

MONTHLY REPORT, January, 2014

Justice & Governance in Eastern Afghanistan (JGEA)
Project

(Logar, Khost, Paktia)



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Introduction:

General Information	Project Start Date	04 July 2012
	Project Completion Date	03 July 2014
	Project Name	Justice & Governance in Eastern Afghanistan (JGEA)
	Organization	The Liaison Office
Project Location	Logar, Paktia and Khost	
Project Status	Contract Signed	04 July 2012
	Ongoing	Ongoing
	Cancelled	
	Completed	

I. PROGRAM OVERVIEW

The Justice & Governance in Eastern Afghanistan (JGEA) project focuses on the establishment of Commission on Conflict Mediation (CCMs) in Logar, Paktia and Khost. Building on past experiences, TLO will facilitate the establishment of dispute resolution shuras committees called CCMs. The CCMs include traditional elders that reflect and represent the population of their provinces, and seek to resolve disputes and, especially at the regional level, develop policy recommendations. Working with respected elders already known to TLO and relevant government officials in each target province, TLO will establish a transparent process to select 20 persons to form a body comprising traditional elders, local religious leaders, and other individuals that can contribute to the enduring resolution of disputes.

Each CCM will be balanced to reflect the province’s tribal and ethnic makeup helping to ensure province-wide reach and promote collaboration. Each will also meet regularly with its respective provincial government (provincial governor or representative, Department of Justice and Department of economy, both benefitting from, and complementing, government dispute resolution efforts. Previous CCM decisions have received the stamp of the provincial governor. TLO has not sought to impose this requirement here, but will work with each CCM to develop appropriate cooperation modalities in its province.

The main tasks to establish the CCMs are recruiting project staff in each location; securing the approval of each provincial government; establishing a transparent process to select CCM

members that are representative of the population; selecting CCM members; developing CCM working procedures; and operationalizing the CCMs.

Once operational, TLO will review and analyze both each case the CCMs decide, and the cases as a group in order to help identify major conflict actors, patterns, and trends, as well as to provide some (more-or-less real-time) insight into the CCMs' successes or shortcomings; TLO, as possible and only with the prior consent of the CCMs will also post CCM decisions on the Project website, in order to increase transparency and accountability. Project records and CCM decisions will, finally, provide a solid foundation on which to base an evaluation of CCM procedures at the end of this first year.

Because CCM set-up and operation in year one proved generally successful, the main task of year two will be to review CCM members' lists and revise them as necessary. TLO by no means expects significant members' list revision, but will take the opportunity to "tweak" membership of each CCM to ensure maximum impact and performance.

During year two, TLO, as possible and only with the prior consent of the CCMs¹, will also post CCM decisions on the Project website, in order to increase transparency and accountability. Project records and CCM decisions will, finally, provide a solid foundation on which to base an evaluation of CCM procedures at the end of the project.

Longer-term the RCCM could become a forum to bring together a broader group of ADR providers to discuss important issues and enhance their capacity in areas such as the rights of women and minority rights, and how to improve the functioning of ADR, including how to better support the Afghan government and its initiatives.

As a practical next step – and based upon the specific request of RCCM members – TLO will thus provide increased resources to the RCCM in year two. More concretely, while the RCCM met twice in year one, during year two it will meet on a quarterly basis.

Major activities will include consultative meetings to select regional CCM members and topics; the conduct of Regional CCM meetings; the recordation, analysis, and, as possible, promulgation of Regional CCM decisions; and the evaluation of Regional CCM operations and procedures.

II. EXECUTIVE SUMMARY

This report covers the Tasks set out below are taken directly from the JGEA Project Work Plan – July 4, 2013 to July 3, 2014. A summary of the main achievements against each of the Tasks, Indicators and Targets presented below in table 1. The structure of the main report is designed to describe the achievements under each of the indicators given in the work plan.

¹ TLO's experience has been that most dispute parties will not object to the resolution of their dispute being recorded, or even publicized. However, especially if a dispute implicates significant issues of honor or family governance, dispute parties will often resist publicization, or even recordation, vigorously.

