cases, must be referred to the formal justice system – few TDR actors interviewed actually referred cases to the formal system, instead preferring to resolve issues at the community level. This sense of the superiority of TDR was prevalent even among traditional justice providers whose knowledge of Afghan law increased significantly as a result of RLS-I training.

For example in Baghlan Province a local elder explained that, while he understood that criminal cases should be referred to the formal justice sector, he maintained that it was "better to solve the cases here in the communities among the families whenever possible." This attitude was reiterated by four other male elders and all female *spinsary* members in Kandahar City, and was a sentiment also shared by the district judge interviewed in Baghlan Province. In this instance, while understanding of Afghan law increased, it did not necessarily lead to adherence to Afghan law by all training participants.

Further, according to the District Judge in Baghlan e Jadid, resolving criminal cases using TDR mechanisms was less likely to lead to the radicalization of criminals and prevent them from taking up arms against the government:

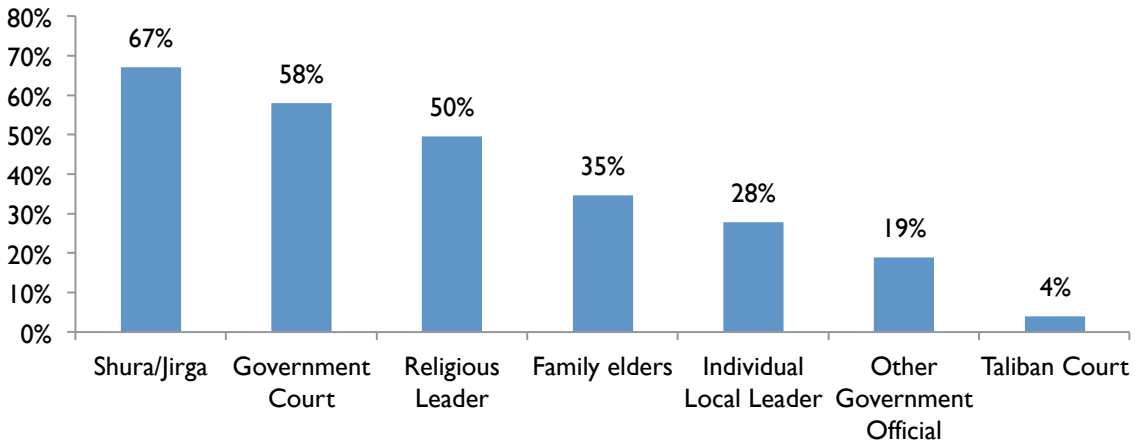
> "If it is possible for local elders to resolve problems, then we support them doing it there.
>
> [Interviewer] What if the cases is criminal?
>
> Still, if they can resolve it there, it's better. They are all part of the same community. They are better able to enforce it and, more importantly, stop something like this from happening again. If we bring them here, and put them in jail, then they will just be released to act again. In the communities, if they commit a criminal act, there is a whole social system that will teach the person not to repeat it without isolating them from their communities or sending them to a far-off place where they will probably radicalize and become more violent."

The Chief Municipal Judge in Kandahar city, who saw nothing wrong with the lack of referrals from TDR actors, expressed a similar sentiment on the preferred status of TDR compared to formal justice:

> "There's always been two types of system in this country: formal and informal. The informal method means that the people solve the problem themselves in their communities. At the moment, we get very few referrals from the informal system. They are solving problems themselves, despite what kind of case it is or who has jurisdiction over the case. I haven't heard about this RLS-I program here but, even if it was a good training, they did not contact us as far as I know."

One potential reason for the lack of referrals is the low number of government justice actors (including government courts and other government officials) relative to community-level TDR actors (including *shura/jirgas*, religious leaders, family elders and individual local leaders). When asked which justice providers were available in their district, 67% of respondents noted that *shuras* and *jirgas* were available, whereas only 58% of respondents indicated having a government court in their district (see Figure 12).

Figure 12: Percentage of Survey Respondents Reporting that Each Justice Provider is Locally Available



Among other providers of justice services, 50% of respondents also indicated the availability of a religious leader, 35% indicated the presence of a family elder and 28% indicated the presence of an individual local leader.

Male respondents were significantly less likely to know whether a state court existed in their district. 67% of female respondents correctly answering that there was a court in their district, compared to only 50% of male respondents. This finding reflects women's perceptions that their rights are better protected under Afghan constitutional law compared to TDR practices.

In contrast to the district and city courts in the district and city centers in the surveyed provinces, which operate only during formal working hours (five days a week), TDR actors such as religious leaders, local leaders, *shuras*, etc. are accessible within local communities (in their homes, mosques and other locations within walking distance) during nearly all hours. This important reason for preferring TDR was illustrated by a female *spinsary* member in Baghlan:

> "If an issues arises between your neighbors or between a husband and a wife on Friday, you can't go to court that day. Maybe they are about the kill each other on Thursday night, but you still can't go to court. You cannot rely on the police in remote villages like where we live so the only person you can rely on is the local leader. If the mullah is home, maybe you will go to him. If he is not around, you can go to one of the many elders. But this is the only way to resolve a case if it's anytime past government working hours. And, in our village, most of the conflicts are small but intense and arise quickly. They need to resolved as quickly as possible. Otherwise someone might kill someone else, or it will just build up tension and anger between our families."

Further, urban survey respondents in Kandahar and Maidan Shar were more aware of the existence of courts compared to the rural districts surveyed. For instance, 46% of respondents in Kandahar indicated that there was a government court in their city, whereas only 10% of respondents in rural Baghlan, 18% in Faryab, and 8% in Uruzgan were able to correctly note that a court existed in their district.

A backlog of cases also creates long delays for those seeking justice in the formal system. In Kandahar City, the municipal judge interviewed showed the interviewer his backlog, noting that,

> "While we resolve a lot of cases – into the hundreds just last year – there are still many more. That is why, when someone first comes into this office, I see if it is feasible to refer them to their local elders. If it's possible, we will do it. If not, then we will take the case. If we refer it and the elder can't resolve it, then we will take the case back. But there is just one court for the entire city, and we don't have enough resources to resolve all the cases that come to us. The elders have more time to do this."

This sentiment was reiterated by all other judges interviewed, who complained that their lack of resources rendered them unable to resolve all the cases in their districts or cities, resulting in either a backlog, referrals to the informal system or, most commonly, a combination of both. Referrals may occur from the formal justice system to the informal justice system as a means to reduce the backlog of cases faced by government courts.

Finding 2. Poor Perceptions of the Formal Justice System

All respondents, including TDR decision-makers and randomly selected quantitative survey respondents, indicated a poor perception of the formal justice system. However, the female non-beneficiary population was significantly more likely than the male population to express confidence in the formal justice system. Interviewees perceived that the formal justice system was generally (1) more expensive, either due to required transportation costs or corruption, (2) less timely, and (3)

easier to manipulate. While many key informants and focus group participants indicated a respect for the formal justice system, which they believed to produce decisions that were more frequently in line with Afghan law compared to the traditions-based informal justice sector, other respondents often indicated being "fed up" with the formal justice system. In Uruzgan Province, for instance, all members of a focus group discussion consisting of key parties to a dispute noted that they first approached the formal justice system and, upon feeling "fed up" with the system, moved their case to the informal justice system.

> "My opinion is that the [formal justice system] just kills the time. We have observed that fair play is not practice in this system. There are a lot of cases in which rights are given to those who do not deserve it. So how can people trust this system? In other words, we can say that people are fed up with corrupt officials in this system. Actually, the system is good but its implementation mechanism isn't fair. The only people who get their rights are those who are influential in society and have money. The second weakness is that, even if someone forgives someone else, the formal justice system doesn't forgive the criminal. The formal system takes cases that are buried and tries to revive them in order to earn money from both parties. So I really think that the traditional system is better than the formal system."
>
> - Haji Mohammad, TDR Decision-maker, Maidan Wardak

Some incorrect perceptions of TDR were alleviated through the training provided by RLS-I, particularly perceptions about the formal justice system's basis in Islam. Nine direct beneficiaries reported increased respect for the formal justice system due to its basis in civil law (which holds a close relationship with Islamic law) – a previously unknown fact. Criticism was limited to the actors in the formal justice system – perceived as generally corrupt and incompetent – instead of the law.

> "Previously, people – especially elders – would believe that Afghan law is constituted by the United States and nothing in it is Islamic as a result. But, now after receiving the training, they realize that the law has been extracted rom our religion. Therefore, they now use Afghan law into account whenever they make a decision."
>
> - Employee at Provincial Government Headquarters, Maidan Wardak

The evaluation also found that few indirect beneficiaries maintain a belief that the district courts and informal justice systems act independently of one another, without any coordination. For instance, when indirect beneficiaries were surveyed on whether traditional dispute resolution actors accepted the decision of government courts, 76% responded "Yes" and only 16% said "No," while the remainder did not know the answer. When asked whether the local courts accept the decisions of TDR actors, 67% said "Yes" and only 17% responded "No."

Baghlan-e-Jadid District was an outlier to this generally positive finding on the relationship between the formal and informal justice systems. Fifty eight percent of respondents in Baghlan indicated that *jirgas/shuras* do not accept decisions taken by the government court and 46% of respondents reported that government courts do not accept informal justice providers' decisions. Baghlan is thus an outlier compared to 10% of indirect beneficiaries in Faryab, 7% in Kandahar, 9% in Nangarhar, 17% in Wardak, and 17% in Uruzgan who reported that TDR actors do not accept the decisions of the courts. More research is required to understand the reason for the poor relationship between formal and informal justice actors in Baghlan. This finding may reflect disagreements on a recent prominent case or enmity between influential TDR actors and local court or government officials.

Finding 3. Preference for the Informal System

Respondents generally indicated strong preference for the informal justice system, believing that the system was more timely, more affordable, less corrupt, more just in outcomes, better able to investigate the case due to a higher connection to the community, and more active.

On affordability and timeliness the Mayor of Kandahar City noted:

> "I understand why people don't go to the courts. I would say that at least 80% of the cases don't go to courts because it's too expensive and takes two months for the smallest matter to be resolved. We don't have enough courts here. There is just one court for the city. The least they could have done is split the city into three zones. The court here is just overwhelmed, even though they have such a small percent of cases! It just takes too long to solve the issue in the court because there aren't enough courts and they have a backlog of cases to solve."

Others noted that convenience was a major factor swaying preferences towards seeking justice in the informal system:

> "Since the informal justice system is in our village is so close to us, and does not require a lot of money to be spent on transportation and other costs, we poor people generally refer our cases to this system. The formal justice system is more expensive so we cannot afford it."
>
> - Qayum, Key Party to Dispute, Uruzgan

Perceived corruption in the formal system was another reason often cited by informants for preferring TDR:

> "The decisions of a court are everlasting and effective. But corruption is one of its major weaknesses. They are always trying to attain bribes from us."
>
> - Hashimi, Key Party to Dispute, Uruzgan

> "In our area, corruption and bribery is increasing day by day. Judges will decide when they are given money, and the decision will be on the side who gives more."
>
> - Female *Spinsary* Member, Baghlan

The informal system was also seen as more moral, fair, and just than the formal system and less prone to abuse:

> "The government puts people in prison and tortures people. They force people to accept their decision. The informal system doesn't force anyone to accept anything. They are more fair to all parties involved."
>
> - Male TDR Decision-maker, Kandahar

TDR actors' stronger connections to the community were also seen as an advantage for investigating and understanding particular cases:

> "The government cannot investigate exactly what the problem is. They don't understand the real conditions of the parties [because they are not living in the same communities]. Elders are more capable of investigating the exact details of problems and thus have a better understanding of the conditions of problems."
>
> - Male TDR Decision-maker, Kandahar

> "I believe that, if communities are able to solve problems amongst themselves, even if it is a criminal case, then it is better than bringing it to court where it becomes a bigger deal and not all parties are happy. We have to choose one side or another, right? Elders are better able to navigate the nuances of a conflict in their communities."
>
> - District Judge, Baghlan

Finally, TDR actors were preferred because they were seen as more proactively involved in dispute resolution and in solving problems before they became intractable:

> "We can't do anything unless it reaches the court. Even if people kill each other across the street from my office, I can't do anything about it. People have to come to us, and usually they don't. Informal justice providers can interfere more easily so thy get involved directly from the start since they are members of the same community."
> - Provincial Chief Judge, Kandahar

When asked where respondents would go to seek resolution of disputes, most indicated government courts or *shuras* and *jirgas* over religious leaders or influential local individuals (see Figure 13). Given the +/-4% margin of error associated with the survey statistics, there is no significant difference between preferences for *shuras/jirgas* or government courts in the case of land or family disputes. In line with the principle of *haq-ullah*, there is however a clear and statistically significant preference for state courts to resolve criminal disputes among the indirect beneficiary population.

