



United Nations Development Programme Afghanistan

Access to Justice at the District Level QUARTERLY PROJECT REPROT (July – September 2008)



Workshop for community leaders on topic of family and personal status law in Jawzjan, September 2008.

Project ID: AFG/00047012
Duration: 1st November 2005 – 31 December 2008
Component (MYFF): MYFF Goal 2.4 – Justice and Human Rights
Total Budget: Euro 6,000,000 (USD 7,200,000)
Implementing Partners/Responsible parties: UNDP and NGOs

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I. Implementation progress

The third quarter of 2008 has been focused on the commencement of training and awareness raising activities in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan; the selection of NGO partners to undertake activities in districts in the provinces of Badakhshan, Takhar and Nangarhar; the progression of the procurement process to select contractors to undertake rehabilitation works in Baghlan, Jawzjan, and Kunduz; and the conduct of a Project Board meeting. Detail in relation to each project output is provided below.

Output 1-Justice facilities at provincial and district levels rehabilitated and functioning.

This quarter saw the continuation of the procurement process for the selection of contractor /s to rehabilitate ten justice facilities in districts in the provinces of Baghlan, Jawzjan and Kunduz; and the selection of an engineering consultancy services to undertake the quality control, monitoring and reporting on the implementation of the rehabilitation works. Both procurement processes are expected to be finalised in October with works to commence in November.

The estimated costs to complete this refurbishment work will fully expend the budget currently allocated to rehabilitation works. This issue was discussed at the Project Board meeting on 10 September and in particular the reallocation of the funds within the existing budget to permit rehabilitation works to be undertaken in districts in the provinces of Badakhshan, Takhar and Nangarhar. The Project Board supported the reallocation. In October a project mission, in consultation with Government stakeholders, will be conducted in districts in the provinces of Badakhshan, Takhar and Nangarhar to assess suitable facilities for rehabilitation. The timeframe to select suitable facilities, conduct a procurement process and then the actual rehabilitation works will be closely monitored.

Output 2-Capacity of state justice officials at provincial and district levels improved.

UNDP and the Afghan Human Rights Organization (AHRO) signed Project Cooperation Agreements on 26 June for AHRO to undertake trainings for justice sector officials (judges, prosecutors, lawyers and judicial police) on the protection of women, children and disadvantaged groups in criminal law; land law; and family and personal status law in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. During this quarter AHRO recruited and trained project staff, conducted meetings with relevant central and provincial authorities, and developed a project introductory leaflet. However, implementation was delayed as AHRO required extensive assistance from the project team to produce a higher standard of materials in all three areas. Family and personal status law materials were approved in early August and the Land Law materials approved in early September. The materials for criminal law were not approved by the end of this quarter, however are expected to be approved in early October.

During this quarter AHRO conducted the following trainings for Family and Personal Status Law (six day training):

Province	District of participant origin	Number of trainees	Gender	
			Male	Female
Kunduz	Kunduz City	22	22	0
Baghlan	Puli Khumry	20	18	2
	Baghlan Markazi	4	4	0

	Doshi	2	2	0
	Daha Na Ghuri	3	3	0
	Andarab	1	1	0
	Nahrin	1	1	0
	Khinjan	1	1	0
Samangan	Samangan City	21	21	0
Jawzjan	Jawzjan City	5	5	0
	Aqcha	3	2	1
	Khwaja Dokoh	2	1	1
	Qushtipa	4	3	1
	Murdian	4	2	2
	Mangagic	4	4	0
	Khan Aqa	5	5	0
	Darzab	1	1	0
	Faizabad	3	3	0
TOTAL		106	99	7

One justice sector official who participated in family and personal status law training commented that “before attending this workshop I had no knowledge about family and personal status law because, I am not graduated from Law faculty so it was very new to me and was very useful, in the future I will follow up all what I have learnt from this workshop in my daily activities”. Another justice sector official commented “I am working 20 years as prosecutor in different provinces and graduated from law faculty, before this workshop I was thinking that Maher is given to the wife after the death or divorce ... most of my colleagues like me don’t know that Maher is right of wife when they get marriage must be given”.

