

PROJECT APPRAISAL REPORT (PAR)

3060 123 (6)
PD-AAC-459-C1

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1. PROJECT NO. 306-11-790-123, 2	2. DATE OF REPORT May 1976	3. ACTION Termination	4. COUNTRY Afghanistan	5. PAR SERIAL NO. 28-7
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National Development Training (Legal)

6. PROJECT DURATION: Began FY <u>73</u> Ends FY <u>77</u>		7. DATE LATEST PIP <u>July 72</u>	8. DATE LATEST PIP <u>None</u>	9. DATE PRIOR PAR <u>9 Sept. 1975</u>
10. U.S. FUNDING	a. Cumulative Obligation Thru Prior FY: \$ <u>643,000</u>	b. Current FY Estimated Budget: \$ <u>195,000</u>	c. Estimated Budget to completion After Current FY: \$ <u>462,000</u>	

11. KEY ACTION AGENTS (Contractor, Participating Agency or Voluntary Agency)

a. NAME	b. CONTRACT, PASA OR VOL. AG. NO.
<u>George Washington University</u>	<u>AID/CM/ASIA-C73-32</u>

I. NEW ACTIONS PROPOSED AND REQUESTED AS A RESULT OF THIS EVALUATION

A. ACTION (X)			B. LIST OF ACTIONS	C. PROPOSED ACTION COMPLETION DATE
USAID	AID/W	HOST		
x			Notify GOA project will terminate as a funding vehicle as scheduled (FY 1977)	June, 1976
x			Complete obligations as scheduled through FY 1977	Feb. 1977
		x	Nominate additional participants as required	June, 1977

NB. Since the Mission can now predict with reasonable sureness that there will be no significant deviations in the Interim Quarter and FY 1977 from the findings in this PAR, no PAR will be done in FY 1977 for this terminating project unless unforeseen circumstances provide the need.

D. REPLANNING REQUIRES				E. DATE OF MISSION REVIEW	
REVISED OR NEW:	<input type="checkbox"/> PROP	<input type="checkbox"/> PIP	<input type="checkbox"/> PIP/C	<input type="checkbox"/> PIP/P	<u>May 8, 1976</u>

PROJECT MANAGER: TYPED NAME/ SIGNED INITIALS AND DATE <u>Robert D. Brandt Robert D Brandt</u>	MISSION DIRECTOR: TYPED NAME, SIGNED INITIALS AND DATE <u>Vincent W. Brown Vincent W Brown</u>
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II. PERFORMANCE OF KEY INPUTS AND ACTION AGENTS

A. INPUT OR ACTION AGENT CONTRACTOR, PARTICIPATING AGENCY OR VOLUNTARY AGENCY	B. PERFORMANCE AGAINST PLAN							C. IMPORTANCE FOR ACHIEVING PROJECT PURPOSE (X)					
	UNSATISFACTORY		SATISFACTORY			OUT-STANDING		LOW			MEDIUM		HIGH
	1	2	3	4	5	6	7	1	2	3	4	5	
1. George Washington University					X							X	
2. English Language Center (USIS)						X						X	

Comment on key factors determining rating

Contractor is meeting the requirements of the contract. Changes have been made to reflect previous project experience. There is better balance between classroom and on-the-job training. No participants are now being enrolled in degree programs. Project assignments related to Afghan problems are made for each participant. USIS provides the sole English Language training input, intensive training in basic English up to and including special legal terminology training. Students receive approximately 1000 hours (9 months) basic and legal English language instruction.

4. PARTICIPANT TRAINING	1	2	3	4	5	6	7	1	2	3	4	5
						X						

Comment on key factors determining rating All returned participants have been placed in responsible positions in the faculties of Law at Kabul University and within the Ministry of Justice. The completion of the project purpose is dependent upon participant training, its effectiveness and utilization. The training required by the project is specialized, non-degree academic, observation and on-the-job training in internationally accepted legal practices.

5. COMMODITIES	N/A	1	2	3	4	5	6	7	1	2	3	4	5
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Comment on key factors determining rating

N/A

6. COOPERATING COUNTRY	a. PERSONNEL	1	2	3	4	5	6	7	1	2	3	4	5
	b. OTHER (financial)						X						X

Comment on key factors determining rating

a. The GOA through Kabul University (MinEd), the Ministry of Justice, and the Ministry of Planning recognize the need to modernize present Afghan legal procedures. The GOA views the project as an element of their plan to improve economic and social development. Candidates are provided when requested and are released from their jobs for English language training as required. This has been a factor in introducing a limited number of Afghan lawyers to modern western legal procedures and is supplying specific components of trained manpower currently required to update procedures in the teaching and application of law. Returned participants are being assigned to projects of codification law, publishing legal opinions and decisions, and speeding up legal procedures for adjudicating and resolving court case loads. Out of the first nine participants trained under this project, four are assigned to the Central High Court of Appeals and two (see continuation sheet)

7. OTHER DONORS	a. British Council:	1	2	3	4	5	6	7	1	2	3	4	5
	b. Fulbright Lecturer:					X						X	

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PROJECT APPRAISAL REPORT (PAR) Continuation Sheet**Comment on key factors determining rating # 6 (Con't Page 2)**

to the Central Court of Appeals which reviews and hears 2,000 to 3,000 cases annually from lower provincial courts. One returned participant is President of the Narcotics Court which reviews and hears 50 to 75 cases annually. Another returned participant is President of the traffic court which reviews and hears 1300 to 1400 cases annually. There is no appeal or review of judicial actions outside Kabul; all are brought in to the Central High Court of Appeals in Kabul for final adjudication.

b. The GOA continues candidates salaries during English language training; one year's salary is paid while participant is in training abroad; local costs for international air travel are paid, and the GOA guarantees employment of the participants upon their return.