Figure 13: Percentage of Indirect Beneficiaries Who Would Seek Justice from Government Courts or TDR Actors on Disputes Related to Land, Family, and Criminal Violations

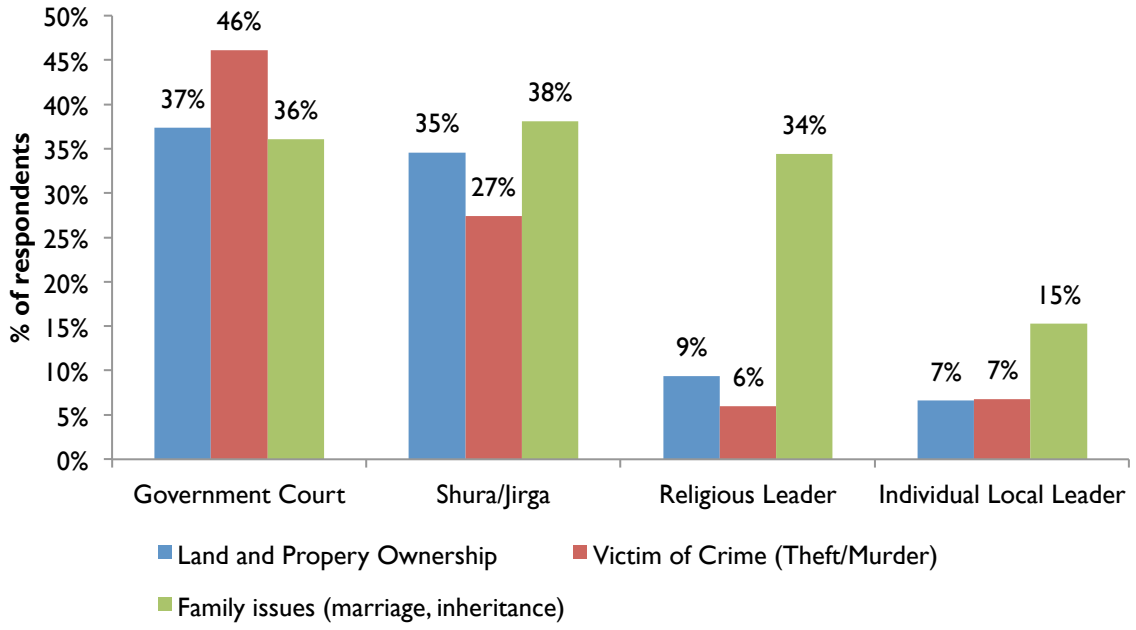
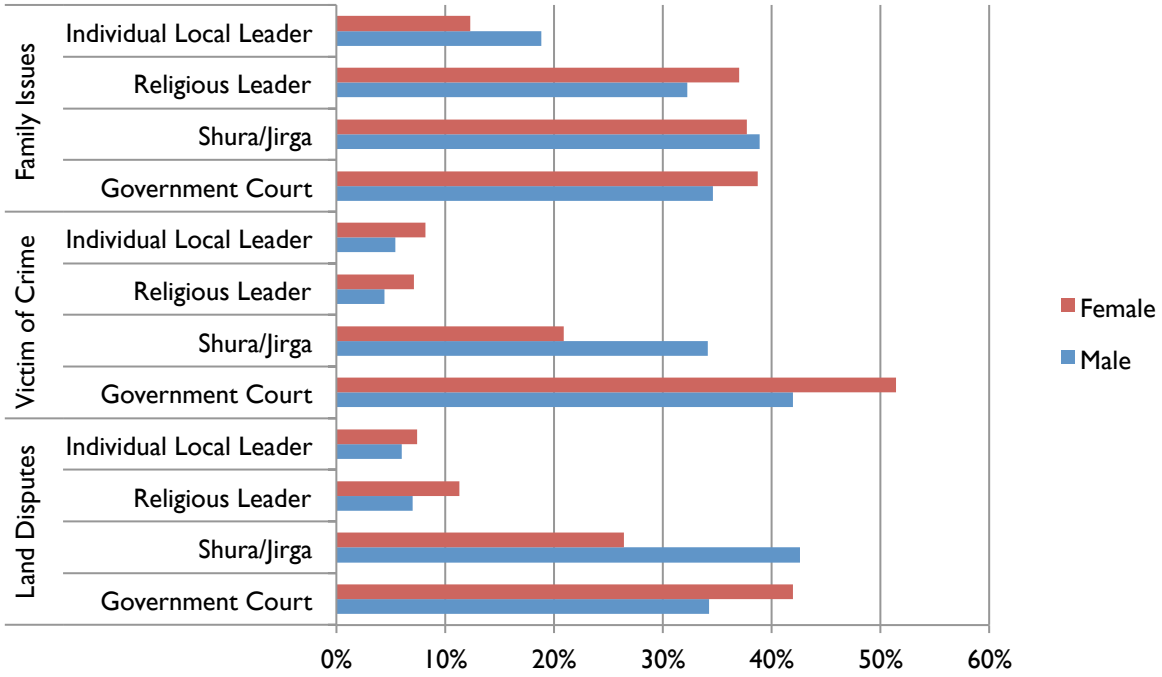


Figure 14 shows the gender disaggregation of the survey data displayed in Figure 13. Female indirect beneficiaries were more likely to prefer government courts for both criminal and land disputes, whereas men preferred *shuras/jirgas*.

This finding is in line with criticism of the informal justice system voiced by primarily female respondents. For instance, a female beneficiary of the TDR trainings in Maidan Wardak explained,

> "I prefer the formal system. I am not satisfied with this sit. Elders and mullahs sit and judge and I am not satisfied. In our village, when a girl becomes a bit older, they will make decisions for her. They will never ask her whether she wants to that boy or not. Elders just sit and they give their daughters to whomever they want. I don't agree with these decisions."

Figure 14: Preferred Justice Provider for Land, Family, and Criminal Disputes by Gender of the Respondent



Female beneficiaries in Baghlan echoed this sentiment about the poor quality of justice provided for women in the informal system. They explained the low education levels of elders generally resulted in poor decision-making that was more based on tradition than civil law, which they often felt was in favor of their male counterparts. Similarly, as noted in the previous section, *spinsary* groups – female informal justice providers – often collaborated with government actors such as the District Governor to resolve issues in their communities.

Figure 15: Provider of Justice Trusted the Most

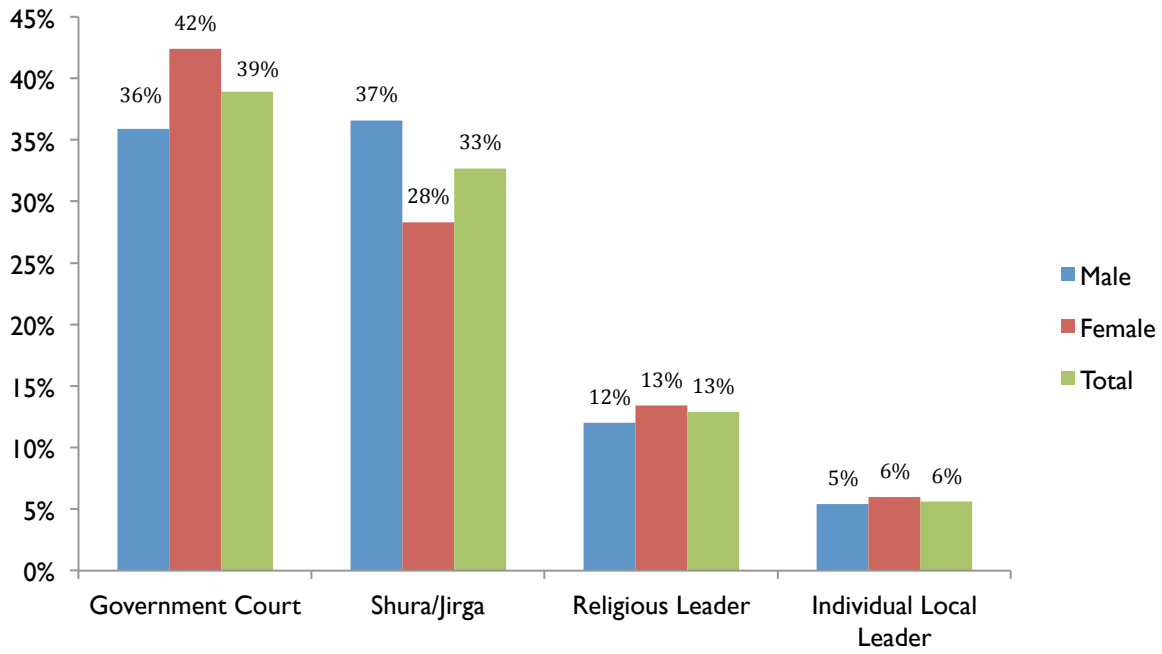


Figure 15 shows the survey findings – total percentages and gender disaggregation – on which providers of justice are the most trusted by the indirect beneficiary population. In line with the findings presented in Figures 13 and 14, female respondents place the most trust in government courts. Among male respondents there is no statistically significant difference between the levels of trust in *shuras/jirgas* versus government courts. This finding may be influenced by the overall high preference in Kandahar City for the formal government court system coupled with the large sample size in this urban area. The findings suggest that significant differences in preferences for the formal or informal justice systems exist not only between men and women, but also between urban and rural populations.

Compared to split preferences among indirect beneficiaries for formal versus informal justice, direct beneficiaries of RLS-I trainings, including traditional dispute resolution actors themselves, preferred the informal system.

Overall, the relationship between the formal and informal systems is largely one-way, with the formal system referring cases to the informal system but the latter not reciprocating. In certain cases, such as Baghlan and Kandahar provinces, interviewees working for the formal justice system were unaware of the RLS-I program, often noting that while they were aware a program existed, there was no coordination in program implementation with the formal justice system. Such statements can only be supported with further investigation in light of the limited number of interviewees targeted for the present evaluation. Regardless, the relationship between the informal and formal justice systems remained weak, with few coordination mechanisms in place in any of the areas of focus for this evaluation.

FINDINGS AND CONCLUSIONS

Key findings and conclusions are outlined below:

Key Findings	Conclusions
Trainings	
Approximately 55% of indirect beneficiaries believed that the knowledge of elders increased over the past two years.	Trainings provided to male and female beneficiaries improved (1) elder knowledge about Afghan law, and (2) elders' ability to make decisions in accordance with Afghan law. Due to a lack of capacity as well as cultural and security concerns, few qualified female trainers were identified and recruited for the project.
A total of 76% of direct male and female beneficiaries indicated high levels of satisfaction with the trainings provided by the RLS-I program. Beneficiaries noted in qualitative interviews that they felt their knowledge of Afghan law improved due to the training, which further enhanced their ability to make decisions in accordance with Afghan law.	
Approximately 85% of female beneficiaries believed they personally benefited through either increased knowledge and/or the obtainment of more respect from male family members. Similarly, about half of the female beneficiaries interviewed noted they felt they more empowered to speak up in their families and resolve disputes.	
Female beneficiaries noted that their trainers had significantly less knowledge than male beneficiary trainers.	
All *spinsary* members interviewed indicated a strong sense of personal responsibility to resolve disputes in their communities as a direct result of the training.	
A third of respondents (34%) felt being unable to maintain the fast pace of study, often forgetting previously learned material.	
CCCs	
Despite reporting from the RLS-I program noting widespread networks of CCCs, no CCCs were identified during the evaluation. The cessation of financial support for CCCs in 2009 before the start of RLS-I, the voluntary nature of participating in the CCCs, and the use of existing organizations as temporary vehicles for disseminating media as a CCC may account for this finding. Contact information provided by the RLS-I program for CCC members was outdated and inaccurate. Interviewers who traveled to the field and attempted to identify reported CCC members through location and name were unable to locate a single CCC member. Lastly, little knowledge of CCC was ascertained from key informant interviews. Only RLS-I staff was able to recognize and correctly define CCCs, with only one other key informant able to recognize and define CCCs.	The inability to identify CCCs in this evaluation renders shows that CCCs should not be considered sustainable institutions for disseminating TDR knowledge.
Reduction of Harmful Social Practices	
A total of 55% of survey respondents perceived a reduction in violations against women over the past two years. Only 19% of respondents indicated an increase in violations, and 20% noted having witnessed no change in the number of violations against women.	Survey respondents reported a significant reduction in harmful practices against women over the past two years. All surveyed categories – with the exception of verbal harassment – had reportedly decreased in beneficiaries' communities.
Nearly all practices – physical beatings, sexual harassment, sexual abuse and exploitation, forced / early marriage and *baad* – decreased over the past two years according to indirect	

beneficiaries. The sole exception to this was verbal harassment, which had increased according to 50% of respondents, particularly in Faryab and Nangarhar provinces.	Cases of *baad* had significantly reduced. This was a result of both the RLS-I program, as well as previous programming or activities over the past ten years. The exact reason for the reduction is unknown. Women's involvement in decision-making increased over the past two years, particularly in Pashtun communities in the south, central and eastern provinces. More long-standing disputes had been resolved in the past two years than earlier.
Baad reportedly was occurring less often over the past two years according to 54% of respondents. Qualitative data supports the reduction of *baad* cases. A quarter of respondents indicated it was occurring more often.	
Baad cases were most often resolved by *shuras/jirgas* (24% of the time), followed by government courts (21% of the time). They were, however, hardly disputed, with only 35% of respondents indicating that *baad* cases were always or sometimes disputed.	
Approximately 39% of respondents indicated that women's involvement in community decision-making increased, and often involved the resolution of family issues (36% of the time), marriage and engagement issues (18% of the time) or land disputes (11% of the time).	
Nearly a quarter of respondents (24%) noted that *spinsaries* had been solving conflicts in their communities for more than two years. This was particularly true in Pashtun communities such as Kandahar, Nangarhar, Uruzgan and Wardak where *spinsaries* were more common.	
A total of 58% of respondents indicated that more long-standing disputes had been resolved over the past two years than earlier. Female respondents were more likely to note that more cases had been resolved (with 62% of women noting more had been resolved, compared to 54% of men indicating such), as well as those individuals from Nangarhar and Wardak.	
Strengthening Linkages between Formal and Informal Systems	
Few cases were referred from the informal justice sector to the formal justice sector, whereas case referrals from the formal to informal sector were common throughout target provinces.	Collaboration between the formal justice system and TDR actors is often one-way, with the formal justice system referring cases to TDR actors but TDR actors not referring cases to the formal justice system. Qualitative interviews indicated a generally poor perception of the formal justice system by TDR actors. The sole exception to this was the opinions of *spinsary* groups, who often indicated more respect for the formal justice system and a preference for dispute resolution in government courts. Issues between the formal and
67% of respondents noted having a *shuras/jirga* in their communities, whereas only 58% of respondents indicated having a court in their communities. Furthermore, respondents indicated having a religious leader present in their communities as a source of decision-making 50% of the time, a family elder 35% of the time and an individual local leader 28% of the time.	
Female respondents were more likely to be able to correctly identify that there existed a government court in their areas, with 67% of female respondents indicating the presence of a government court, compared to only 50% of male respondents. Female respondents were also more likely to trust government courts compared to male respondents, with 42% of female respondents indicating trusting government courts more than any other justice provider, compared to only 36% of male respondents.	