During this quarter AHRO conducted the following trainings for Land Law (five day training):

Province	District of participant origin	Number of trainees	Gender	
			Male	Female
Kunduz	Kunduz City	12	11	1
	Chardara	2	2	0
	Archi	3	3	0
	Khan Abad	4	4	0
	Emam Sahib	3	3	0
	Ali abad	3	3	0
	Qali Zal	3	3	0
Baghlan	Puli Khumry	14	14	0
	Baghlan Markazi	4	4	0
	Doshi	2	2	0
	Daha Na Ghuri	3	3	0
	Nahrin	3	3	0
	Khinjan	1	1	0
	Andarab	3	2	1
Samangan	Hazrati Sultan	3	3	0
	Khuram Sarbagh	6	6	0
	Dara Yousf Sofla	4	4	0
	Feroz Nakhchir	3	3	0
	Roy Doaab	1	1	0

	Dara Yousf Ulia	5	3	2
	Aibak	26	19	7
Jawzjan	Jawzjan City	3	2	1
	Aqcha	3	2	1
	Khwaja Dokoh	2	2	0
	Qushtipa	3	3	0
	Murdian	3	3	0
	Mangagic	5	5	0
	Khan Aqa	2	2	0
	Darzab	2	1	1
	Faizabad	3	3	0
	Qarqeen	1	1	0
	Khamaad	1	1	0
TOTAL		136	122	14

The project monitored a selection of these trainings and provided constructive feedback to AHRO for improvements.

AHRO was selected as an implementing partner to conduct the same training and awareness raising activities to improve the capacity of justice officials in districts in the provinces of Badakhshan, Takhar and Nangarhar. The Project Cooperation Agreement will be signed in mid October.

Output 3 - Legal awareness and capacity of community leaders increased.

UNDP and AHRO signed Project Cooperation Agreements on 26 June for AHRO to undertake trainings for community leaders on land law and family and personal status law in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. During this quarter AHRO recruited and trained project staff, conducted meetings with relevant central and provincial authorities, and developed a project introductory leaflet. However, implementation was delayed as AHRO required extensive assistance from the project team to produce a higher standard of materials in all three areas. Family and personal status law materials were approved in early August and the Land Law materials approved in early September.

During this quarter AHRO conducted the following trainings for Family and Personal Status Law (six day training):

Province	District of participant origin	Number of trainees	Gender	
			Male	Female
Kunduz	Kunduz City	19	7	12
	Chardara	4	3	1
	Archi	3	3	0
	Khan Abad	3	1	2
	Emam Sahib	3	3	0
	Ali abad	5	3	2
	Qali Zal	2	2	0
Baghlan	Puli Khumry	13	6	7
	Baghlan Markazi	6	3	3
	Doshi	3	0	3
	Daha Na Ghuri	2	0	2

	Nahrin	1	1	0
	Khinjan	3	0	3
Samangan	Samangan City	8	0	8
	Hazrati Sultan	4	3	1
	Khuram Sarbagh	6	5	1
	Dara Yousf Sofla	2	1	1
	Feroz Nakhchir	5	2	3
	Roy Doaab	2	2	0
	Dara Yousf Ulia	3	3	0
	Aibak	9	2	7
Jawzjan	Jawzjan City	6	2	4
	Aqcha	3	2	1
	Khwaja Dokoh	5	5	0
	Qushtipa	4	3	1
	Murdian	7	6	1
	Mangagic	2	0	2
	Khan Aqa	4	2	2
	Darzab	3	3	0
	Faizabad	4	3	1
	Shaberghan	3	2	1
	Ghush Tapa	2	1	1
TOTAL		149	79	70

During the quarter AHRO conducted the following trainings for Land Law (five day training):

