



JUSTRAC

JUSTICE SECTOR TRAINING, RESEARCH
& COORDINATION PROGRAM

Rule of Law Collaborative
U.S. DEPARTMENT OF STATE (INL)
JUSTRAC Interagency Justice Sector Training Program
November 7-8, 2017

Course Objectives

The goals of this training program are to: (1) improve the skills and knowledge of individuals funding, designing, managing and/or implementing justice sector programs in post-conflict and transitional states; (2) increase opportunities for coordination and collaboration among USG donors, implementers, nongovernmental organizations, academic institutions, international organizations, foreign governments and multilateral institutions; (3) strengthen justice sector programming so as to have real impacts on host countries' ability to reform their legal systems; and (4) provide stakeholders the opportunity to share their experiences and lessons regarding justice sector programming.

Location

American Bar Association Rule of Law Initiative
1050 Connecticut Avenue, NW, Suite 570
Washington, DC 20036, USA

Nearest Metro: Farragut North

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UNIVERSITY OF
SOUTH CAROLINA
Rule of Law Collaborative



Day 1: Tuesday, November 7, 2017

8:30AM-9:00AM **Registration and Light Refreshments**

9:00AM-9:15AM **Welcoming Remarks, Overview of JUSTRAC and the Training Program**

Hamid Khan, Deputy Director, Rule of Law Collaborative, University of South Carolina

An overview of the JUSTRAC Program, as well as the Rule of Law Collaborative. Discussion of three takeaways from the course. Participants introduce themselves.

9:15AM-10:15AM **SESSION 1: KEY JUSTICE SECTOR REFORM PRINCIPLES AND COMPETING DEFINITIONS OF THE RULE OF LAW**

Hamid Khan, University of South Carolina

A discussion of why justice reform matters and the need for multiple approaches to achieving positive outcomes. We will explore competing definitions of rule of law and how principles are operationalized in programs.

***Suggested reading/references (click to access):**

- Dr. Vivienne O'Connor, "Defining the Rule of Law and Related Concepts," USIP/INPROL, 2015
- *Rule of Law Handbook*, The JAG Legal Center & School, U.S. Army, 2014, pp. 1-10
- Rachel Kleinfeld Belton, "Competing Definitions of the Rule of Law: Implications for Practitioners," Carnegie Endowment, 2005
- Brian Tamanaha, *On the Rule of Law* (Cambridge, 2004)

10:15AM-10:30AM **Break**

10:30AM-12:00PM

SESSION 2: WORKING WITHIN THE CULTURE: LESSONS FOR PRACTITIONERS

Dr. Sudha Ratan, Augusta University
Moin Khan, INL, Department of State

How can a justice sector practitioner, working in an unfamiliar cultural setting, best come to understand and appreciate customary justice systems? Dr. Ratan will draw on her extensive experience of Pashtunwali in Pakistan and Afghanistan to illustrate the importance of working within the culture. Following her remarks, Mr. Khan will present a practitioner's view from his experience with the Afghanistan Justice Sector Support Program.

***Suggested reading/references:**

- My Cousin's Enemy is My Friend: A Study of Pashtun "Tribes" in Afghanistan
- "The Clash of Two Goods: State and Non-State Dispute Resolution in Afghanistan," in *Customary Justice and the Rule of Law in War-Torn Societies*
- Afghanistan Rule of Law Project, USAID

12:00PM-1:00PM

LUNCH BREAK

1:00PM-1:30PM

INTERACTIVE EXERCISE

1:30PM-3:00PM

SESSION 3: JUSTICE SECTOR AND RULE OF LAW RESOURCES AND TOOLKITS

Kiel Downey, Research Coordinator, Rule of Law Collaborative, University of South Carolina
Linda Bishai, ABA-ROLI

An overview of resources and toolkits useful to USG and others working on justice sector and rule of law reform.

***Suggested reading/references:**

- World Justice Project, *Rule of Law Index 2016*
- "The United Nations Rule of Law Indicators: Implementation Guide and Project Tools," United Nations, 2011
- "Why, What, and How to Measure? A User's Guide to Measuring Rule of Law, Justice and Security Programmes," UNDP, 2014
- "Advocacy: Justice and the SDGs," Transparency, Accountability, & Participation Network, 2016
- "Integrating Rule of Law and Global Development: Food Security, Climate Change, and Public Health," USAID and ABA-ROLI, 2013



3:00PM-3:15PM

BREAK

3:15PM-5:00PM

SESSION 4: COMBATING CORRUPTION: AN INTERAGENCY BRIEFING AND EXERCISE

Dr. Gordon Smith, University of South Carolina

Corruption is one of the persistent problems confronting USG personnel who work on justice sector reform and rule of law development. This session explores the many forms that corruption can take and identifies strategies for combating corruption from multiple, integrated interventions.