Respect for formal institutions by traditional decision-makers was generally low in comparison to respect for informal institutions by formal justice actors.	informal justice sectors appeared to be of particular note in Baghlan Province, where many indirect beneficiaries noted that TDR actors and government courts did not accept one another's decisions. Male TDR actors generally preferred the informal justice system. Female members of the general population and *spinsaries* often preferred the formal justice system. Male members of the general population were split between the formal and informal systems, with urban males more likely to prefer the formal system than their rural peers.
Indirect beneficiaries noted 17% of the time that government courts do not accept the decisions of TDR actors, compared to 16% of respondents indicating that TDR actors not accepting decisions of government courts. This was prevalent in Baghlan, where 48% of respondents indicated that TDR actors did not accept decisions of courts.	
Qualitative survey respondents - including TDR Decision-makers, key parties to disputes and formal justice actors – generally preferred the informal justice system believing that it was more timely, more affordable, less corrupt, more just, more active and better able to investigate cases.	
Quantitative survey respondents – ordinary residents in communities where RLS-I was implemented – preferred to approach the government court system to the informal justice sector for dispute resolution. This tendency was particularly strong among female respondents, and those respondents living in Kandahar Province.	

RECOMMENDATIONS

A number of important recommendations can be drawn from the findings:

TRAININGS

- Trainings should continue and be expanded to benefit more participants because of their demonstrated value for direct and indirect beneficiaries alike. Training with a greater focus on family law, inheritance law and land law is particularly in demand, according to key informant interviews.
- Trainings held in the future should be lengthened and include regular review sessions (either short-term ones every week or consolidated reviews every 4-8 weeks) to refresh beneficiaries' memory of the information received and consolidate knowledge attained. The curriculum should be tailored to the needs of different groups of trainees with different levels of education.
- More rigorous and extensive trainings for trainers should be developed for female trainers, and more competitive recruitment of female trainers should be instituted to improve the quality of training outputs and outcomes, and increase trainee satisfaction.

CCCS

- Future programming should establish CCCs as stand-alone institutions with premises dedicated to TDR training and knowledge dissemination, certifications, record keeping of disputes, and other potentially valuable means of institutionalizing best practices in TDR.

REDUCTION OF HARMFUL SOCIAL PRACTICES

- Additional trainings should be given to male and female beneficiaries related specifically to matters of importance to them. A survey of potential beneficiaries should occur in the design phase of any follow-on to the RLS-I program to allow TDR actors to identify the gaps in their own knowledge. Future TDR trainings should meet the demand identified from interviews with beneficiaries and key informants for additional knowledge of women's rights and responsibilities under Sharia law, rights of family members (particularly husbands from their wives, and wives from their husbands), inheritance law, land law, and other property rights.
- Future programming designed to strengthen TDR mechanisms should be based on more detailed evidence of the most common violations that occur in Afghan communities. Stronger evidence-based programming would enable an increase in the relevance of trainings to the specific issues faced by local communities in target districts. Better equipping male and female TDR actors with the specific skill sets required for solving local problems would increase the stature of elders, particularly female elders, and improve TDR outcomes for female disputants.
- In light of the increase in verbal harassment of women over the past two years, future training should include relevant laws on verbal harassment.
- The general lack of detailed information about incidents of *baad* is a function of the low likelihood of disputation in cases of *baad*, and the generally poor records that are kept of the TDR dispute resolution process. Future programming should focus on improving record keeping to document lessons learned from the resolution of cases.
- Any future programming should continue the best practice of supporting female leaders (through spinsaries) and working with male leaders (TDR actors) as partners in the further reduction of harmful practices against women.
- Any future programming for improving TDR outcomes should entail a nuanced gender strategy based on detailed information about the different roles and responsibilities of male versus female TDR actors in resolving different types of disputes. This gender strategy

should include tactics for delivering training to women in insecure areas and fostering greater cooperation between male and female TDR actors to further reduce practices that are harmful to women.

STRENGTHENING LINKAGES BETWEEN FORMAL AND INFORMAL SYSTEMS

- Collaboration between the formal and informal justice systems should be enhanced by improving perceptions of the formal justice system among TDR actors through additional trainings, facilitated collaboration, and increased exposure of TDR actors to the formal system. Formal justice system actors should give trainings to TDR actors on, for instance, special topics of family law or inheritance law. By establishing specialized, "expert" trainings twice a month by formal justice providers for TDR actors, future programming would allow for increased exposure between the justice sectors, and encourage greater respect for the formal justice system.
- Facilitated cooperation between the formal justice system and TDR actors should focus on resolving long-standing and intractable disputes. The recommended methodology is to ask TDR actors what long-standing disputes may benefit from collaboration with the formal justice sector. The facilitation of collaborative decision-making and problem solving will increase exposure between groups, allowing for closer relationships for future collaboration.
- Additional community outreach should be undertaken to increase knowledge among the general population of the roles and responsibilities of the formal versus informal justice sectors for resolving different types of disputes, and for how formal and informal justice actors should work together.

ANNEX 1: EVALUATION STATEMENT OF WORK

B. STATEMENT OF WORK/DELIVERABLES

B.1 INTRODUCTION

USAID/Afghanistan seeks to procure services to evaluate the Rule of Law Stabilization-Informal (RLS-I) Project implemented by Checchi & Company Consulting. The RLS-I theory of change is that strengthened traditional dispute resolution (TDR) in insecure areas will increase public confidence in the rule of law system. The project has three core objectives: (1) strengthen TDR mechanisms (e.g. *shuras/jirgas*); (2) enhance linkages between formal and informal systems; and (3) facilitate the resolution of long-standing and destabilizing disputes.

Contract	Project	Dates	Value
AID-306-C-12-00013	Rule of Law Stabilization - Informal Project	7/15/2012-1/30/2014	$15.7 million

B.2 BACKGROUND

After more than thirty years of conflict and ten years after the fall of the Taliban, Afghanistan continues to struggle with establishment of a judicial system with the capacity to deliver justice in an effective and efficient manner. Many Afghans have limited access to the formal justice system and prefer to have disputes resolved through traditional justice mechanisms. TDR mechanisms provide justice services at the community level, which is critical for promoting stability and closing the gaps that insurgents exploit to acquire local legitimacy and political power.

B.3 PROJECT GOALS AND OBJECTIVES

Objective 1: Strengthen TDR mechanisms.

Although TDR mechanisms have been remarkably resilient over the past 30 years in Afghanistan, the decades of conflict took their toll. Conflict, shifting power dynamics, corruption, and the ascendancy of other dispute resolution providers, whether state or non-state actors, have all served to debilitate TDR mechanisms in many rural and urban areas.

The nature of the debilitation differs from community to community. In some areas which have seen or been influenced by conflict, community elders do not engage in dispute resolution or engage but to a lesser extent. Other communities have TDR mechanisms that are afflicted with corruption. In other areas, local powerbrokers have

assumed primacy in resolving disputes or newly-established bodies have begun to exercise a dispute resolution function, thus marginalizing community elders.

RLS-I addresses these weaknesses, to the extent practicable, across the targeted districts. Activities include:

- Engaging in ongoing dialogue with tribal elders/community leaders who conduct *shuras* and *jirgas*;
- Providing training to communities, tribal elders, and community leaders on Afghan law, *Sharia*, and human rights norms, including on women's rights;
- Supporting information exchange between elders and community leaders;
- Encouraging the creation of networks of tribal elders and community leaders that could provide ongoing support to the justice system;
- Promoting efforts to establish a set of best practices in TDR;
- Encouraging women's participation in TDR as appropriate in targeted regions;
- Promoting increased respect for women's rights; and
- Developing alternatives to *baad* and other cultural practices that are harmful to women and children.

Expected Results:

- Increase in communities, tribal elders, and community leaders' knowledge of Afghan law, *Sharia*, and human rights norms;
- TDR decisions better reflect and/or are based on Afghan law, *Sharia* and human rights norms;
- TDR decisions are perceived to be more impartial and *shura/jirga* members are perceived to be impartial;
- TDR decision-making process is perceived to be more transparent;
- Increase in quality of decisions emanating from TDR as evidenced by targeted communities' confidence in decisions;
- Tribal elders and community leaders make commitments to halt social practices like *baad* that are harmful to women;
- Alternatives to social practices like *baad* are accepted and employed in TDR decisions;
- Decrease in number of TDR decisions that are harmful to women and children; and
- Heightened role for women in TDR processes as disputants, witnesses, or decision-makers.

Indicators:

- Number of districts graduating from RLS-I.
- Number of district/regional assessments completed.

- Number of elders graduating from RLS-I core program.
- Percentage of elders responding change in community adjudication.
- Percentage of elders reporting successful application of any element of RLS-I training.
- Change in disputant assessment (Procedural justice, subversion, equity).
- Percentage in knowledge gain in learning workshop content.
- Number of public advocacy campaigns on human rights supported by USG.
- Percentage in knowledge gain among recipients of outreach material.
- Number of Women's Dispute Resolution Groups (*Spinsary*) established.
- Number of disputes resolved by *Spinsary* Groups.

Objective 2: Strengthen linkages between informal and formal justice sectors.

While there are already some connections between TDR and the judicial institutions, strengthening these linkages provides an opportunity to bring greater legitimacy to decisions, creating accountability where TDR is most prevalent. Such linkages have resulted in the registration of cases, providing greater sustainability to decisions made.

In working to strengthen linkages with the formal system, the project explores relationships with district governors and various state bodies like the Ministry of Justice Office of the Huqooq, the Attorney General's Office, the Judiciary, and other relevant representatives of the state in the targeted districts. The project aimed to adapt linkages to the local context and be the basis for registering cases and decisions, providing accountability and the possibility of case referral. Activities include:

- Promoting efforts to make the written record of informal cases more systematic and developing an approach for storing them;
- Providing assistance with the formal registration or recordation of informal cases;
- Training on accessing the formal system for informal leaders;
- Facilitating negotiations and communication between officials and elders and/or roundtable discussions between formal and informal actors; and
- Supporting the creation of a liaison position, improving direct communication between the groups, responsible for written records.

Expected Results:

- Agreements and processes reached for the registering of TDR cases and decisions within the formal system;
- Formal and informal systems in targeted areas regularly refer cases to each other;

- Practices developed to guide how cases are referred; [1]
- Informal justice system in targeted areas increasingly forwards its decisions to the formal system to validate decisions made;
- The forwarding of decisions to the formal system for validation increases the number of decisions that are in conformity with Afghan law, *Sharia*, and human rights norms; and
- The forwarding of decisions to the formal system for validation enhances the permanence and legitimacy of decisions.

Indicators:

- Incidence of harmful practices (*baad*, forced marriage) reported by *spinsary*.
- Percentage of elders using RLS-I decision book after one month.
- Number of dispute resolutions documented by elders.
- Percentage of elders registering decisions with government.
- Number of resolutions registered with district institution.
- Number of TDR decisions recorded with *Huqooq*.
- Number of linkages assessments completed.

Objective 3: Develop approaches that successfully resolve long-term intractable disputes.

TDR provides a possible key to solving long-term intractable disputes that at times are or become drivers of conflict in Afghanistan. These disputes are ones that often span communities and cannot be easily resolved by existing local *jirgas* or *shuras*. In more extreme cases, it can be because local *jirgas/shuras* have lost credibility and the parties in the dispute do not see them as being neutral and having the moral authority to preside over conflict.