Province	District of participant origin	Number of trainees	Gender	
			Male	Female
Kunduz	Kunduz City	5	3	2
	Chardara	4	2	2
	Archi	2	2	0
	Khan Abad	2	1	1
	Emam Sahib	2	2	0
	Ali abad	3	2	1
	Qali Zal	2	2	0
Baghlan	Puli Khumry	2	1	1
	Baghlan Markazi	4	2	2
	Doshi	2	1	1
	Daha Na Ghuri	1	0	1
	Nahrin	2	1	1
	Khinjan	8	6	2
	Andarab	2	1	1
Samangan	Hazrati Sultan	3	3	0
	Dara Yousf Sofla	1	0	1
	Dara Yousf Ulia	1	0	1
	Aibak	4	1	3
Jawzjan	Jawzjan City	1	1	0
	Aqcha	2	0	2
	Khwaja Dokoh	4	2	2
	Qushtipa	2	2	0

	Murdian	2	2	0
	Mangagic	3	2	1
	Khan Aqa	4	3	1
	Darzab	1	1	0
	Faizabad	3	2	1
TOTAL		72	45	27

The project monitored a selection of these trainings and provided constructive feedback to AHRO for improvements.

AHRO was selected as an implementing partner to conduct the same training and awareness raising activities to increase the legal awareness and capacity of community leaders in districts in the provinces of Badakhshan, Takhar and Nangarhar. The Project Cooperation Agreement will be signed in mid October.

Output 4 - Increased justice awareness and skills of religious leaders.

UNDP and The Educational and Training Centre for poor woman and girls of Afghanistan (ECW) signed a Project Cooperation Agreement on 26 June for ECW to undertake seminars and consultations involving religious leaders addressing issues related to women, children and disadvantaged groups in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan.

In this quarter ECW recruited and trained project staff, produced training materials, and meet with relevant stakeholders in the provinces (Governor, Head of Religious Shura). ECW produced 1,500 copies of a training manual and 4,000 brochures. During the quarter ECW conducted the following seminars (2 days seminars):

Province	District	Number of trainees	Gender
Kunduz	Khan Abad	25	Male
	Kunduz Centre	20	
	Ali Abad	25	
	Kunduz Centre	25	
	Char Dara	25	
	Imam Sahab	25	
	Kunduz Centre	25	
Baghlan	Deh Sala	25	
	Tala Wa Barfak	25	
	Da salah	25	
	Dahana ghoree	25	
	Khanjan	25	
	Doshee	25	
	Bakhlam sanatee	25	
Samangan	Dara Sof Ulia	25	
	Dara Sof Salfa	25	
	Hazrat sultan	25	
	Faroz wankhacher	25	
	Kharam sar bakh	25	
	Roya do ham	25	
Jawzjan	Khaja Du Koh	25	
	Centre of Jawzjan	25	

	Aqcha	25	
	Mardyan	25	
	Feaz Abad	25	
	Meang jek	25	
TOTAL		645	645

The project monitored a selection of these trainings and provided constructive feedback to ECW for improvements. The majority of the religious leaders state that this is the first workshop they have ever participated in on these topics and were in strong support of further and more extensive trainings. As the content of the training manual was from Islamic Books, Holy Quran and Hadith, the religious leaders considered it was an extremely useful resource that they could continue to use after the workshop. ECW monitoring after the workshops indicated that religious leaders considered they have moved from informal to more formal knowledge of Shariah and now understood the differentiation between Shariah and tradition / custom. The majority of the religious leaders advised that they intended to spread the messages of the workshops through KHUTB-e-JUMA (presentations by Mullahs to the people prior to Friday prayers) in the mosques.

UNDP and ECW signed a Project Cooperation Agreement on 29 September for ECW to conduct seminars and consultations to increase the justice and awareness and skills of religious leaders in districts in the provinces of Badakhshan, Takhar and Nangarhar. These activities are expected to commence in October and conclude in December 2008.

