



**Contract No. DFD-1-00-04-00170-00 Task Order 4**

**Checchi and Company Consulting, Inc.**

**Rule of Law Stabilization – Informal Component**

**Monthly Report**

**July 2010**

**Rule of Law Stabilization - Informal  
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# Rule of Law Stabilization Program Informal Component

Checchi and Company Consulting, Inc.

Contract No. DFD-I-00-04-00170-00, Task Order No. 4

## Monthly Report – July 2010

The contract between Checchi and Company Consulting, Inc. (Checchi) and USAID/DCHA/DG for the Rule of Law Stabilization Program – Informal Component (RLS-I) was signed on March 19, 2010 and its implementation began on April 6, 2010. RLS-I supports the Afghanistan Rule of Law: Informal program with assistance in areas of 1) Informal Justice Support in Pilot Districts, 2) Mapping community based dispute resolution (CBDR) and the State Justice System, 3) Legal Defense, 4) Public Outreach and Education, and 5) National Policy Development.

This report includes RLS-I accomplishments during July 2010. Afghan field teams this month continued to collect additional research data from villages and districts in Kandahar province (Arghandab district) and Nangarhar province (Behsud and Sukh Rod districts). Teams conducted more than 60 in-depth interviews, and reported findings from DDA and justice *shura* meetings, district coordination meetings and district government officials, including the district governors, judges and prosecutors. In Kandahar, the team also secured meetings with the chief of police and members of the *Huqooq*. Despite on-going security threats in Arghandab, the team's female staff persevered, making special effort to reach and interview women in the villages, including wives of *maliks* (elders).

RLS-I Kandahar and Nangarhar field teams in July prepared their research data for a four-day workshop in Kabul that will be led by the project's senior justice advisor in early August. The teams organized, analyzed and translated data that will be written into RLS-I's assessment of CBDR in Nangarhar and Kandahar pilot districts, in conjunction with detailed action plans for implementing project programs.

Generally, teams' findings reported land disputes as continuing to pre-dominate long-standing tribal conflicts, followed by family matters such as divorce and inheritance. Other issues, such as security in Arghandab and water/irrigation disputes in Behsud and Sukh Rod, also crept into village and district discussions with greater frequency. To date, from the field offices' start-up in May and June, the teams' first research phase is largely complete, with on-going efforts to collect or re-visit data as needed.

The fully-staffed RLS-I Public Outreach and Education team moved in July ahead quickly with efforts to begin disseminating its messages. The team travelled to Nangarhar to meet with field staff and radio and television stations, securing an agreement to broadcast spots in both Dari and Pashto languages that were previously produced by the Afghanistan Rule of Law Project (ARoLP). Staff also reviewed ARoLP hard-copy comic books, pamphlets and bumper stickers with Nangarhar field staff, selecting those appropriate to distribute in Behsud and Sukh Rod. In the

meantime, the Public Outreach team and Nangarhar staff began working on messages for production of new outreach materials anticipated in August and September.

The RLS-I project moved closer in July to beginning its mapping of CBDR and state justice systems with interviews for mapping/research field team staff as well as an international mapping/traditional justice advisor. The project also continued its search to fill field team community justice advisors in Dand (Kandahar province), with candidates' security concerns making recruiting for these positions difficult. In the Kabul office, RLS-I staff grew with the addition of Andrea Muto, deputy chief of party, at the end of July.

## **MAJOR ACCOMPLISHMENTS:**

### **1. Pilot Projects**

RLS-I Afghan district teams have conducted more than 140 formal interviews since the Nangarhar and Kandahar offices opened in May and June, respectively. Although teams will continue to cultivate relationships with key elders, *jirgamaran*, disputants and government and religious leaders, the teams' formal interviews serving as the research foundation for district CBDR assessment and action plans is nearly complete. Following collection of the research data, the field teams' progress toward analyzing and assessing research results and creating activity plans will move ahead in August with a meeting in Kabul attended by Afghan male and female staff from both Kandahar and Nangarhar.

In advance of the field teams' meeting, the senior justice advisor, working closely with the regional justice advisors and field staff, developed an action plan template in anticipation of the August meeting. The template structure included activity rationale, expected outcomes, anticipated challenges and cross-over relationships with other activities.