RLS-I brings together respected elders from other districts, provinces, and/or regions to resolve some of these disputes. Activities include:

- Establish networks of tribal elders and community leaders to which more difficult cases could be referred;
- Establish a roster of respected elders that are perceived to be neutral that can be called in to resolve intractable disputes; and
- Hold national conferences that allow the sharing of experiences between elders.

Expected Results:

[1] For example, felonies and complex civil disputes could be referred from the informal to the formal while more straightforward disputes could be referred from the formal to the informal system.

- Processes and structures are developed that are effective at resolving long-term disputes;
- Processes and structures established to resolve long-term disputes develop a reputation as an effective dispute resolution mechanism and are sought out to resolve other disputes;
- Resolution of long-term disputes builds confidence in traditional dispute resolution/traditional dispute mechanism;
- Resolution of long-term intractable disputes reduces sources of conflict; and
- Resolution of long-term intractable disputes makes community members less likely to support the insurgency/Taliban.

Indicators:

- Number of elders pledging to cease harmful TDR practices.
- Number of longstanding disputes identified.
- Number of longstanding disputes resolved.

B.4 GEOGRAPHIC FOCUS

The following is the list of the districts served by RLS-I. A randomized selection of these areas will be generated and used for the evaluation.

RLS-I Districts			
South		**East**	
Province	**District**	**Province**	**District**
Uruzgon	Shahidi Hassas	Nangarhar	Acheen
	Chorah		Nazyan
	Dihrawud		Goshta
	Tirin Kot		Khogayani
Kandahar	Kandahar City SD 5		Spin Ghar
	Kandahar City SD 8		Dar-i-Nur
	Takhta Pul		Jalalabad
	Panjwayi		Bati Kot
	Maywand		Bihsud
	Zharay		Kama
	Arghandab		Kuz Kunar
	Daman		Rodat
	Dand		Shinwar
	Kandahar City, SD9		Surkh Rod
	Spin Boldak	Laghman	Alishing

Zabul	Shinkay		Mitharlam
	Shahjoy		Qarghayi
	Qalat	Kunar	Chawkay
	Tarnak wa Jaldak (TWJ)		Nurgal
North		Logar	Mohammad Agha
Province	**District**		Puli Alam
Baghlan	Baghlani Jadid	Maydan Wardak	Nirkh
	Puli Khumri		Maydan Shahr
	Dahana-I-Ghuri	**Key**	
Badakshan	Fayzabad	Phase 1 district (15 total)	
Faryab	Pashtun Kot	Phase 2 district (12 total)	
Takhar	Farkhar	Phase 3 district (21 total)	

B.5 PURPOSE AND USE OF THE EVALUATION

The purpose of this evaluation is to study and document the successes and weaknesses of RLS-I to inform USAID future programming. USAID/Afghanistan's Office of Democracy and Governance (ODG) will use the conclusions and recommendations from this evaluation to shape a strategy for possible future interventions on the area of rule of law strengthening programs. Shared lessons learned also will benefit the larger USAID/Afghanistan mission and other donors working on rule of law matters.

The purpose of this evaluation is to assess the following items.

1. Evaluate the RLS-I design, approach, implementation, and effectiveness in achieving expected results.

2. Distill best practices and lessons learned on TDR programming to inform USAID future programming.

3. Examine each RLS-I program component, such as the scope and effectiveness of activities in the following areas:
    - Strengthening of traditional dispute resolution mechanisms (e.g. *shuras/jirgas*),
    - Enhancing linkages between formal and informal systems; and
    - Facilitating the resolution of long-standing and destabilizing disputes.

B.6 EVALUATION QUESTIONS

The evaluation will research the following questions:

- Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?
- What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to the local communities? To what extent do they plan to continue that role after RLS-I ends?
- To what extent did RLS-I reduce harmful social practices that violate women's rights, such as *baad?*
- To what extent are there increased formal-informal justice sector linkages in RLS-I target districts? For example, to what extent are RLS-I trained elders more likely to refer criminal cases to the formal justice system and register decisions with government actors?

B.7 METHODOLOGY

The evaluation team will be responsible for developing an evaluation strategy and methodology that includes a mix of qualitative and quantitative data collection and analysis approaches. The methodology will be presented as part of the draft work plan as outlined in the deliverables below and included in the final report. The evaluation team will have available for their analysis a variety of program implementation documents and reports. Methodology strengths and weaknesses should be identified as well as measures taken to address those weaknesses.

The suggested methodology must include, but is not limited to:

a) Key interviews with USAID/Afghanistan ODG Staff;
b) Interviews with relevant Afghan Government actors at the central and local levels;
c) Interviews with elders and program participants;
d) Interviews with key parties to disputes;
e) Interviews with RLS-I district managers;
f) Interviews with On Site Monitors (OSMs);
g) Interviews with civil society;
h) Traditional justice observation; and
i) Consultations with other donors.

The evaluation team should take into account the approaching election campaign season and ensure complete political neutrality and distance from all campaign events. The evaluation team should take proactive steps not to portray themselves as elections-related workers or pollsters.

B.8 EXISTING PERFORMANCE INFORMATION SOURCES

The Evaluation Team will review the following documents:

a) Statements of work
b) Work plans
c) Quarterly reports
d) Annual reports
e) PMP and other M&E documents

All data collected and presented in the evaluation report must be disaggregated by gender and geographically, where applicable.

B.9 EVALUATION SCHEDULE

The evaluation team is required to work six days a week. The team is required to travel to selected provinces in each region where program activities are being implemented. At least 50 percent of the consultants' time will be spent outside Kabul to conduct interviews with male and female elders, project staff and beneficiaries, government officials, and the public.

A presentation of findings will be delivered to USAID staff and a draft report will be submitted to USAID for comment at least 24 hours in advance of the exit briefing and presentation. USAID shall have ten days to provide comments to the Contractor, who will incorporate responses into the final report.

B.10 SPECIFIC QUALIFICATIONS AND PRIOR WORK EXPERIENCE OF TEAM

Although the offeror will propose the composition of the team, it must contain the following individuals that meet these requirements.

Team Leader:

- Minimum bachelor's degree in law, public administration, social sciences; or other relevant field, a master's degree is preferred;
- Minimum seven years of experience in law, evaluation, research, international development, or other relevant field;
- Knowledge of the traditional justice sector in Afghanistan;
- Strong applied research and English speaking and writing skills; and
- Experience analyzing and presenting evaluation data is preferred.

Senior Evaluation Specialist:

- Minimum bachelor's degree in law, public administration, social sciences; or other relevant field;
- Minimum four years of experience in law, evaluation, research, international development, or other relevant field;
- Strong skills in spoken and written English, as well as Dari/Pashto are required; and
- Experience analyzing and presenting evaluation data is preferred.

Evaluation Specialists:

- Minimum bachelor's degree in law, public administration, social sciences; or other relevant field;
- Minimum two years of experience in law, evaluation, research, international development, or other relevant field; and
- Strong skills in spoken and written Dari/Pashto are required and some English language skills are required.

B.11 USAID MANAGEMENT

The evaluation team will officially report to the Office of Program and Project Development (OPPD). From a technical management perspective, the evaluation team will work closely with ODG. In order to maintain objectivity, all final decisions about the evaluation will be made by OPPD's M&E Unit.

ANNEX 2 PLACES VISITED AND INDIVIDUALS INTERVIEWED

Quantitative Survey Locations

1. Baghlan e Jadid District, Baghlan
2. Pashtun Kot District, Faryab
3. Kandahar City, Kandahar
4. Rodat District, Nangarhar
5. Chora District, Uruzgan
6. Maidan Shar, Wardak

Key Informant Interviews

Province	Interviewee	Contact Information
Baghlan	Local religious leader, Rahi Gul	Provided only in draft report
	Mayor	
	Former RLS-I trainer	
	Deputy Police Chief	
	DoWA Head, Khadija	
	Judge	
	Implementing Partner (PTRO)	
Faryab	TDR Actor	
	District Chief	
	Key Party to Dispute	
Kandahar	Former RLS-I Trainer	
	Head Judge of Kandahar Province	
	Head Judge of Kandahar City	
	Mayor of Kandahar	
	DoWA Head	
Nangarhar	Rodat Executive Office	
	District Chief	
	Police Commander	
	Key Parties to Dispute	
	Spinsary member	
	TDR Actor	
	TDR Actor	
Uruzgan	Afghan government official	
	Key Party to Dispute	
	CSO	
	TDR Actor	
Wardak	Member of High Peace Council	
	Key Party to Dispute	
	Provincial Headquarters Office Employee	
	Head of Wali Gag CSO (IP)	
	TDR Actor	
	Member of High Peace Council	
Central	PTRO Employee	
	TLO Employee	

	TLO Employee	
	TLO Employee	
	Checchi employee	
	Checchi employee	
	Checchi employee	
	Checchi employee	
	Checchi employee	
	RLS-F Employee	

Focus Group Discussions

Province	Type	Interviewee	Contact Information
Baghlan	TDR Actor	Provided only in draft report	Provided only in draft report
	Female beneficiaries / Spinsary		
Faryab	Indirect beneficiaries		
Kandahar	Female beneficiaries / Spinsary		
	TDR Actors		
Nangarhar	Key Parties to Dispute		
Uruzgan	Key Parties to Dispute		
Wardak	TDR Actors		
	Female beneficiaries / Spinsary		

ANNEX 3 QUALITATIVE AND QUANTITATIVE TOOLS

GUIDELINES FOR FOCUS GROUPS WITH PARTIES TO DISPUTES

General Points:

- The questions below are a guide for discussion. You must ask all the questions but the answers are only part of what we would like to know.
- This is not an interview. It is a discussion. We want to know more than just the answers to the questions. Let the discussion develop after you ask each question. If people are making the same points over and over, then step in and move on with the focus group.
- Listen carefully to everything that the participants say. Look at each person that is talking and show that you understand what he or she is saying. Build a rapport with participants. Be hospitable. Offer them drinks and a light snack. Build a confident and trustworthy relationship between yourself and the participants and among the participants.
- People need to feel safe. Repeat that nothing said here can be traced back to them. Also if one participant is hostile to another participant, remind the group we are all here to discuss openly, it's fine to disagree, this how a constructive discussion starts. Discussions are specific cases and decisions are sensitive, and sometimes controversial. Keep this in mind and ensure your participants' confidentiality as much as possible.
- Label participants as Participant 1, Participant 2, etc. Refer to them out loud as "Participant 1," "Participant 2," etc. so we can easily track people's reaction throughout the focus group from start to finish. Label them as Participant 1, Participant 2, etc. in the beginning, let them get comfortable with the idea and then refer to them as "Participant 1," "Participant 2," etc. for the rest of the focus group.
- Read the body language of the other participants when a participant voices his/her opinion. If Person 1 looks uneasy while Person 2 is voicing their opinion, ask Person 1 if they feel uneasy and why. If a participant smiles while another expresses their opinion, ask them why they smiled. If there is a reaction out of the ordinary, ask that reacting participant about it. Be gentle. Say something like "I saw you smiling, Participant 5, when Participant 3 was making his last point. What were you thinking?" or "You seem uneasy, Participant 6, may I ask why?"
- When you ask them about their emotions to other people's responses, be sensitive. Be interested in their responses and their prompts. If they don't want to talk about how they reacted to somebody else, very briefly express your regret that you cannot talk about it further and move on.
- If somebody is particularly emphatic and won't let other people talk, specifically ask the quietest person what is on their mind and limit what the emphatic person says.
- If one person becomes hostile, write down at which point the participant becomes hostile. Make sure to report this information to the supervisor.
- In general, you should contribute to the conversation as well; however, NEVER reveal a strong view one way or the other about anything. Never judge a person's answer as right or wrong. Appear like you can make your mind up on an issue, but never do.

Facilitation Questions:

Begin the session by offering refreshments.
Date: _____
Start Time: _____

End Time: _____

Province: _____
District: _____
Village: _____
Exact location (school, hotel, etc.): _____

Interviewer: _____
Interviewer Code: _____

Moderator: Thank you for taking the time to join us today. We would like to hear your opinions and experiences with the rule of law stabilization program implemented in your area with the aim of improving and supporting the traditional dispute resolution system, strengthening linkages between the traditional systems and the formal justice system of the government, and reducing harmful practices such as *baad*. The traditional dispute resolution system includes the holding of jirgas and meetings of shuras to decide how disputes should be resolved.

There are no right or wrong answers to any questions. We would like to hear your honest opinions for each question. If at any point you are unclear about the questions I am asking you, please ask and I will clarify. Please keep in mind that this is a confidential space – people should speak freely and everyone should respect one another's opinions while also refraining from spreading information and opinions further.

Does anyone have any questions? If not, let us begin.

Participant information							
#	Name	Justice role	Place of birth	Gender (f=female, m=male)	Level of education	Referred a case to the formal justice system? Y/N	Phone number
1							
2							
3							
4							
5							
6							
7							

•

1. In your opinion, what are the main differences between traditional dispute resolution and the formal justice system of the government?