Output 5 - Public awareness of legal rights increased.

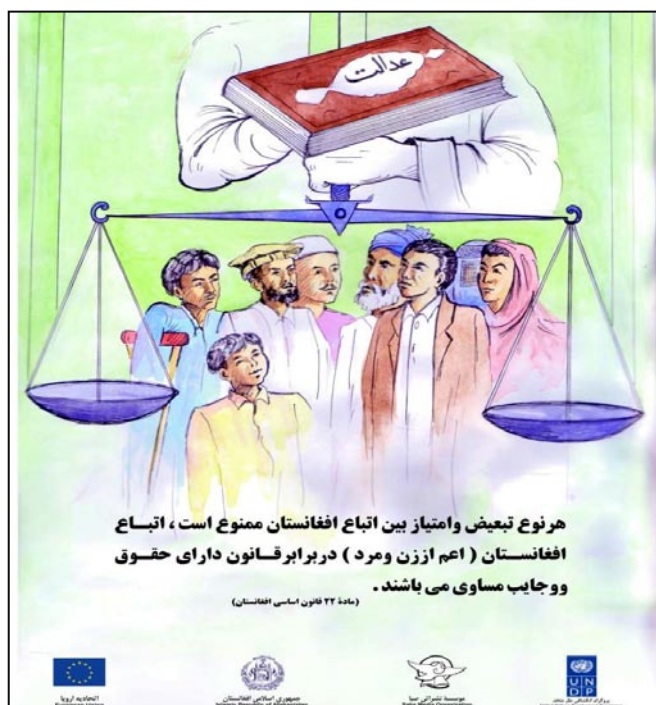
UNDP and the Saba Media Organization (SMO) signed a Project Cooperation Agreement on 26 June for SMO to undertake a targeted media campaign at district level through print material and a comprehensive radio programs including radio broadcasts, presentations, panel discussions, interviews, dramas, debates, opinion surveys, songs, stories, documentaries and other methods to raise public awareness on human rights and administration of justice issues in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. During this quarter SMO recruited and trained appropriate project staff; and in a staged process, the materials for the media campaign were finalized and quality checked by the Project Team. Forty boxes as Views Collection Points were installed in the provinces and districts.

SMO aims to reach a potential radio audience of 1.2 million through the national radio station Nawa radio (which has 24 hour broadcast to twenty provinces including Kabul) and four local radio stations (Paiman radio in Baghlan, Zohra radio in Kunduz, Haqiqat radio in Samangan and National radio in Jawzjan) through a total of 274 diverse productions. During the quarter SMO implemented the following activities:

Activity	Length	Number broadcast
Awareness Programmes on the topics	20 – 30 minutes	9 programmes
Dramas	8 – 10 minutes	9 dramas
Interviews	3 – 15 minutes	36 interviews
Vox Pops	2 – 8 minutes	36 vox pops
Poetry programs / competitions		1 in each province
SABA Magazine	Two editions of the magazine contained articles on relevant	100 issues per province of each edition – it total 800 issues distributed.

	topics.	
Roundtable		1 in each province
Posters		1,000 per province
Messages about the topics		10
Songs	4-5 minutes	8
Advertisement for project	2 – 3 minutes	1 in each province
Pamphlet		1,000 per province

Example of pamphlet:



UNDP and Civil Society Development Centre (CSDC) signed a Partnership Cooperation Agreement on 26 June for CSDC to undertake village public awareness activities such as seminars, workshops, mobile theatre and discussions to raise awareness on human rights and administration of justice issues in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. In this quarter the materials for these awareness campaigns were finalised and project staff recruited and trained. The awareness activities will commence in October.