Table 1: Tasks, Indicators, Targets and Actual Achievement

No	Task	Task Status	Indicators	Targets	Target Status	Actual Achievement during period	Actual Achievement During Life of Project
1	Task 1: Regular CCM Meetings	Ongoing	<p>1.number of CCM meetings held</p> <p>2.number of conflicts resolved by the CCMs</p>	(at least) 16 CCM meetings during each project year 2	On going	<p>2 bi-weekly meetings have been conducted by Khost CCM</p> <p>2 bi-weekly meetings have been conducted by Paktia CCM</p> <p>2 bi-weekly meetings have been conducted by Logar CCM</p> <p>2 conflicts resolved by Khost CCM</p> <p>2 conflicts resolved by Paktia CCM</p> <p>2 conflicts resolved by Logar CCM</p>	<p>14 bi-weekly meetings have been conducted by Khost CCM</p> <p>13bi-weekly meetings have been conducted by Paktia CCM</p> <p>13 bi-weekly meetings have been conducted by Logar CCM</p> <p>26 conflicts resolved by Khost CCM</p> <p>25conflicts resolved by Paktia CCM</p> <p>36 conflicts resolved by Logar CCM</p>
2	Task 4: Promulgate CCM Decisions	Ongoing	<p>1.number of CCM decisions posted to project website</p> <p>2. number of CCM decisions recorded</p>	<p>1.The creation of one project website (as part of TLO website)2.Posting most CCM decisions to that website</p> <p>3.Preparation and submission of two</p>	On going	The website is being created in close consultation and coordination between the donor and TLO.	<p>A total of 87 CCM decisions have been recorded so far in the three target provinces.</p> <p>The summary of the 87 CCM decisions have been prepared in English language.</p>

No	Task	Task Status	Indicators	Targets	Target Status	Actual Achievement during period	Actual Achievement During Life of Project
				summaries of CCM decisions			
6	Task 3: Conduct Regional Commission	Ongoing	number of RCCM outputs	1.Four RCCM meetings 2.Four RCCM output reports	50%	Fourth RCCM meeting was conducted on fifteenth December, 2013 by Kabul project staff	The 2nd year 2 RCCM output report (4th RCCM output report overall) was prepared and translated from Pashto to English and sent to THE DONOR
7	Task 1: Hold discussions with CCM members regarding how to improve women's representation on the CCMs	Completed	1.Number of discussions held with project staff and CCM members 2.Number of suggestions reached regarding the improved representation of women on the CCMs	1. At least one round of discussions between CCM members and project staff in each target province 2. Draft suggestions developed in each province	100%	Three Meetings were conducted between the project staff and the CCM members (one in Logar, one Paktia and one in Khost)	Logar CCM has committed for full representation of women on its CCM 7 women one from each district of Logar province. The Paktia and Khost CCMs both insisted on separate women's CCMs in their province.
10	Task 4: Conduct trainings	Completed	1.number of trainings conducted 2.number of CCM members attending training 3. number of outside women's leaders	Three training sessions of at least three days apiece	100%	Three training sessions have been conducted in the month of December ,2013 for the Logar and Paktia CCMs Twenty CCM members and five	3 training sessions (three days each) have been delivered to the Logar and Paktia CCMs scheduled in the month of

No	Task	Task Status	Indicators	Targets	Target Status	Actual Achievement during period	Actual Achievement During Life of Project
			attending training			outside women's community leaders' in Logar province attended the training. Thirteen CCM members and five outside community women's leaders attended the training in Paktia province. In the month of January, 2014 a three days legal training was also delivered to the Khost CCM and additional five outside community women's leaders.	December, 2013. 20 Logar CCM members and 5 outside women's community leaders from different organizations attended the training session. 13 Paktia CCM members and 5 outside community women's leaders attended the training session. 20 Khost CCM members and 5 outside community women's leaders attended the training.
11	Task 1: Revise CCM Lists	Completed	1.The production of a revised list of local leaders to sit on the CCMs	The selection of 20 CCM members in each province	100%	The Logar and Khost CCMs have brought some changes in the lists of their CCMs. The Logar CCM has replaced two of its CCM members and the Khost CCM has replaced three of its CCM members. The Paktia	The three CCMs (Logar, Paktia and Khost) have revised the Lists of their CCMs. The Logar CCM replaced 2 CCM members, the Khost CCM replaced 3

No	Task	Task Status	Indicators	Targets	Target Status	Actual Achievement during period	Actual Achievement During Life of Project
						CCM has also replaced one of its CCM members.	CCM members and Paktia CCM replaced 1 CCM member. The reason of the replacement of these CCM members was lack of success and not active in their conflict resolution performances.

III. Summary of Project Activities

In the month of January, 2014, the Khost Paktia, and Logar CCMs each met twice. ***During these meetings, the Khost CCM has resolved two conflicts, Paktia CCM has resolved two conflicts and the Logar CCM has also resolved two conflicts.***

Additionally each provincial CCM has drafted one set of guideline for dealing with family issues (such as bride price, dowry, etc.). Now the guidelines are being discussed with the provincial line departments (Huquq, tribal Affairs, DoWA, Hajj and Awqaf, etc.) and as well as with other religious and community leaders in their districts. After gathering of the feedback then it will be incorporated in to these guidelines by each CCM in their target provinces. When the next RCCM meeting is held then each CCM will share its guideline with RCCM members for taking further steps.