2. What are the strengths and weaknesses of traditional dispute resolution in general and in your locality?

3. What are the strengths and weaknesses of the formal justice system in general and in your locality?

4. Please describe in detail a case that you have been involved with that was brought to traditional dispute resolution and how the case was decided. [What is your opinion of the way the case was resolved? Do you believe it would have been better or worse to refer it to the formal (government) justice system?]

5. Please tell me what you know about the RLS-I program, its goals, and how it was implemented in your area.

6. What is your opinion of the quality of the RLS-I program? [Do you believe it has had a positive or negative impact on traditional dispute resolution in your community? Please describe in detail what changes you believe have been due to the RLS-I program.]

7. Did the RLS-I program increase women's involvement in the traditional dispute resolution in your community? [Please give precise examples]

8. Did the RLS-I program have any impact on harmful practices such as baad? If so, what? [Please give precise examples]

9. Since the RLS-I program has been implemented, have you referred any cases to the formal justice system? [If so, to which? How many and what types of cases? What is your opinion of the outcome of these referrals?]

10. In your opinion, what kind of cases should be treated by traditional dispute resolution and what kinds of cases should be treated by the formal justice system? [Are there any types of cases that should be referred to the formal justice system (ie family cases, inheritance cases, criminal cases, etc.)?]

11. What should be done to improve the way that formal & traditional justice systems work together?

12. What should be done to reduce harmful practices such as baad and increase women's involvement in traditional dispute resolution?

GUIDELINES FOR FOCUS GROUPS WITH TDR ACTORS

General Points:

- The questions below are a guide for discussion. You must ask all the questions but the answers are only part of what we would like to know.
- This is not an interview. It is a discussion. We want to know more than just the answers to the questions. Let the discussion develop after you ask each question. If people are making the same points over and over, then step in and move on with the focus group.
- Listen carefully to everything that the participants say. Look at each person that is talking and show that you understand what he or she is saying. Build a rapport with participants. Be hospitable. Offer them drinks and a light snack. Build a confident and trustworthy relationship between yourself and the participants and among the participants.
- People need to feel safe. Repeat that nothing said here can be traced back to them. Also if one participant is hostile to another participant, remind the group we are all here to discuss openly, it's fine to disagree, this how a constructive discussion starts. Discussions are specific cases and decisions are sensitive, and sometimes controversial. Keep this in mind and ensure your participants' confidentiality as much as possible.
- Label participants as Participant 1, Participant 2, etc. Refer to them out loud as "Participant 1," "Participant 2," etc. so we can easily track people's reaction throughout the focus group from start to finish. Label them as Participant 1, Participant 2, etc. in the beginning, let them get comfortable with the idea and then refer to them as "Participant 1," "Participant 2," etc. for the rest of the focus group.
- Read the body language of the other participants when a participant voices his/her opinion. If Person 1 looks uneasy while Person 2 is voicing their opinion, ask Person 1 if they feel

uneasy and why. If a participant smiles while another expresses their opinion, ask them why they smiled. If there is a reaction out of the ordinary, ask that reacting participant about it. Be gentle. Say something like "I saw you smiling, Participant 5, when Participant 3 was making his last point. What were you thinking?" or "You seem uneasy, Participant 6, may I ask why?"

- When you ask them about their emotions to other people's responses, be sensitive. Be interested in their responses and their prompts. If they don't want to talk about how they reacted to somebody else, very briefly express your regret that you cannot talk about it further and move on.
- If somebody is particularly emphatic and won't let other people talk, specifically ask the quietest person what is on their mind and limit what the emphatic person says.
- If one person becomes hostile, write down at which point the participant becomes hostile. Make sure to report this information to the supervisor.
- In general, you should contribute to the conversation as well; however, NEVER reveal a strong view one way or the other about anything. Never judge a person's answer as right or wrong. Appear like you can make your mind up on an issue, but never do.

Facilitation Questions:
Begin the session by offering refreshments.
Date: _____
Start Time: _____
End Time: _____

Province: _____
District: _____
Village: _____
Exact location (school, hotel, etc.): _____

Interviewer: _____
Interviewer Code: _____

Moderator: Thank you for taking the time to join us today. We would like to hear your opinions and experiences with the rule of law stabilization program implemented in your area with the aim of improving and supporting the traditional dispute resolution system, strengthening linkages between the traditional systems and the formal justice system of the government, and reducing harmful practices such as baad. The traditional dispute resolution system includes the holding of jirgas and meetings of shuras to decide how disputes should be resolved.

There are no right or wrong answers to any questions. We would like to hear your honest opinions for each question. If at any point you are unclear about the questions I am asking you, please ask and I will clarify. Please keep in mind that this is a confidential space – people should speak freely and everyone should respect one another's opinions while also refraining from spreading information and opinions further.

Does anyone have any questions? If not, let us begin.

Participant information							
#	Name	Justice role	Place of birth	Gender (f=female, m=male)	Level of education	Referred a case to the formal justice sys? Y/N	Phone number
1							
2							

3							
4							
5							
6							
7							

1. In your opinion, what are the main differences between traditional and formal (government) justice?

2. As you have all participated in a training given by the RLS-I program, please give us your opinion about the quality of the training and the RLS-I program in general? [What did you like? What did you dislike? Do you think it was interesting? Do you feel you learned something? Was it a waste of time?]

3. Did the RLSI training have an impact on how you resolve disputes using the traditional ways, for example in shuras or jirgas? [Please give precise examples]

4. What are the strengths and weaknesses of traditional dispute resolution in general and in your locality?

5. What are the strengths and weaknesses of the formal justice system in general and in your locality?

6. Please describe your past interaction with the formal justice system (2011 and earlier), and your present interaction with it (post-2011). Has there been any change? [If so, why? Please describe the change.]

7. Did the RLS-I training change how you understand the formal justice system and how you interact with it? [If so, how?]

8. Did the RLS-I program increase women's involvement in the traditional dispute resolution in your community? [Please give precise examples]

9. Did the RLS-I program have any impact on harmful practices such as baad? If so, what? [Please give precise examples]

10. In your opinion, what kind of cases should be treated by traditional dispute resolution and what kinds of cases should be treated by the formal justice system? [Are there any types of cases that should be referred to the formal justice system (ie family cases, inheritance cases, criminal cases, etc.)?]

11. Since you received training from the RLS-I program, have you referred any cases to the formal justice system? [If so, to which? How many and what types of cases? What is your opinion of the outcome of these referrals?]

12. What should be done to improve the way that formal & traditional justice systems work together? [If you need additional training, what kind of training would be most useful? If you do not need training, what do you need?]

GUIDELINES FOR KEY INFORMANT INTERVIEWS

General Points:

- The questions below are a guide for discussion. You must ask all the questions but the answers are only part of what we would like to know.
- Try to make the interview into a discussion so that the participant is comfortable in sharing information with you.
- Listen carefully to everything that the key informants say. Look at each person that is talking and show that you understand what he or she is saying. Build a rapport with participants. Be hospitable. Offer them drinks and a light snack. Build a confident and trustworthy relationship between yourself and the key informants.
- When you ask them about their emotions to other people's responses, be sensitive. Be interested in their responses and their prompts. If they don't want to talk about how they reacted to somebody else, very briefly express your regret that you cannot talk about it further and move on.
- If one person becomes hostile, write down at which point the participant becomes hostile. Make sure to report this information to the supervisor.
- In general, you should contribute to the conversation as well; however, NEVER reveal a strong view one way or the other about anything. Never judge a person's answer as right or wrong. Appear like you can make your mind up on an issue, but never do.
- The key objective of these interviews is to understand, to the greatest degree possible, the opinions and experiences of the key informants with the RLS-I program.

1. Demographics (for ALL Interviewees)

QUESTIONNAIRE ID #_____ CODER CODE_____

M1-DATE OF THE INTERVIEW_____

M2-INTERVIEWER'S CODE_____

M3-INTERVIEW BEGAN AT (24 HOURS) HH/MM_____

M4-LANGUAGE OF THE INTERVIEW

1. Pashto
2. Dari
3. Other _____

M5- Province

1. Baghlan
2. Faryab
3. Helmand
4. Kabul
5. Kandahar
6. Kunar
7. Laghman
8. Logar
9. Nangarhar
10. Kunar
11. Zabul

M6-DISTRICT

1. Pul e Khumri
2. Pashtun Kot
3. Rohat
4. Maydan Shar
5. Kandahar City (SD 5)
6. Chora

7. Other (if alternative): _____

M7-VILLAGE_____

M8-GENDER
1. Female
2. Male

M10-ETHNIC GROUP
Multiple answers possible
1. Pashto
2. Tajik
3. Uzbek
4. Hazara
5. Other_____

M11-AGE GROUP
Only one answer possible
1. 15-19
2. 20-29
3. 30-39
4. 40-49
5. 50+
98. Refused
99. Don't know

M12-OCCUPATION_____
Only one answer possible
98. Refused
99. Don't know

M13-CATEGORY
Only one answer possible
1. USAID/Afghanistan ODG Staff
2. Relevant Afghan Government actors; type: _____
3. TDR decision makers such as elders; position details: - _____
4. Key parties to disputes
5. RLS-I program staff in Kabul and district managers; type: _____
6. USAID On Site Monitors (OSMs)
7. Relevant civil society actors engaged in TDR or implementing partners with RLS-I; describe: _____
8. Key staff from other donors or donor programs that interact with RLS-I or support programming that shares its objectives and geography; describe: _____

M14-DURATION
Multiple answers possible
1. Phase 1 (April 2010 – August 2011)
2. Phase 2 (September 2011 – July 2012)
3. Phase 3 (October 2012 – January 2014)
98. Refused

99. Don't know

M15-NUMBER OF TIMES OF PARTICIPATION
Only one answer possible

1. Never directly participated in RSL-I program
2. 1 time
3. 2-4 times
4. 5-10 times
5. More than 10 times

98. Refused
99. Don't know

2. General questions for all Key Informants

1. Can you describe your experience with the RLS-I program? [How long have you known about the program?]
2. What is the difference between the traditional and formal justice systems?
3. What is your role in your current organization? [Do you have any direct work experience with the RLS-I program? If so, please describe in detail.]
4. What is your opinion of the RLS-I program, generally speaking? [Please provide as much detail as possible.]
5. If a similar program designed to improve justice were implemented in the future, should the program be done differently from RLSI? If so what changes are needed and and why?

3. Questions for Afghan Government Actors ONLY

1. What kinds of interactions do you have with TDR decision makers, if any? [If NO, stop the interview)
2. Please describe how you interact with TDR decision makers on matters of justice and dispute resolution (Please describe the nature of the interaction and how often.)
3. Since the RSL-I program was established, have you seen any changes in the way that TDR decision makers resolve disputes? If so, what changes?
4. What do you believe has been the effect, if any, of the RSL-I program? Please share with me specific examples and case studies.
5. Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?
6. Has the RSL-I program had any effect on the relationship between the formal and informal justice systems? If so, what?
7. Please describe the linkages between the formal and informal justice system in RLS-I target districts? Has this changed since the implementation of the RLS-I program? If so, how?
8. Do you believe the RLS-I program has been successful in (1) reducing harmful practices such as baad and (2) increasing women's involvement in traditional dispute resolution? Please describe this in detail.
9. Do you believe the RLS-I program has assisted in resolving long-standing destabilizing disputes? If so, please describe in detail and provide specific examples.
10. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

4. Questions for TDR Actors ONLY

1. What role did the Community Cultural Centers (CCCs) play in disseminating knowledge about informal justice to local communities? How often and in what manner did you interact with CCCs?
2. Please describe the training you received from the RSL-I program. (If the respondent is providing insufficient detail, ask more questions including: When did you receive training? What were the subjects of the training? Do you believe the trainings increased your knowledge? What do you believe was the effect of the program?)