SMO were selected to conduct legal rights awareness activities through public radio programs in districts in the provinces of Badakhshan and Takhar and a Project Cooperation Agreement between UNDP and SMO will be signed in early October. CSDC were selected to conduct village public legal rights awareness activities in districts in the provinces of Badakhshan and Takhar and a Project Cooperation Agreement between UNDP and CSDC was signed on 28 September. The intention is for both of these activities to commence in October and conclude in December 2008.

Output 6- Quality of legal rights awareness education in schools is improved.

UNDP and Humanitarian Assistance Muska (HAM) signed a Project Cooperation Agreement on 26 June to undertake training courses for school teachers on justice principles, children rights, gender and civic education issues; and then monitor these teachers undertaking the training and implementing

legal rights awareness activities in schools in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan.

During this quarter HAM recruited and trained project staff; prepared training materials; consulted with the relevant provincial government officials (such as Governors, Ministry of Education, Ministry of Economy, Human Rights Departments and Chief of Security Commanders); and conducted briefings about the intended activities. Delays in implementation occurred as HAM experienced difficulties in obtaining the requisite endorsement letter from the Ministry of Education in conduct activities in district level schools. The letter was obtained on 24 September and teachers training and then student awareness activities will commence in early October.

The NGO Basic Education and Employable Skill Training (BEST) was selected to conduct legal rights awareness activities in primary and secondary schools in districts in the provinces of Badakhshan, Takhar and Nangarhar. The Project Cooperation Agreement was signed on 22 September 2008 and activities are expected to commence in October and conclude in December 2008.

Output 7- The constitutional guarantee to the assistance of defense counsel in criminal cases, particularly for women and children is operationalized.

UNDP and AHRO signed a Partnership Cooperation Agreement on 26 June for AHRO to conduct training courses and awareness raising activities in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan on the constitutional rights to defense counsel in criminal proceedings; and also establish referral mechanisms to link those in need of legal aid with appropriate service providers. There have been delays in the production of the training materials for this course and intensive time has been committed by the project to assist AHRO develop appropriate and accurate and quality materials. These materials will be finalized in early October and the project will closely monitor the implementation of this training in October and early November.

AHRO has been selected to conduct awareness raising of the constitutional right to defense counsel in districts in the provinces of Badakhshan and Takhar and a Project Cooperation Agreement is expected to be signed in mid October 2008.

Output 8- Availability of legal texts improved.

This quarter the Project continued discussions with the International Institute of Higher Studies in Criminal Studies (ISISC) on the issues of the two publications yet to be provided by ISISC and discussed how best to proceed due to the challenges being faced by ISISC. ISISC has acknowledged that they are unlikely to be able to produce the publication 'Selected Decisions of the Afghan Supreme Court'. In relation to the second publication, 'The Afghan Legal System', ISISC has submitted a revised work plan however this does not take into account the requirement for UNDP to provide full quality assurance to the entire publication. Discussions are continuing and UNDP is currently waiting for a response from ISISC.

Output 9- Coordination and implementation capacity strengthened.

During this quarter the Project continued to liaise with representatives of the justice institutions (Supreme Court, Ministry of Justice and Attorney General's office) to ensure that they remain informed of the project activities. A Project Board Meeting was conducted on 10 September.

Given the large number of activities being conducted from July to December the project intends to

arrange for the detailed external evaluation of the overall Project to be undertaken in early 2009 and this will include examination of activities in districts in all nine provinces.

The Project has continued to work closely with the Provincial Justice Coordination Mechanism (PJCM) both in Kabul and also the Project Justice Coordinator in Kunduz.