IV. ACHIEVEMENTS AGAINST EACH INDICATOR

Task 1: *Regular CCM meetings*

Indicator: 1.1 Number of CCM meetings held

1.2 Number of conflicts resolved by the CCMs

Achievements:

In the month of January, 2014 Each CCM had conducted additional 2 bi-weekly meetings in their target provinces; and ***as a result of these meetings the CCMs have in total resolved an***

additional six conflicts. Most of the resolved disputes were related to rainfed, forest and irrigated lands and as well as family disputes and violent activity. The total conflict solved by each CCM is listed in Table 1, which is updated with every monthly report.

Table 1: Number of conflicts resolved by each CCM in three provinces

Province	# of conflicts resolved	Type of conflict
Khost	26	Irrigated and rainfed lands, family disputes, inherited land, and verbal fight
Paktia	25	Irrigated and rainfed lands, family disputes, criminal, forest, and micro-hydro power
Logar	36	Irrigated and rainfed lands, family disputes, criminal, inherited land, and related to cash
Total	87	

Task 4: Promulgate CCM Decisions

Indicator: 1.1 number of CCM decisions posted to project website

1.2 number of CCM decisions recorded

The TLO office, and its staff, will also manage a website that publishes, as possible CCM case decisions (in order to increase transparency, accountability, and knowledge of conflicts in the Southeast/Center and the informal justice system’s resolution of them). In the month of January, 2014 the Website is still being created in close consultation and coordination between the donor and TLO.

A total of 87 CCM decisions have been recorded, so far by the targeted provinces (Logar, Paktia and Khost) and the summary of these 81 CCM decisions were prepared in English language and submitted to the donor.

Task 1: Hold discussions with CCM members regarding how to improve women’s representation on the CCMs

Indicator: 1.1 Number of discussions held with project staff and CCM members

1.2 Number of suggestions reached regarding the improved representation of women on the CCMs

TLO has observed, and ADR providers will usually admit, that they can have difficulty in addressing cases where a woman is a party or, more commonly, where a woman’s interests are directly implicated, in large part because (male) ADR practitioners themselves face high cultural barriers in even speaking to women disputants or other affected parties. Moreover, these barriers to ensuring that women can use CCMs do not address other ways that the CCMs, in their structure, procedures, and outcomes might benefit from the input of female community leaders. For largely the same reasons, women’s engagement with the CCMs could, if successful,

truly advance dispute resolution in Afghanistan and further align it with Afghan government priorities.

This engagement, during year one, has required careful planning, and deliberate reflection on TLO past experience. District-level CCM members in other TLO projects have expressed caution in working with women. ADR providers in urban areas have tended to describe women sitting alongside men on CCMs as “not impossible”, while those from rural areas have rejected the idea out of hand. Similarly, in recent TLO projects female community leaders have indicated that they do not consider women sitting on bodies like the CCMs advisable at this time, explaining that their presence could imperil the work of the body, and would also endanger the women sitting on them.

TLO, however, has also frequently faced such views only to discover during project implementation that engagement between women and ADR providers can take place more quickly, and in greater depth, than these previous responses would indicate. This pattern repeated itself in the present project. TLO first approached the CCMs with the general requirement of developing a strategy to engage with women, but without further stipulations. The Logar and Khost CCMs then themselves replied with the idea to incorporate female CCM members, while the Paktia CCM suggested working with its Women’s Liaison Officer to aid in “women’s” disputes, but without female CCM members as such. Toward the end of year one, each CCM in turn suggested the creation of a provincial women’s CCM. The idea seems to have originated with the Logar CCM and then, facilitated by RCCM meetings, spread to Paktia and Khost.

Unfortunately, facilitation of a women’s CCM falls outside the scope of this project. Nevertheless, during year two, TLO will work with each CCM to both develop the ideas surrounding a women’s CCM, and to fertilize other ideas for how women’s engagement may be solidified and expanded. These discussions should result in a set of concrete plans and proposal inputs, which TLO can then explore with the current donor and other donors – representing a very significant step above women’s ADR engagement as it has taken place in these provinces previously. To develop these plans, TLO will facilitate a series of consultations between CCMs and local government officials, women’s civil society leaders, and *spinsari* (“white haired” female community elders). These consultations will help the CCMs further develop their strategy for women to take an even more active part in CCM tasks and activities. Assuming some degree of success and buy-in, TLO will then further develop these inputs, and begin the more formal process of project development.