3. Did you gain new knowledgeable about Afghan laws and dispute resolution from the training that you received? If so, please tell us some things you learned about Afghan law from the training that you previously did not know, and how you used this new knowledge in dispute resolution.
4. Do you believe that all of the information you received during trainings about Afghan law was accurate, or do you believe that some of it was inaccurate? Please describe the source of any inaccuracies in detail.
5. How did you interact with the formal justice system of the government before the RSL-I program?
6. Did the way that you interact with the formal justice system change after you engaged with RLS-I? If so, how did it change?
7. Do your interact more or less often with the formal justice system now compared to before you engaged with RLSI?
8. What do you think overall of the formal justice system of the government?
9. Can you share with me some cases that you have been approached with recently? Was the training you received from the RSL-I program relevant to any of these cases?
10. Do you believe the RLS-I program has been successful in (1) reducing harmful practices such as baad and (2) increasing women's involvement in traditional dispute resolution? [Please describe this in detail.]
11. Do you believe the RLS-I program has assisted in resolving long-standing destabilizing disputes? If so, please describe in detail and provide specific examples.
12. What do you think were some of the strengths and weaknesses of the program? What are your recommendations to the implementers on how to improve the program?
13. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

5. Questions for Parties to Disputes ONLY

1. Please describe the times that you have been party to a dispute that was heard by decision makers from TDRs or the formal justice system of the government. Please include any cases you have taken to either type of justice body and how often you interacted with them.
2. What do you think of the quality of TDR mechanisms in general and specifically in your locality?
3. Have you seen any improvement or worsening in the quality of TDR mechanisms? If so what do you think is the reason for this change?
4. What do you think of the quality of the formal justice system, in general and specifically in your locality?
5. Have you seen any improvement or worsening in the quality of the formal justice system? If so what do you think is the reason for this change?
6. How would you compare the value of TDRs and the formal justice systems? Under what circumstances would you approach either, if at all?
7. Do you think that the quality of decisions and procedures from TDR
8. Please describe the most recent case you took to your TDR representatives.
    a. What was the case?
    b. What was the outcome?
    c. What were the procedures implemented?
    d. What is your opinion of the outcome?
    e. What do you believe is the opinion of others in your community regarding the outcome? Do you believe it is respected and upheld?
9. Have you heard of the RSL-I program? If so, what do you think of the RLS-I program? How do you believe it has impacted informal dispute resolution in your community?
10. Did RLS-I reduce harmful social practices that violate women's rights, such as baad? If so, how? Please provide specific example. If not, do you think it has exacerbated these practices, or they have remained the same?
11. Do you believe that the RLS-I program has increased women's involvement in traditional dispute resolution? Please describe in detail.

12. Do you believe the RLS-I program has assisted in resolving long-standing destabilizing disputes? If so, please describe in detail and provide specific examples.
13. Please describe the linkages between the formal and informal justice system in RLS-I target districts? Has this changed since the implementation of the RLS-I program? If so, how?
14. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

6. Questions for RSL-I Program Staff & Implementing Partners ONLY

1. Please describe your specific role in the RLS-I program, including the length of your involvement.
2. Please describe the specific activities that RLS-I has undertaken in this district. What are some of the specific challenges you have faced in this district during implementation?
3. What do you think of the quality of TDR mechanisms in this district?
4. Have you seen any improvement or worsening in the quality of TDR mechanisms? If so what do you think is the reason for this change?
5. What do you think of the quality of the formal justice system in this district?
6. Have you seen any improvement or worsening in the quality of the formal justice system? If so what do you think is the reason for this change?
7. What do you believe are the strengths and weaknesses of the RLS-I program in this district? Specifically, how effective do you think the program has been in:
    a. Strengthening TDRs
    b. Enhancing links between the formal and informal justice systems
    c. Facilitating resolution to long-standing and de-stabilizing disputes
    d. Please provide specific examples / cases for each.
8. What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to the local communities in this district? Please describe this in detail.
9. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

7. Questions for USAID On Site Monitors ONLY

1. Please describe your specific role in the RLS-I program, including the length of your involvement.
2. Please describe the specific activities that RLS-I has undertaken in this district. What are some of the specific challenges RLS-I has faced in this district?
3. Have you seen any positive or negative change as an outcome of this program? If so, please describe these to me, particularly as they relate to the following objectives:
    a. Strengthening TDRs
    b. Enhancing links between the formal and informal justice systems
    c. Facilitating resolution to long-standing and de-stabilizing disputes
    d. Please provide specific examples / cases for each.
4. Were the methods used to train elders effective in increasing their knowledge and skills to resolve disputes in accordance with Afghan law?
5. Please describe the linkages between the formal and informal justice system in RLS-I target districts? Has this changed since the implementation of the RLS-I program? If so, how?
6. What role did the Community Cultural Centers (CCCs) play in disseminating informal justice knowledge to the local communities? Please describe this in detail.
7. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

8. Questions for Civil Society Actors ONLY

1. Please describe your specific role, as well as your interaction to date with the RLS-I program.
2. What is your opinion of the RSL-I program? Please provide specific examples of positive and negative aspects of the program that you have observed.
3. What do you think of the quality of TDR mechanisms in this district?

4. Have you seen any improvement or worsening in the quality of TDR mechanisms? If so what do you think is the reason for this change?
5. What do you think of the quality of the formal justice system in this district?
6. Have you seen any improvement or worsening in the quality of the formal justice system? If so what do you think is the reason for this change?
7. Please share with me any activities undertaken by the RSL-I program that you are aware of. Please be as specific as possible.
8. Do you have any recommendations for how programs like RLSI can be improved? Please describe in detail.

Final Note for all KIIs:
Our colleagues would like to call a selection of individuals who participated in interviews, primarily to confirm that the interview took place and that the information relayed to our Kabul office is accurate. Would you mind if someone called you to confirm your statements? If not, what is your phone number?

INDIVIDUAL QUESTIONNAIRE FOR SURVEY OF 600 INDIRECT BENEFICIARIES

Hello. My name is _____ and I work for a private company called Sayara Research. I would be grateful if you could spend about 30 minutes giving me your opinions about justice and the rule of law. Your answers will help us better understand what people in this district think about the best ways to resolve disputes.

This interview is anonymous and your name will not be mentioned in any report or document. You are not obliged to answer any question, and you can stop at any moment you want. Thank you for your help today, do you want to ask me anything about the interview before you decide to participate?

TO BE COMPLETED BY INTERVIEWER ONLY

M-1. QUESTIONNAIRE ID #_____

M-2. CODER CODE_____

M-3. a/b. DAY AND MONTH OF THE INTERVIEW a. DD_____ b. MM_____

M-4. INTERVIEWER'S CODE_____

M-5. a/b. INTERVIEW BEGAN AT (24 HOURS)
a. HH_____ b. MM_____

M-6. PROVINCE
a. Badakhshan
b. Baghlan
c. Faryab
d. Kandahar
e. Logar
f. Nangarhar
g. Wardak
h. Uruzgan

M-7. DISTRICT
a. Pul e Khumri
b. Pashtun Kot
c. Rohat
d. Maydan Shar
e. Kandahar City (SD 5)
f. Chora
g. Other (if alternative): _____

M-8. VILLAGE_____

M-9. TYPE OF LOCATION [DO NOT PROMPT, ONE ANSWER ONLY]
a. Urban
b. Rural

M-10. LANGUAGE OF THE INTERVIEW [DO NOT PROMPT, ONE ANSWER ONLY]
1. Dari
2. Pashto
3. Uzbek
4. Other: _____

1. AVAILABILITY OF JUSTICE MECHANISMS

Now I will ask about your opinion and experiences with traditional dispute resolution and the formal justice system of the government. Please keep in mind again that all of your responses are kept confidential and are anonymous.

Q-1. Which of the following providers of justice and dispute resolution are available in your district? [Read list, MULTIPLE ANSWERS POSSIBLE]
1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other: _____
98. Refused
99. Don't know

Q-2. Of the justice providers that I just mentioned, where would you go to seek resolution if you were involved in a dispute over ownership of land or other property? [PROMPT, ONE ANSWER ONLY]
1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other:_____
98. Refused
99. Don't know

Q-3. Why would you go there for justice and not somewhere else in property cases? [DO NOT PROMPT, MULTIPLE ANSWERS POSSIBLE]
1. Time (faster decision-making)
2. Less Money (lower cost)
3. Less Corruption (believed to be less corrupt)
4. Location (closer to the respondent)
5. More effective enforcement
6. Believe I will more likely receive a positive response
7. My family prefers it
8. Other: _____

9. I do not go anywhere. I resolve disputes within the family.
98. Refused
99. Don't know

Q-4. Where would you go for justice if you or someone in your family were the victim of a crime such as theft or murder? [PROMPT, ONE ANSWER ONLY]

1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other:_____
98. Refused
99. Don't know

Q-5. Why would you go there for justice and not somewhere else in criminal cases? [DO NOT PROMPT, MULTIPLE ANSWERS POSSIBLE]

1. Time (faster decision-making)
2. Less Money (lower cost)
3. Less Corruption (believed to be less corrupt)
4. Location (closer to the respondent)
5. More effective enforcement
6. Believe I will more likely receive a positive response
7. My family prefers it
8. Other: _____
9. I do not go anywhere. I resolve disputes within the family.
98. Refused
99. Don't know

Q-6. What about disputes over marriage, inheritance or other family issues? Where would you go for justice? [PROMPT, MULTIPLE ANSWERS POSSIBLE]

1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other:_____
98. Refused
99. Don't know

Q-7. Why would you go there for justice and not somewhere else in family cases? [DO NOT PROMPT, MULTIPLE ANSWERS POSSIBLE]

1. Time (faster decision-making)
2. Less Money (lower cost)
3. Less Corruption (believed to be less corrupt)
4. Location (closer to the respondent)
5. More effective enforcement
6. Believe I will more likely receive a positive response
7. My family prefers it
8. Other: _____
9. I do not go anywhere. I resolve disputes within the family.
98. Refused

99. Don't know

Q-8. Overall, what provider of justice do you trust the most? [DO NOT PROMPT, ONE ANSWER ONLY]

1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other:_____

98. Refused
99. Don't know

Q-9. In your village do Jirgas/shuras accept decisions taken by the government court? [DO NOT PROMPT, ONE ANSWER ONLY]

1. Yes
2. No [skip to Q-11]

98. Refused
99. Don't know

Q-10. If yes, for how long have they accepted the decisions of courts? [PROMPT, ONE ANSWER ONLY]

1. Less than two years
2. More than two years
3. More than ten years

97. Did not ask
98. Refused
99. Don't know

Q-11. In your district, do government courts accept decisions taken by jirgas/shuras ? [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No

98. Refused
99. Don't know

Q-12. If yes, for how long have they accepted the decisions of jirgas/shuras? [PROMPT, ONE ANSWER ONLY]

1. Less than two years
2. More than two years
3. More than ten years

97. Did not ask
98. Refused
99. Don't know

Q-13. Do spinsary [elder women] solve conflicts in your village? (If no, please skip to M17) [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No

97. Did not ask
98. Refused
99. Don't know

Q-14. If yes, what types of conflicts? [PROMPT, MULTIPLE ANSWERS POSSIBLE]

1. Land disputes
2. Family issues
3. Marriage and engagement-related disputes
4. Criminal issue
5. Inter-tribal / inter-community dispute
6. Legacy (long-term, destabilizing) disputes

98. Refused
99. Don't know

Q-15. If yes, for how long have spinsaries helped resolve conflicts in your village? [PROMPT, ONE ANSWER ONLY]

1. Less than two years
2. More than two years
3. More than 10 years

97. Did not ask
98. Refused
99. Don't know

Q-16. What are the most common disputes that take place in your village? [PROMPT, MULTIPLE ANSWERS POSSIBLE]

1. Land disputes
2. Family issues [out of marriage and engagement-related issues]
3. Marriage and engagement-related disputes
4. Criminal issue
5. Inter-tribal / inter-community dispute
6. Legacy (long-term, destabilizing) disputes
7. Other: _____

98. Refused
99. Don't know

Q-17. Have you ever heard of Community Cultural Centers (CCCs)? [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No (SKIP to question M20 in the next section)

98. Refused
99. Don't know

Q-18. If yes, please tell me what is the purpose of the Community Cultural Centers?
Please listen to the answer and assess its accuracy, judging for yourself if the respondents correctly knows what CCCs are. Correct answer should be similar to: CCCs are volunteers responsible for the dissemination of RLSI training and other materials.

1. The respondent's description is correct
2. The respondent' description is incorrect

98. Refused
99. Don't know

2. OPINION AND EXPERIENCE WITH INFORMAL JUSTICE SYSTEM

Now we will discuss any opinions or experiences you may have related to the informal justice system, such as shuras, jirgas and so on.

