Rule of Law Collaborative
U.S. DEPARTMENT OF STATE (INL)
JUSTRAC Interagency Justice Sector Training Program
September 18-19, 2018

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

Nearest Metro: Farragut North

Contact Information

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Day 1: Tuesday, September 18, 2018

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

9:00ᴀᴍ-9:15ᴀᴍ   **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 takeaways from the course. Participants introduce themselves.

9:15ᴀᴍ-10:15ᴀᴍ   **Sᴇssɪᴏɴ 1: Kᴇʏ Jᴜsᴛɪᴄᴇ Sᴇᴄᴛᴏʀ Rᴇꜰᴏʀᴍ Pʀɪɴᴄɪᴘʟᴇs ᴀɴᴅ Cᴏᴍᴘᴇᴛɪɴɢ Dᴇꜰɪɴɪᴛɪᴏɴs ᴏꜰ ᴛʜᴇ Rᴜʟᴇ ᴏꜰ Lᴀᴡ**

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, 2015, pp. 1-16
- 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)

10:15ᴀᴍ-10:45ᴀᴍ   **Nᴇᴛᴡᴏʀᴋɪɴɢ Exᴇʀᴄɪsᴇ**

10:45ᴀᴍ-11:00ᴀᴍ   **Bʀᴇᴀᴋ**

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| **11:00AM-12:30PM** | **SESSION 2: JUSTICE SECTOR AND RULE OF LAW RESOURCES AND TOOLKITS** |

Kiel Downey, Research Coordinator, Rule of Law Collaborative, University of South Carolina

Olga Ruda, Advisor, Research, Evaluation, and Learning Office, American Bar Association Rule of Law Initiative

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 2017-2018*
- "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

12:30PM-1:30PM   **LUNCH BREAK**

1:30PM-3:00PM   **SESSION 3: WORKING WITHIN THE CULTURE: LESSONS FOR PRACTITIONERS**

Dr. Sudha Ratan, Augusta University

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.

*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

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3:00PM-3:15PM   BREAK

3:15PM-4:30PM   SESSION 4: 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, 2018
- 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

4:30PM-5:00PM   **Day 1 Wrap-up and Feedback**

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*Suggested reading and reference materials are optional.

Day 2: Wednesday, September 19, 2018

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

9:00AM-9:10AM   **Overview to Day 2**

Kiel Downey, University of South Carolina

9:10AM-10:45AM   **SESSION 5: 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

10:45AM-11:00AM   **BREAK**

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11:00AM-12:20PM   **SESSION 6: JUSTICE SECTOR ASSESSMENT AND PROGRAM DESIGN**

Panel Participants:

Greg Gisvold, Senior Fellow, Rule of Law Collaborative, University of South Carolina, Moderator

Suren Avanesyan, USAID

Sofiène Bacha, UNDP

Roushani Mansoor, INL

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](#)
- [“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](#)

12:20PM-1:25PM   **LUNCH BREAK**

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1:25PM-2:45PM   **SESSION 7: RULE OF LAW PROJECT MANAGEMENT, PERFORMANCE MONITORING AND END OF PROJECT LIFE CYCLE**

Panel Participants:

Jennifer Lewis, USAID, Moderator

Sofiène Bacha, UNDP

Tom Davies, DOD

Aaron Edwards, INL/PA&E

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](#)

2:45PM-3:00PM   **BREAK**

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3:00PM-4:30PM   SESSION 8: SECURITY SECTOR REFORM: CRITICAL SUCCESS FACTORS

Panel Participants:

Tom Davies, DOD, Moderator

Gregory Ducot, ICITAP, Department of Justice

Fiona Mangan, Visiting Fellow, Rule of Law Collaborative, University of South Carolina

Hae Jung Moon, INL

A practitioner's view of the key aspects of any successful security sector reform (SSR) program. The session will focus on different agency perspectives and experiences with SSR.

*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

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