In the month of January, 2014 total three discussions’ meetings were conducted as followed up between the project staff and the CCM members one in Logar, one in Paktia and one with Khost CCM about the improvement of women representation on the CCMs’ tasks. The outcome of the

conversations was a more nuanced view of CCM members about women in Logar province and recognition that creative engagement rather than condemnation is a more productive approach to resolving deficiencies in women’s rights in TDR venues. The Logar CCM members have recommended some suggestions for women’s active role in CCM tasks and activities and reported them in December, 2013 M&E report to the donor; the Khost and Paktia CCMs are still insisting on separate women’s CCMs. Since there are a lot of conflicts arisen due to bad practices in Afghan culture, such as forced marriages, *bad*, *badal*, and etc., so there are prominent women elders in the southeast to play an important role in the conflict resolution related to family issues.

Task 4: Conduct training

Indicator: 1.1 numbers of trainings conducted

1.2 number of CCM members attending training

1.3 number of outside women’s leaders attending training

In the month of January,2014 all three legal trainings three days each have been delivered to the Logar, Paktia and Khost CCM members and additional community women leaders from different organs such as DoWA, women’s cultural and social societies, civil societies, AIHRC and institute of higher education in the target provinces. The attendees of the Logar CCM training were 20 CCM members and 5 outside community women leaders, the attendees of Khost CCM training were 20 CCM members and 5 outside community women leaders and the attendees of Paktia CCM training were 13 male CCM members and 5 outside women community leaders. The three trainings were held on the following topics selected by each CCM itself; additionally the TLO-prepared the training materials as chapters and distributed them to the training participants for their future information and dissemination in their communities. The following table 2 indicates the attendees of Khost CCM and additional community women’s leaders.

Table 2: List of Khost CCM training participants as of January 2 8, 2014

No	Name	Father Name	Organization	Position
1	Hajji Rasool Mohammad	Mir Ahmad	TLO	CCM member
2	Haidar Gul Mangal	Sakhi Mohammad	TLO	CCM member
3	Hajji Nazeer	Kimya Gul	TLO	CCM member
4	Shah Khan	Najim Khan	TLO	CCM member
5	Ramazan Kuchi	Hussain	TLO	CCM member
6	Mufti Habiburahman	Ghulam Habib	TLO	CCM member
7	Najeebullah	Mirza jan	TLO	CCM member
8	Mohammad Azeem	Mohammad Saeed	TLO	CCM member
9	Hajji Wali	Sayed Akbar	TLO	CCM member
10	Hajji Mir Zaman	Ali Jan	TLO	CCM member

11	Malik Zahoor	Wazir Shah	TLO	CCM member
12	Hajji Nawab Khan	NA	TLO	CCM member
13	Malim Qasim	Awaz khan	TLO	CCM member
14	Roshan	Hajji Khan Bahadir	TLO	CCM member
15	Hajji Qadir	Ahmad Shah Khan	TLO	CCM member
16	Hajji Khan Gul	Mohammad Munir	TLO	CCM member
17	Mohammad Burjan	Peera jan	TLO	CCM member
18	Sultan Mohammad	Abdul Rahim Khan	TLO	CCM member
19	Hajji Murad Khan	Bahadir Khan	TLO	CCM member
20	Khawar (Female)	Amir Mohammad	TLO	CCM member
21	DurKhanai (female)	Ismail	Bibi Halima high school	Teacher
22	Sakina (female)	Wali Bad Shah	MSF	Midwife
23	Gulalai (female)	Mohammad Khan	Bibi Halima high school	Teacher
24	Feroza (female)	Nasrullah	Leun Civil Society	Manager
25	Zeba Barakzai (female)	Hafizullah	DoWA	Manager

Task 1: Revise CCM Lists

Indicator: 1. The production of a revised list of local leaders to sit on the CCMs

Because CCM set-up and operation in year one proved generally successful, the main task of year two will be to review CCM members' lists and revise them as necessary. TLO by no means expects significant members' list revision, but will take the opportunity to "tweak" membership of each CCM to ensure maximum impact and performance. So the Logar, Khost and Paktia CCMs have revised the lists of their CCMs. The Logar CCM has replaced 2 of its members after in-depth analysis of each CCM member's performance and outcomes in the province. The Khost CCM has also brought some changes in its CCM list. The CCM has replaced 3 of its members after revision of each CCM member's activities and effectiveness in his/her district. The Paktia CCM has replaced 1 of its CCM members. As the CCM reviewed his performance in the district, found out that he was not able to address the conflicts effectively in his district.