Q-19. Was there a time when you or someone close to you was involved in a dispute that was heard by a Jirga/shura? [PROMPT, ONE ANSWER ONLY]

1. Yes

2. No – If no, please SKIP to M26 in the next section
98. Refused
99. Don't know

Q-20. How long ago was the dispute brought to the Jirga/shura? [PROMPT, ONE ANSWER ONLY]
1. 1 year or less ago
2. Between 1 and 2 years ago
3. More than 2 years ago
97. Did not ask
98. Refused
99. Don't know

Q-21. How were you involved in the dispute? [PROMPT, ONE ANSWER ONLY]
1. A case was brought against me
2. I brought a case against someone else
3. Someone else and I equally decided to bring the case to the Jirga/shura
4. Other:_____
98. Refused
99. Don't know

Q-22. Was the dispute resolved?
1. Yes
2. No
3. Partially
98. Refused
99. Don't know

Q-23. Was the ruling in your favor?
1. Yes
2. No
3. Partially
98. Refused
99. Don't know

Q-24. What was your opinion of the ruling? [PROMPT, ONE ANSWER ONLY]
1. I strongly agreed with it
2. I somewhat agreed with it
3. I did not agree or disagree with it
4. I somewhat disagreed with it
5. I strongly disagreed with it
98. Refused
99. Don't know

Q-25. Did all of the disputants accept the ruling? [PROMPT, ONE ANSWER ONLY]
1. Yes
2. No
3. Partially
98. Refused
99. Don't know

3. OPINION AND EXPERIENCE WITH FORMAL RULE OF LAW

Q-26. Was there a time when you or someone close to you to was involved in a case that was heard by a state court? [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No – If no, please SKIP to M32 in the next section
98. Refused
99. Don't know

Q-27. How long ago was the case heard by the state court? [PROMPT, ONE ANSWER ONLY]
1. 1 year or less ago
2. Between 1 and 2 years ago
3. More than 2 years ago
98. Refused
99. Don't know

Q-28. How were you involved in the case? [PROMPT, ONE ANSWER ONLY]
1. A case was brought against me
2. I brought a case against someone else
3. Someone else and I equally decided to bring the case to the jirga
4. I played no role but observed it as a relative.
5. Other: _____
98. Refused
99. Don't know

Q-29. Did the court reach a decision on the case?
1. Yes
2. No
3. Partially
98. Refused
99. Don't know

Q-30. Was the ruling in your favor?
1. Yes
2. No
3. Partially
98. Refused
99. Don't know

Q-31. What was your opinion of the ruling? [PROMPT, ONE ANSWER ONLY]
1. I strongly agreed with it
2. I somewhat agreed with it
3. I did not agree or disagree with it
4. I somewhat disagreed with it
5. I strongly disagreed with it
98. Refused
99. Don't know

Q-32. Was the ruling enforced?
1. Yes
2. No.
3. Partially
98. Refused
99. Don't know

4. KNOWLEDGE AND OPINION OF RLSI

Q-33. Do you prefer that disputes should be resolved by traditional means such as jirgas/shuras or by state courts? [PROMPT, ONE ANSWER ONLY]

1. Informal
2. Formal
3. Neither
4. Both equally
5. Depends on the case. Please describe: _____

98. Refused
99. Don't know

Q-34. Are you aware of any project in this district that gives training or other kinds of support to elders and other people who resolve disputes in traditional ways such as by sitting on jirgas/shuras? [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No – If no, please read the following to the interviewee.

98. Refused
99. Don't know

Since 2012, the RLS-I program has worked to assist elders and other people involved in informal, or traditional ways of resolving disputes such as jirgas/shuras. The next questions will help us to understand more about the successes and failures of the program. When I ask the following questions, I ask that you reflect on the development of traditional dispute resolution in your area from mid-2012 to today.

Q-35. Thinking about long-standing disputes between people in this district, would you say that over the past two years more such disputes have been resolved, fewer such disputes have been resolved, or has there been no change? [PROMPT, ONE ANSWER ONLY]

1. I believe more have been resolved.
2. I believe less have been resolved.
3. I have seen no change.

- 98. Refused
- 99. Don't know
-

Q-36. Thinking about baad and similar practices, would you say that over the past two years such practices have been taking place more often, less often, or has there been no change? [PROMPT, ONE ANSWER ONLY]

1. More often
2. Less often
3. No change

98. Refused
99. Don't know

Q-37. Over the last two years, have you seen any change to women's involvement in traditional dispute resolution such as jirgas/shuras? [PROMPT, ONE ANSWER ONLY]

1. Women's involvement has increased.
2. Women's involvement has decreased.
3. Women's involvement has remained the same.

98. Refused
99. Don't know

Q-38. Thinking about the people who sit on jirgas/shuras in this district, would you say that over the past two years their knowledge of Islamic and Afghan law has increased, decreased, or has there been no change?

1. Increased.
2. Decreased.
3. No change.

98. Refused
99. Don't know

Q-39. Thinking about the different people who decide on disputes in jirgas/shuras and in the state courts and offices, would you say that over the last two years these people have been working together more, less, or has there been no change? [PROMPT, ONE ANSWER ONLY]

1. More
2. Less
3. No change
98. Refused
99. Don't know

Q-40. Over the last two years, have you heard any messages on the radio, television or from other sources about improving the way that the formal justice system of the state and the traditional justice system work together? [PROMPT, ONE ANSWER ONLY]

1. Yes
2. No
98. Refused
99. Don't know

5. QUESTIONS FOR WOMEN ONLY

Q-41. I'm going to read a list of actions that many people consider as violations of women's rights. For each action on the list, please tell me whether you think it is happening more often, less often or whether there has been no change over the past two years. [PROMPT, MULTIPLE ANSWERS POSSIBLE]

	More often	Less often	No change	Don't Know	Refused
a. Verbal harassment	1	2	3	98	99
b. Physical beatings	1	2	3	98	99
c. Sexual harassment	1	2	3	98	99
d. Sexual abuse and exploitation	1	2	3	98	99
e. Forced or early marriage	1	2	3	98	99
g. Customary violations. Please specify type (badal, baad, etc.): _____	1	2	3	98	99
f. Other (interviewer write): _____ _____	1	2	3	98	99

Q-42. Overall, would you say that in the past two years violations against women's rights in this area have increased, decreased, or has there been no change? [PROMPT, ONE ANSWER ONLY]

1. Increased
2. Decreased
3. No change
98. Refused
99. Don't know

Q-43. How often does baad occur in this area? [PROMPT, ONE ANSWER ONLY]

1. Very often → How many times per year: _____ (WRITE NUMBER)
2. Sometimes → How many times per year: _____ (WRITE NUMBER)
3. Rarely → How many times per year: _____ (WRITE NUMBER)

4. Never
98. Refused
99. Don't know

Q-44. Would you say that the occurrence of baad in this area has increased, decreased, or has there been no change in the past two years? [PROMPT, ONE ANSWER ONLY]
1. Increased
2. Decreased
3. No change
98. Refused
99. Don't know

Q-45. How often are cases of baad disputed? [PROMPT, ONE ANSWER ONLY]
1. Very often → How many times per year: ____ (WRITE NUMBER)
2. Sometimes → How many times per year: ____ (WRITE NUMBER)
3. Rarely → How many times per year: ____ (WRITE NUMBER)
4. Never (Skip to D10)
98. Refused
99. Don't know

Q-46. When cases of baad are disputed, how are they resolved most often? [PROMPT, ONE ANSWER ONLY]
1. Government court
2. Taliban court
3. Shura/jirga
4. Individual local leader
5. Mullah or religious leader
6. District governor / government officials who are not part of the court
7. Family elders
8. Other:_____
98. Refused
99. Don't know

DEMOGRAPHICS

D-1. GENDER [DO NOT PROMPT, ONE ANSWER ONLY]
1. Female
2. Male

D-2. ETHNIC GROUP [PROMPT, ONE ANSWER ONLY]
1. Tajik
2. Pashtun
3. Uzbek
4. Turkmen
5. Hazara
6. Baloch
7. Kirghiz
8. Nuristani
9. Aimak
10. Arab
11. Pashaee
12. Other (vol.)
98. Refused (vol.)
99. Don't Know (vol.)

1. AGE GROUP [PROMPT, ONE ANSWER ONLY]
    1. 18-29
    2. 30-39
    3. 40-49
    4. 50+
    98. Refused
    99. Don't know

D9-MARITAL STATUS [PROMPT, ONE ANSWER ONLY]
    1. Single
    2. Engaged
    3. Married
    4. Divorced
    5. Widow/Widowed
    98. Refused
    99. Don't know

D10-TYPE OF EMPLOYMENT [PROMPT, ONE ANSWER ONLY]
    1. Full time (at least 5 days a week, 7 hours a day)
    2. Part time (less than 3 days a week, 7 hours a day)
    3. Unemployed, not searching
    4. Unemployed, searching
    98. Refused
    99. Don't know

D11-OCCUPATION [PROMPT, ONE ANSWER ONLY]
    1. Government Employee Support Staff (other than military/police)
    2. Government Employee Mid Level (Supervisory) (other than military/police)
    3. Government Employee Senior Level Officer(other than military/police)
    4. Agricultural Laborer
    5. Farming On Own Farm
    6. Farm Owner Employing Laborers
    7. Unskilled Worker
    8. Semi Skilled Worker
    9. Skilled Worker
    10. Commercial Business Employee Support Staff
    11. Commercial Business Employee Mid Level (Supervisory)
    12. Commercial Business Employee Senior Officer
    13. Commercial Business Owner - Sole Proprietor
    14. Commercial Business Owner - Employing 1-5 Workers
    15. Commercial Business Owner - Employing More Than 5 Workers
    16. Military/Police
    97. Other: _____
    98. Refused
    99. Don't know

D12-EDUCATION - What is the highest level of school or madrassa you completed? (Circle one)
    1. Never went to school or madrassa (illiterate)
    2. Primary School, incomplete (classes 1 to 5)
    3. Primary School, complete (finished class 6)
    4. Secondary education, incomplete (classes 7 to 8)
    5. Secondary education, complete (finished class 9)
    6. High School (classes 10 to 12)
    7. University education or above
    98. Refused (volunteered only)

99. Don't know (volunteered only)

D13 – HOUSEHOLD INCOME [PROMPT, ONE ANSWER ONLY]
I know this is a sensitive question, and I am sorry to ask but what is your household's total monthly income in Afghanis from all sources, that is, all types of income for all the people that live in your household? Your answer will only be used for demographic purposes and is completely anonymous.

1. 1,000 Afghanis or less
2. From 1,001 to 2,400
3. From 2,401 to 6,000
4. From 6,001 to 12,000
5. From 12,001 to 20,000
6. From 20,001 to 40,000
7. Greater than 40,000 Afghanis?

98. Refused
99. Don't Know

M-11. a/b INTERVIEW ENDED TIME(use 24 hour)
a.HH_____ b. MM_____

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ANNEX 5 MEETING NOTES

Mid-Term Briefing Minutes

Subject: Mid-Term Briefing of Performance Evaluation of Rule of Law Stabilization – Informal Program
Meeting Date: 16 April 2014
Time: 09:30 to 10:30
Location: USAID, Kabul, Afghanistan

Attendees
Nama Vanier (Sayara), Haroon Rasheed (Sayara), Shahla Naimi (Sayara), Paige Miller (USAID), Rafiuddin Nejat (USAID), Noor Ahmad (USAID), Jennifer Pike (USAID), Joanthan Palmer (USAID), David Dzebisashvili (USAID)

Meeting Minutes

1. Evaluation Progress
    - HANDOUT: Revised Work Plan
    - Discussion on proposed primary and secondary district selection provided by Haroon Rasheed with confirmation of approved primary and secondary district selection received from Paige Miller
    - Nama Vanier thanked Paige Miller for her quick turn around and approval of the qualitative tools – focus group guidelines for both traditional dispute resolution actors and parties to disputes, as well as key informant interview guidelines – and noted that translation of the tools is currently under way.
    - Nama Vanier noted further that a no-cost quantitative survey is under the process of being finalized with Samuel Schueth, Sayara's Chief Social Scientist, and is expected to be shared with USAID shortly. Paige Miller noted her commitment to a quick turn around in order to enable the commencement of field work.

2. Discussions of Challenges Faced
    - Deteriorating security situation in Achin District, Nangarhar shared with USAID staff by Haroon Rasheed, and explained as reason for the district change to Rodat, Nangarhar. Increasing presence of Pakistani Taliban has worsened security in Achin, where elections were not held in early April due to insecurity. Paige Miller approved the district change.
    - Restricted movement and field work in anticipation of first and second round of elections, with arisen staff challenges and concerns about biased data
        - Nama Vanier requested USAID's consideration of a new proposed Team Leader, Shahla Naimi. The previous Team Leader was personally affected by recent attacks on foreigners and travelled unexpectedly to the United States, rendering her unable to partake in the evaluation. The requested staff change is currently under review by USAID.
        - Shahla Naimi emphasized the importance of commencing fieldwork as soon as possible, ahead of the announcements of the election results on 24 April 2014, noting that potential insecurity may increase during this time period.
        - Several Sayara staff, national and international, were asked to either leave Afghanistan during the election period or work from home, resulting in a delay in evaluation activities.
    -

3. Potential Challenges
    - HANDOUT: Mitigation Strategy

- Nama Vanier and Shahla Naimi shared with USAID its expected challenges for the remainder of the evaluation, and plans developed to mitigate any expected risks.
- Mitigation strategy included potential field visits by Haroon Rasheed and Shahla Naimi to conduct qualitative interviews. Such visits are currently under review by Sayara security.

4. Emerging Opportunities

- Addition of no-cost quantitative survey and expansion of key informant interview scope to include local religious leaders was shared with USAID by Nama Vanier, who further emphasized the added benefit of quantitative contextualization for qualitative interviews.
- Qualitative and quantitative random-check analysis during data entry was explained to USAID by Shahla Naimi in order to ensure only reliable data was taken into consideration during the evaluation.

5. Items for Review and Approval

- Revised Work Plan – shared with USAID in person on 16 April 2014 and sent via email for formal review and approval on 16 April 2014
    - Sayara requested a decrease in the turn around time for the draft report from USAID. Paige Miller noted that USAID would require 5 working days to review the draft report and return comments to Sayara.
- Quantitative questionnaire - to be shared with USAID in due course
- Approved via email by USAID on 15 April 2014
- Key Informant Guidelines
- Focus Group Guidelines for Traditional Dispute Resolution Actors
- Focus Group Guidelines for Parties to Disputes

6. Action Points

- USAID to provide clarification on CCCs, which was provided to Sayara via email on 16 April 2014 following the mid-term briefing
- David requested that interim findings and observations by shared by Sayara with USAID in weekly reports following the commencement of fieldwork.