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11. J. Continued: Comment on key factors determining rating of Other Donors a. The British Council has provided a two week training program (in England) in the overview of the English system of legal procedures. Programs were developed either for small groups of two or three, or individually as the situation required. Programs were developed in law offices, judges chambers, open court, university visits, et al.

b. The Fulbright lecturer has been working with the returned participants in the Ministry of Justice and the principal and alternate candidates (now studying English) most effectively. He has provided lectures in certain areas of U.S. law and is directing projects in the Ministry of Justice which involve returned participants.

III. KEY OUTPUT INDICATORS AND TARGETS

A. QUANTITATIVE INDICATORS FOR MAJOR OUTPUTS		TARGETS (Percentage/Rate/Amount)					END OF PROJECT
		CUMULATIVE PRIOR FY	CURRENT FY 76		FY 77	FY 78	
			TO DATE	TO END			
Participants trained.	PLANNED	27	0	10	10	0	47
	ACTUAL PERFORMANCE	27	0				
	REPLANNED			10	10	0	47
Returned participants assigned to previous or higher positions than they held prior to being trained.	PLANNED	27	0	10	10	0	47
	ACTUAL PERFORMANCE	18*	0				
	REPLANNED			9	10	10	47
	PLANNED						
	ACTUAL PERFORMANCE						
	REPLANNED						
	PLANNED						
	ACTUAL PERFORMANCE						
	REPLANNED						
B. QUALITATIVE INDICATORS FOR MAJOR OUTPUTS	COMMENT: All returned participants (17) have been placed in responsible positions. Two areas which are being enhanced by their efforts are codification and legal opinion publishing.						
1. Returned participants demonstrate new skills and legal concepts.	* One participant from the first group remains in training pursuing a PHD degree.						
2. Returned participants conduct legal seminars as scheduled by the Ministry of Justice.	COMMENT: One returned participant is working full-time at the Judicial Training Institute. Six other returned participants provide part-time teaching services to the Institute.						
3. Broad elements of the Afghan legal system benefit from the project.	COMMENT: Of the 27 participants already selected, 13 are from the Judiciary, 8 from the University and 6 from the Prosecutor's office.						

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IV. PROJECT PURPOSE

1. Statement of purpose as currently envisaged.

2. Same as in PROP? YES NO

To provide well-trained lawyers able to increase the competence of the Ministry of Justice staff and improve the administration of the judicial and prosecutorial departments of the Ministry of Justice; to improve the techniques and methodologies of teaching law in the University faculties and to give lawyers of the Ministry of Justice and Kabul University faculties greater capacities to introduce modern legal practices into Afghan institutions.

1. Conditions which will exist when above purpose is achieved.	2. Evidence to date of progress toward these conditions.
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1. 47 participants in positions equal to or higher than previous position.

1. 17 returned participants placed in responsible positions in Ministry of Justice and Kabul University.

2. 14 returned participants teaching at Ministry of Justice Training Institute.

2. One returned participant actively working in the Training Institute with 6 indirectly engaged in working in the Institute along with other assigned duties.

3. 17 ex-participants teaching at the K. U., Law faculty instituting new courses, new pedagogical methodologies and developing legal teaching materials.

3. Of the five participants selected from Kabul University four are from Faculty of Law and Political Science and one from Faculty of Islamic Law. All have been placed and are actively teaching at Kabul University. The returned participant from the Faculty of Islamic Law was appointed Vice President of Kabul University in March, 1976 after his return from training in Jan, 1976.

4. Institutionalized seminars.

4. Routinely implemented in Ministry of Justice on ad hoc basis. New areas of legal operation and administration now being implemented with newly trained personnel.

V. PROGRAMMING GOAL

A. Statement of Programming Goal

The PROP for this project, approved in July 1972, in large measure, preceded the AID log frame system. A general objective of legal modernization was envisaged in the log frame prepared in 1974.

B. Will the achievement of the project purpose make a significant contribution to the programming goal, given the magnitude of the national problem? Cite evidence.

This project was designed to support the GOA request for assistance in training legal personnel of the Ministry of Justice and Kabul University. Originally, the project was to support the 1964 constitutional establishment. A new constitution is being promulgated in 1976 and should benefit from this project which is producing more capable, better (in a western sense) legal personnel. The project is not considered to fit the present Congressional Mandate in terms of providing direct assistance to the poor majority, and is being terminated as scheduled. Readers of this PAR are invited to read State 85590 of April 9, 1976 entitled "Human Rights and Development" which encourages the utilization of participant training funds to train lawyers to solve specific development problems. It also mentions the possible regionalization of this project.