In May 2007 the Project was contacted by the UNESCO Bangkok office, which was coordinating a UN Inter-agency Lessons Learned Project on the Human Rights-Based Approach (HRBA) to Development. The aim of the project is to share and analyze experiences on employing HRBA in the access to justice projects and whether such projects are in demand in the countries they are implemented. Since then the Project has provided various reports to UNESCO and was asked to present lessons learned at the regional workshop. The project presented at the workshop on “Undertaking a Human Rights-Based Approach (HRBA): Lessons Learned from the Asia Pacific Region” on 8 to 9 September in Bangkok, Thailand. The Afghanistan team comprised four people (2 men and 2 women) with one position funded by the Project and the other three funded by other UN Agencies in Bangkok. Team members were two UNDP staff and two representatives from project implementing partners NGO’s (one from AHRO and one from Coordination of Humanitarian Assistance). The Afghanistan team prepared and delivered a joint presentation on the project and the NGO representatives presented anecdotal stories of how the project activities had been accepted by the beneficiaries in the districts, noting that the project approach of the blend of Sharia, international and statutory standards helped the acceptance of the training by the beneficiaries. The workshop noted the unique niche of the project with the combination of strong legal context with the socio-economic development issues as a part of implementing the HRBA strategy.

The project team has also raised their individual capacity through undertaking internal UNDP trainings in relation to security, ethics, gender, financial management and procurement.

II. Project implementation challenges

Updated project risks and actions

The security situation remains a constant risk for implementation of project activities in the districts. It is acknowledged that the situation in Afghanistan is fluid, and previously safe areas can become insecure. The Project and implementing partners work closely with stakeholders and relevant security authorities to remain up to date on field security issues and mitigate any potential risks.

As winter approaches weather and accessibility becomes an issue for implementation and the scheduling and locations of activities needs to be carefully managed.

Updated project issues and actions

The no cost extension for CHA has been processed. The Project cannot process the no cost extension for ISISC until an agreement is reached on how to proceed with the publications.

As a result of the Project Board meeting a four month no cost extension (until 30 April 2009) and a budget revision to reallocate funds to rehabilitation activities will be submitted to the donor in October.

III. Financial status and utilization

Financial status

On 10 July the project requested the second installment payments from the EC – comprised of EUR 445,685 and EUR 2,228,972. On 24 July and 12 August the payments were received. Under the Agreements there are outstanding final payments of EUR 600,000. Noting the change in exchange rates between EUR and USD over time the contribution balance below reflects the value of the outstanding final payments according to the Agreements.

Table 1: Contribution overview 1 November 2005 – 31 December 2008

DONOR NAME	CONTRIBUTIONS		CONTRIBUTION BALANCE
	Committed (January 2005 value)	Received	
EC	7,200,000	7,707,442	799,250
TOTAL	7,200,000	7,707,442	799,250

Financial utilization

The figures below represent the budget incorporating part of the recently received instalment payments.

Table 2: Quarterly expenditure by activity 1 July – 30 September 2008

Activity	BUDGET [2008]	Q1 & Q2 Expenditures	Q3	BALANCE	DELIVERY (%)
Programme Management	688,507.96	175,525.34	119,423.05	393,560	42.83
Rehabilitation	664,459.51	147,710.74	10,608.15	496,241	23.82
Training/Awareness	981,191.65	218,947.67	1,408,511.50	-646.26	165.86
UNDP GMS (based on donor agreements) 5%	120,794	28,536	80,971	12,818	90.65
Total	2,444,953	570,720	1,619,413	1,874,234	90%

Table 3: Quarterly expenditure by donor 1 July – 30 September 2008

DONORS	ACTIVITY (as per approved budget)	2008 Budget	Q1 Expenditures	Q2 Expenditures	Q3 1.07.08-30.09.08	BALANCE as of 30/09/08	DELIVERY RATE
EC 00280	Programme Management	688,507.95	76,648.77	98,876.57	119,423.05	393,560	
	Rehabilitation	654,459.51	4,042.65	143,668.09	10,508.15	496,241	
	Training/Awareness	981,191.65	137,382.61	81,565.06	1,408,511.50	-646,268	
GMS 5% (see agreement)		120,794	11,478	17,058	80,971	12,818	
Subtotal EC		2,444,953	229,552	341,168	1,619,413	1,874,234	90%
Total		2,444,953	229,552	341,168	1,619,413	1,874,234	90%