ANNEX 6 STATEMENT OF DIFFERENCES

CHECCHI

CHECCHI AND COMPANY CONSULTING, INC.
1899 L Street, NW, Suite 800, Washington, DC 20036
Tel: 202-452-9700 | Fax: 202-466-9070 | www.checchiconsulting.com | jagee@checchiconsulting.com

July 1, 2014

Paige Miller
Deputy M&E Team Lead
Office of Program and Project Development
USAID/Afghanistan
Kabul, Afghanistan

Subject: Statement of Differences to Performance Evaluation of the Rule of Law Stabilization-Informal Component Program

Dear Ms. Miller:

Thank you for the opportunity to comment on the subject performance evaluation. We are pleased to note that the findings of the Performance Evaluation of the Rule of Law Stabilization Program, Informal Component (RLS-I), which was prepared by and submitted to USAID by Sayara Research largely mirror the findings of our own impact evaluation of RLS-I programming. Based on our findings, we believe that we have made sound recommendations in our final report from an implementer's perspective and that they should be considered along with those of the evaluators in future program design.

We would like to use this opportunity to correct a general misconception and mistaken assumption the evaluators made during the course of their performance evaluation which led to several particular unfounded key findings and conclusions.

The role of the Community Cultural Centers

The Performance Evaluation question 2 focused on the role Community Cultural Centers (CCCs) played in disseminating informal justice knowledge to the local communities and to what extent CCCs would continue such a role when RLS-I ended.

First, some historical background about Community Cultural Centers is in order. Community Cultural Centers were established with USAID support through the Afghanistan Rule of Law Project (ARoLP) during the years 2004-2009. The CCCs were established for the purpose of creating a physical focal point for community legal awareness-building and legal literacy activities. Minimal support was provided to the CCCs and typically included furnishing existing donated community space with audio visual equipment and training volunteers to distribute legal outreach materials and use the a/v equipment to present audio and visual outreach materials produced with USAID support. ARoLP internally used the term “Community Cultural Center” when describing these outreach distribution focal points, however they were referred by many different names in the communities where they existed. Since the CCCs have not received any support since 2009 it is not

surprising that the evaluators where unable to find anyone who knew of them by that name, while "only RLS-I staff were able to recognize and correctly define CCCs"[1]

The Performance Evaluation greatly overemphasizes the intended role of CCCs under RLS-I and implies that the development and sustainability of CCCs was a project objective, indicating on page 8 of their report as a key finding that "while the evaluation question suggests that CCCs were meant to be sustainable institutions for disseminating knowledge on informal justice, no CCCs dedicated to TDR were identified during the evaluation" concluding that "no evidence was found to suggest that the dissemination of informal justice knowledge by CCCs is a sustainable outcome of the RLS-I program" and that "CCCs were not created as institutions with a lasting mandate to disseminate TDR knowledge." Further, in the "Findings and Conclusions" section on page 40 of the Performance Evaluation declares that "poor record keeping" and "poor implementation of CCC development is responsible for this finding."

We understand that after the ARoLP project ended in 2009, USAID was interested in possibly replicating or building on existing CCCs, however such support never materialized and was never contemplated to be provided by RLS-I (which began in April 2010) with the limited exception that Checchi simply proposed to use any CCCs that were still operating as one of many channels to distribute RLS-I outreach materials in communities where RLS-I implemented programming. In fact, the only mention of CCCs in Checchi's proposal to USAID indicated that Checchi would "distribute outreach materials through existing and new community cultural centers, local CSOs, and other community outreach networks." Checchi's approved Work Plan[2] anticipated asking volunteer members of CCCs "to continue to arrange for public broadcast of previously developed RLS-I radio and video outreach materials." Thus, RLS-I and USAID never anticipated what we referred to as Community Cultural Centers be anything more than one of many mechanisms for distribution of RLS-I outreach materials. And this is exactly what RLS-I did; project staff enlisted volunteers from two of the ARoLP-funded CCCs along with other community organizations and NGOs to help RLS-I conduct outreach campaigns that distributed 470,370 illustrated booklets, calendars and pamphlets in two districts each in the south and east and one in the north.[3] It should be noted that RLS-I relied primarily on local NGOs to distribute the bulk of our outreach materials and only where there were no NGOs operating did we search out former CCC volunteers and use donated space for the storage and dissemination of such materials.

As stated above, the findings and conclusions concerning the CCCs do not accurately reflect the RLS-I project objectives and leaves the impression that the project failed to further develop or sustain the operations and activities of the CCCs. The report mistakenly assumes that the RLS-I program was responsible for providing some level of support to maintain CCCs and/or ensure that CCCs would become a viable avenue for future dissemination of informal justice materials. This is simply not the case. The assertions and conclusions of the Performance Evaluation here ignore the focus of the outreach component of the project as expressly stated in the contract, which is the development of "a public outreach and education approach carefully woven into the community-specific plan to help achieve its articulated objectives" of strengthening TDR mechanisms and linkages between formal and informal sectors and does not expressly or impliedly call on Checchi to provide any support to CCCs.

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[1] Sayara Research RLS-I Performance Evaluation, page 40

[2] See RLS-I Phase 3Work Plan 14 October 2012-13 January 2013

[3] See page 32, RLS-I Phase 3 Final Report (April 2014)

Concerning the role of women's dispute resolution groups, also known as *Spinsary* Groups

The text box on page 28 of Performance Evaluation notes that "one unplanned success" of the development of *spinsary* groups resulted in the increased ability for female TDR actors to decide cases between female disputants. While we strongly believe that this is in fact true, such results were certainly not "unplanned." In fact, one of the most important purposes behind the development of *spinsary* groups was to provide women elders a space and mechanism to tackle community and family-oriented conflicts in the traditionally male-dominated local dispute resolution space.

Again, we'd like to thank you and USAID for providing us with the opportunity to comment on this evaluation and we look forward to working with USAID/Afghanistan again on future ROL projects.

Sincerely,

James Agee
Vice President

SAYARA
RESEARCH

July 8, 2014

Paige Miller
Deputy M&E Team Lead
Office of Program and Project Development
USAID/Afghanistan
Kabul, Afghanistan

Subject: Response to Statement of Differences to Performance Evaluation of the Rule of Law Stabilization- Informal Component Program

Dear Ms. Miller:

Thank you for the opportunity to respond to the Statement of Differences submitted by Checchi in response to the findings of the performance evaluation of the Rule of Law Stabilization Program, Informal Component (RLS-I) that we implemented for USAID Afghanistan. Checchi and Company Consulting, Inc. raised an important concern with the interpretation of the findings that led us to make several minor revisions on Pages 8, 9, 28, and 40.

The revisions on Pages 8, 9 and 40 concern the interpretation of the significance of the findings on the Community Cultural Centers (CCCs). Our revisions clarify the relevance of the findings for program performance in light of the fact that RLS-I was not designed to provide direct support for the CCCs.

Finally, we deleted word "unplanned" from the text box on Page 28.

Sincerely,

Samuel Schueth, Ph.D.
Chief Social Scientist

ANNEX 7 CONFLICT OF INTEREST DISCLOSURE

Name	Samuel Schueth
Title	Chief Social Scientist
Organization	Sayara Research
Evaluation Position?	Technical Director/Senior Evaluation Advisor
Evaluation Award Number *(contract or other instrument)*	AID-O-14-00051
USAID Project(s) Evaluated *(Include project name(s), implementer name(s) and award number(s), if applicable)*	Rule of Law Stabilization-Informal Program
I have real or potential conflicts of interest to disclose.	No
If yes answered above, I disclose the following facts: *Real or potential conflicts of interest may include, but are not limited to:* 1. *Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated.* 2. *Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation.* 3. *Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project.* 4. *Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated.* 5. *Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated.* 6. *Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.*	

I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

Signature	
Date	30 May 2014

ANNEX 8 EVALUATION TEAM

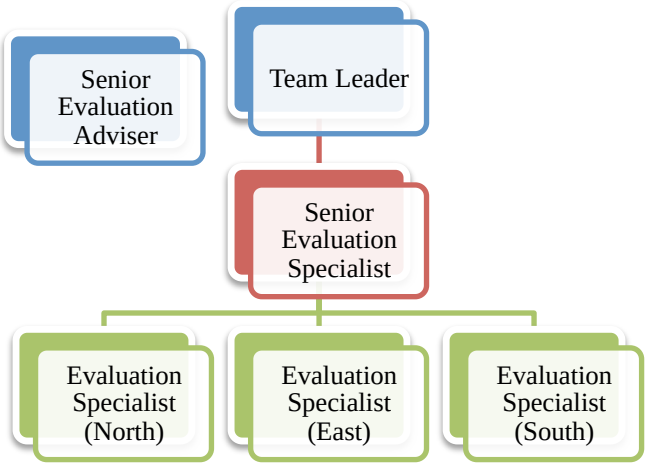
Sayara's evaluation team consisted of one expat Team Leader, a Senior Evaluation Specialist, and three Evaluation Specialists, one for each RLS-I region. A Senior Evaluation Advisor will also provide guidance to the evaluation team.

8.1 TEAM POSITION DESCRIPTIONS

1) Senior Evaluation Advisor (expat) – Provides overall guidance on the evaluation methodology, data analysis, and controls the quality of reporting.
2) Team Leader (expat) – Responsible for all aspects of evaluation research, analysis, and reporting.
3) Senior Evaluation Specialist (Afghan) – Implements data collection with Afghan respondents, supports research design, analysis and reporting.
4) Evaluation Specialists (3) (Afghan) – Coordinates and assists with data collection in the 3 RLS-I regions, moderate focus group discussions.

•

8.2 STAFFING ORGANOGRAM



One Dari and one Pashto translator, one field logistics coordinator, and one data manager based at Sayara's headquarters in Kabul supported the evaluation team.

8.3 TEAM BIOS

1) Senior Evaluation Advisor -- Dr. Samuel Schueth is the Executive Director at Sayara Research. He is a social scientist that leads the design, implementation, and analysis of quantitative and qualitative research, particularly in conflict and post-conflict environments. He has 10 years of experience in strategy formulation for stability, peace building and development programs, and in evaluating outcomes, deriving lessons learned, managing monitoring, evaluation and research projects, and preparing high-quality analytical articles and reports. Previously he managed the Measuring Impacts of Stabilization Initiatives (MISTI) Program for USAID Afghanistan. Dr. Schueth holds a Ph.D. in Geography from the University of Minnesota, USA.
2) Team Leader – Ms. Shahla Naimi is an Afghan American Citizen (US passport), holds a BA from Yale with extensive relevant experience in the fields of international development and law, with a special focus on the bridging of customary and religious law with formal legal systems. She has amassed firsthand experience in project development, field management, qualitative field research, quantitative data analysis and report development. She previously worked for the Permanent Mission of Afghanistan to the United Nations, where she co-led

negotiations related to the UNAMA mandate and SCRs 1998 and 1999 on reconciliation and reintegration. She has worked in Afghanistan for multiple institutions such as The Asia Foundation, NRC, JICA, DFID, AusAid and PTRO. In addition, she coordinated the Femin Ijtihad, conducting pro-bono trainings for local legal aid organizations on women's rights and responsibilities in Islamic law, and as an researcher for the UNDP Evaluation Office through Samuel Hall. She has further garnered experience in the international formal justice system through legal and policy work with the Iraqi Refugee Assistance Project.

3) Senior Evaluation Specialist – Dr. Haroon Rasheed is a highly trained Afghan research professional with 5 years of progressively responsible experience monitoring and evaluation research on stability, alternative livelihoods, health, and community development programs. He has developed his expertise with USAID evaluation over the past 3 years leading M&E teams on USAID stabilization programs, including the Measuring Impacts of Stabilization Initiatives (MISTI) program, the Afghan Stabilization Initiative – East (ASI-East) program, and the Local Governance and Community Devlopment (LGCD) program. He recently led a performance evaluation and impact assessment of the Community Development Program (CDP) program in Kandahar, Helmand and Khost. Dr. Rasheed holds a medical degree from Nangarhar University focused on epidemiology and biostatistics.
4) M&E Specialist (North) – Mr. Yuosifi has 5 years of experience working on research projects in northern Afghanistan. Mr. Yuosifi's noticeable motivation, professionalism, dedication to social science research, and excellent track record of working within Afghanistan's ever-changing local environments led to his recent promotion to a regional supervisor position in Sayara's national field network.
5) M&E Specialist (South) – Mr. Popal, based in Kandahar, is a cornerstone of the Sayara Research field network across Afghanistan's most unstable environments. Mr. Popal has worked on a dozen of studies using multi-pronged methodologies over the past three years, including large-scale quantitative and qualitative studies for NATO and USAID.
6) M&E Specialist (East) – Mr. Nasiri, based in Jalabad, is a veteran field researcher; he has coordinated and led data collection in 115 districts in eastern Afghanistan, organized multiple focus groups in Nangarhar province, and participated in the design and implementation of innovative mixed-method perception studies.

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