For example, preliminary research data shows that both Kandahar and Nangarhar teams have found that many village *jirgas* or *shuras* use some type of paper-based system to memorialize disputes. Therefore, pilot district action plans will likely include establishing a standardized system to record and register CBDR decisions with the formal justice system and regional government. With this activity backed by research, implementation outcomes may include creating a form in conjunction with elders' input, and training regarding form use, organization and access. This standardized registration system that will create a concrete link between CBDR mechanisms and the formal justice system, while at the same time promoting transparency. Finally, the planned activities will include anticipated challenges teams in both districts might face, such as in this case creating forms that elders from different villages agree to, and security issues regarding identifying disputants by name on documents.

### **Kandahar**

Kinetic and insurgent activity in Kandahar province continued to disrupt the Arghandab team's work in July. Yet, the RLS-I field team there conducted more than 30 formal interviews despite insurgents' rocket attack on the Kandahar district center,

an IED explosion in a village the team regularly visits, two explosions in areas which the team regularly travels, and civilian kidnappings by the Taliban (one incident occurred as eight villagers were picnicking). A village elder the team had interviewed was also assassinated (for reasons not associated with the project). By months' end, 13 of the field teams' 30 discussions included hard-to-get interviews from women at the village level.

Arghandab field team's capacity for developing relationships, interviewing, and transcribing and translating interview notes showed great improvement even though its office had been open for just one and a half months. In addition to building relationships among informal justice actors, the team also cultivated numerous contacts with government officials. The field team formally interviewed several members of the district government, including the judge presiding over Arghandab cases, the district prosecutor, *Huqooq* members, the Kandahar chief of police, the head of the DDA *shura* and the new district governor (a follow-up interview scheduled with district governor will take place early August). In addition, an influential Alkozai tribe elder, Karimullah Alkozai, was interviewed by one of the regional justice advisors.



*Two RLS-I Kandahar field staff take notes while interviewing a woman at her home in an Arghandab village.*

In addition to the interviews, the Arghandab team made attendance at and reporting of weekly activities at the district center's justice, coordination, and DDA *shura* meetings a priority. These meetings also provided the field team opportunity for keeping the Arghandab DST and district government updated on the status of the RLS-I project. In addition, regional justice advisors met with the DST at the district

center, previewing some of the data collected in the district and some of the discussed activities planned for implementation in Arghandab.

The senior traditional justice advisor and the regional justice advisor met with CIDA and USG Rule of Law advisors at KPRT. These meetings included communicating RLS-I progress and exchanging information on rule of law programs in the province. The regional justice advisor for the south participated in a Third Party Implementer coordination meeting with USAID's mission director at KAF.

Recruiting for the Dand field team, including a rule of law advisor, began in July. Several candidates were culled from tens of CVs and scheduled for interviews the first week of August. However, similarly to Arghandab, identifying both qualified male and female candidates preferably from Kandahar who are willing to work and live in that province has been difficult. Considering current prospects, the Dand team should be up and running with at least three to four staff members by the end of August. To ensure a swift as possible start up in Dand, RLS-I will use members of the Arghandab team, now experienced, to help get the Dand work started and provide newly assigned staff with lessons learned and practical insight into the RLS-I's research and data gathering methodology.

## Nangarhar

The Nangarhar field team in July began drafting its action plan for Behsud and Sukh Rod pilot districts as it continued conducting 30 field interviews with elders, *jirgamaran*, disputants, community members and religious leaders. In addition to village visits, the team attended a Behsud DDA *shura* meeting, speaking to *shura* members about supporting CBDR in the district.



*The RLS-I Nangarhar field team (right) meeting Sukh Rod maliks.*

The regional justice advisor also attended the Sukh Rod ILGD *shura*, specifically to record issues faced in dispute resolution, as well as suggestions of influential elders in attendance. Topics discussed were security (specifically need for additional police), water and irrigation issues, district schools still housed in tents, and some spoke of an increasing village presence of Taliban.

The Nangarhar regional justice advisor maintained contact with and met with the civilian-military Rule of Law Working Group, and with the PRT in RC(E). Drafts were begun for collaborative projects including roundtable discussions for CBDR elders and formal justice actors, training/discussion groups for elders regarding property law and women's rights, establishing a standardized system for filing *jirgee* decisions with the district government and implementing plans to assist the resolution of long-standing land disputes de-stabilizing village communities. A meeting with DOS and military representatives to discuss project activities also took place.