***Suggested reading/references:**

- “Raising the Bar: Good Anti-Corruption Practices in Defense Companies,” Transparency International Report, June 2013
- USAID: Analysis of USAID Anticorruption Programming Worldwide (2007-2013), July 23, 2014

Day 2: Wednesday, November 8, 2017

8:30AM-9:00AM

Registration and Light Refreshments

9:00AM-9:05AM

Overview to Day 2

Kiel Downey, University of South Carolina

9:05AM-10:25AM

SESSION 5: JUSTICE SECTOR ASSESSMENT AND PROGRAM DESIGN

Panel Participants:

Hamid Khan, University of South Carolina, Moderator

Suren Avanesyan, USAID

Antje Kraft, UNDP

Greg Gisvold, Independent Consultant

Presenters will discuss how to plan, design, and implement justice sector/rule of law programs, citing specific examples, challenges encountered, and interagency dynamics.



***Suggested reading/references:**

The two primary frameworks used in interagency rule of law assessments have been the INL Justice Guide and USAID’s ROL Strategic Framework. UNDP and the World Bank also provide guidance on how to conduct a justice sector assessment.

- “INL Guide to Justice Sector Assistance,” INL/Dept. of State, 2013
- “Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework,” USAID, 2010
- “Designing a Framework for Achieving Results,” World Bank, 2012
- “Developing Results Frameworks,” USAID, 2013
- “Strengthening the Rule of Law in Crisis-Affected and Fragile Situations,” UNDP, 2012
- “Guidance Note on Assessing the Rule of Law Using Institutional and Context Analysis,” UNDP, 2014

10:25AM-10:40AM

BREAK

10:40AM-12:10PM

SESSION 6: RULE OF LAW PROJECT MANAGEMENT, PERFORMANCE MONITORING AND END OF PROJECT LIFE CYCLE

Panel Participants:

Erik Pacific, USAID, Moderator

Paul Larson, INL/RM/PA&E, Department of State

David Cate, DOD

Salome Tsereteli-Stephens, ABA-ROLI

Antje Kraft, UNDP

Presenters will discuss the practical aspects of managing justice sector/rule of law programs, including monitoring and evaluation techniques.

***Suggested reading/references:**

- Gender Assessment USAID/Bangladesh USAID Performance Monitoring and Evaluation Tips, 2010
- INL Best Practices Project Management Quick Reference
- INL Best Practices Performance Measurement Quick Reference
- “The United Nations Rule of Law Indicators: Implementation Guide and Project Tools,” United Nations, 2011
- “Why, What, and How to Measure? A User’s Guide to Measuring Rule of Law, Justice and Security Programmes,” UNDP, 2014

12:10PM-1:00PM

LUNCH BREAK



1:00PM-2:45PM

SESSION 7: MAIN USG ACTORS: THEIR MANDATES, FUNDING, CAPACITIES AND APPROACHES

Karen Hall, Ohio Northern University

Heather Harms, Office of U.S. Foreign Assistance Resources (F), Department of State

What USG Executive Branch agencies are the key players in justice sector/rule of law programming? What are their areas of expertise and experience? What are their priorities and sources of funding?

***Suggested reading/references:**

- INL Guide to Justice Sector Assistance, Department of State, 2013
- User's Guide to Democracy, Human Rights and Governance Programming, USAID, 2015
- Interagency Security Sector Assessment Framework Guidance for the U.S. Government, USAID, 2010
- USAID Strategy on Democracy, Human Rights and Governance, 2013
- Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework, USAID, 2010

2:45PM-3:00PM

BREAK

3:00PM-4:30PM

SESSION 8: SECURITY SECTOR REFORM: CRITICAL SUCCESS FACTORS

David Cate, DOD, Moderator

Adam Bloomquist, INL, Department of State

Gregory Ducot, ICITAP, Department of Justice

Thomas Corwin, CBP, Department of Homeland Security

A practitioner's view of the key aspects of any successful security sector reform program. The session will focus on the importance of community relations, confidence-building measures and other tactics.

***Suggested reading/references:**

- Security Sector Reform, USAID, Dept. of State, Dept. of Defense, 2009
- Security-Sector Reform Applied: Nine Ways to Move from Policy to Implementation, International Peace Institute, 2012
- Securing States and Societies: Strengthening the United Nations Comprehensive Support to Security Sector Reform, Report of the Secretary-General of the UN, 2013
- Police Primacy, International Network to Promote the Rule of Law, 2014

4:30PM-5:00PM

Wrap-up and Feedback

Kiel Downey, University of South Carolina