Research data and follow-up interviews in Behsud and Surkh Rod continue being conducted in three villages that were identified through consultations with several NGOs in Nangarhar province who provided valuable information about the villages' influential elders as well as key on-going disputes. Field teams also collected information with greater frequency from small, ad hoc discussion groups. This data as well as previously collected research data began to take the form of a first-draft assessment, at this point summarizing the status of CBDR and its processes in Behsud and Sukh Rod districts.

## **2. Mapping CBDR and State Justice**

Interviews are underway to staff field teams that will map and collected research data in districts yet to be determined in both the east and south. RLS-I also continued searching for an international candidate to head the mapping initiative, with two strong individuals identified and in process of interviewing.

## **3. Legal Defense**

ILF-A defense attorneys took on 388 new cases throughout the Afghanistan in June, the most recent reporting information available from that organization. Of these, defense attorneys represented defendants in 57 new cases in Jalalabad and 35 in Kandahar, with five attorneys representing defendants in Kandahar and seven in Jalalabad. ILF-A continued to support the operation and expansion of its work, including new offices now planned for Laghman, Khost, Samangan and Parwan. Opening a new office in Farah province is also under review.

RLS-I hired two defense attorneys – on a temporary contract – identified by RC(E) ROL actors. The attorneys are representing criminal defendants in Kunar province.

ILF-A's legal clinics continued in June in Herat, Mazar and Jalalabad with 12 new students attending workshops (3 of which are women from Shari'a law faculties). The legal clinic's orientation sessions began in July, opening the fourth period of clinical study.

In particular, the security situation in Kandahar in June interrupted ILF-A's work in that province. However, two ILF-A defense lawyers from Kandahar and Helmand offices were able to participate in a 9-day workshop on family rights in Kabul that was organized by the Max Plank Institute.

#### **4. Public Outreach and Education**

Based on the Nangarhar field team's reporting that many villages visited had access to broadcast media - especially radio - the two new public outreach staff in July traveled to Jalalabad to meet with radio and television station managers. Based on their popularity, Safa Radio and Sharq TV were chosen to broadcast CBDR-related radio and television spots and dramas in both Dari and Pashto languages, beginning with those produced formerly by the previous rule of law project.

In advance of the broadcasts, the outreach team met with the Jalalabad field team then selected television and radio spots to release to the stations. The field team also reviewed print materials that include cartoons, pamphlets and bumper stickers for distribution in pilot districts during interviews or meetings. Before leaving Jalalabad, the outreach team reached an agreement with the television and radio stations to broadcast spots, and in fact the stations also agreed to begin broadcasting immediately before signing contracts. These spots aired in July:

Basic citizen's legal rights radio and television spots:

- A Glimpse at the Constitution: Crimes (Article 26 of the Constitution)
- A Glimpse at the Constitution: Rights of the Accused Constitutional (Article 30 of the Constitution)
- A Glimpse at the Constitution: Right to Defense (Article 31 of the Constitution)

Working with the outreach team, the Kandahar field team also reviewed available radio, television and print outreach materials. The field team selected nine Pashto radio spots and three radio dramas on basic citizen's legal rights – including women's rights radio dramas – to be broadcasted through local provincial and district radio stations in Kandahar. These radio and television spots will be broadcasted in Kandahar province with focus on Argandab and Dand districts. The radio listening audience in particular is the general public, including women and youth.

In addition to broadcast media, the public outreach team traveled to Nangarhar and Kandahar to complete identification of six community cultural centers in the selected pilot districts and the capitals of the targeted provinces. Despite security challenges, the team traveled to the Kandahar office to meet with the field team working in the Arghandab district.

The public outreach team met with key community actors to identify the most committed volunteers to establish community cultural centers and carry out community based outreach.



*The public outreach team traveled to Nangarhar to meet elders and key community leaders in Behsud, securing support for a Community Cultural Center in their district.*

From the start, the outreach team and community cultural centers have been well-received by community members in Kandahar and Nangarhar. Outreach in pilot districts based on CBDR and basic citizen's rights to date shows a high level of commitment and cooperation that will help ensure the centers' success as they develop in August and grow through the fall.

## **5. Support National Policy Development**

The original plan was for the MOJ to move forward with the policy and develop a MOU for justice sector organizations to adopt. However, the most recent development is the Minister of Justice would like to move forward with legislation that addresses CBDR issues rather than a policy. RLS-I will continue to monitor the progress of either the legislation or policy and provide support for its eventual implementation.