

Press Release
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IDLO PRODUCES KEY LEGAL RESOURCE FOR AFGHAN JUSTICE INSTITUTIONS

The International Development Law Organization (IDLO) is very pleased to announce the publishing of the first Human Rights and International Law Terms Glossary in Dari.

This glossary was created in close partnership with the Afghanistan Independent Human Rights Commission, with the aim to increase knowledge and understanding of human rights in Afghanistan through a reference guide addressed to legal professionals and students.

Development of the Glossary began in March 2005 in the framework of a 33-month legal and judicial reform project conducted by IDLO and funded by the Government of Canada through the Canadian International Development Agency (CIDA).

Human Rights was a cross-cutting theme featuring throughout the different project components such as judicial and prosecutorial training, technical assistance in gender and criminal justice and building a legal aid capacity.

In order to increase the sustainability of project outputs, IDLO endeavoured to collect and distil the human rights terms used in each project activity into one book to be distributed and used as a reference in all justice sector institutions and universities, particularly the faculties of Law and Political Science and of Shari'a.

The Glossary features translations of English terms into Dari, short explanations of common human rights phrases and terms in Dari and translations of human rights conventions into Dari.

Speaking of the glossary, Mr. William T. Loris, Director-General of IDLO said:

"Afghanistan is taking important steps towards building a stable, lawful and democratic state. Yet the formal judicial system must overcome some key challenges before it wins the trust of the people. The country has suffered for decades from an under-trained judiciary, weak court administration capabilities, and an outdated and inconsistent legal framework.

The cornerstones of any justice system are its nationwide legal institutions, which must be accountable and deliver professional services with integrity. The Glossary, along with other professional legal resources, is intended to enhance the professional legal skills of those working within the Afghan judicial sector, promote commitment to rule of law principles, and assist in fulfilling elements of the National Justice Strategy."

The glossary was officially presented today to the Chief Justice, Dr. Abdul Salam Azimi, at the Kabul Supreme Court by the Canadian Ambassador in Kabul, Mr Ron Hoffmann. The ceremony saw the presence of IDLO Afghanistan Country Representative, Mr Taj Mitha, and Program Manager, Mr James Baker as well as Dr. Moshin Farid of the Afghan Independent Human Rights Organization (AIHRC).

Canada's Ambassador to Afghanistan, Ron Hoffmann said:

"Canada is committed to assisting the Government of Afghanistan in increasing the capacity of their national institutions, including the justice sector. This judicial training aid will serve to strengthen the rule of law in Afghanistan."

The Honorable Chief Justice of the Supreme Court, Abdul Salam Azimi added:

"Afghanistan, while having its own Civil and Penal Codes, which are inspired by the Egyptian legal system, is one of the richest countries in the region from a legal point of view. It has developed its own Civil, Penal and Commercial Laws: Unfortunately interpretation, explanation and enrichment of these laws have not been done so far, due to the war and conflict over the last three decades. Today, we are in need of legal glossaries and other legal text books explaining our laws to the judiciary and for use as references by judges and lecturers."

"For this purpose I have ordered establishment of a translation unit for interpretation, explanation, compilation of laws and legal texts. In fact, we have just started on the threshold of commencing this, and assistance of our international friends would help us reach our goal".

At the end of the Ceremony, the Chief Justice thanked the Canadian Ambassador and IDLO for their contributions in the publication of the Human Rights Glossary.

(ENDS)

A few Facts and Figures:

- The legal system in Afghanistan includes different sources of law: Islamic law, statutory law, and, at the local level, customary law. It has also allowed traditional legal authorities, the rulers and *'ulama*, to interpret and apply laws.
- The organization and jurisdiction of the courts of Afghanistan is governed by the Afghanistan Constitution adopted in January 2004 and by the subsequent Law of the Organization and Authority of the Courts of Islamic Republic of Afghanistan (Law of the Courts) adopted in April of 2005.
- Supreme Court, as the highest court, is constitutionally charged with the administration and oversight of the lower courts of Afghanistan, the Courts of Appeal and the Primary Courts.
- More than one third of judges have attended only Madrassas and have not been educated to University level. 44% of judges have graduated from the Sharia Faculty and 11% graduated with a degree from a Law Faculty.

(Source: Supreme Court of Afghanistan records: *Judicial Education and Training Matrix and Livingston Armytage*, Heidelberg Journal of International Law 2007)

One of the most serious problems facing the legal system of Afghanistan is a lack of legal material and resources. Libraries and legal collections in the country were in fact largely destroyed during twenty four years of war.

Most judges report that they do not have adequate access to professional resources. In a 2007 survey, 83% stated that they do not have access to written decisions of the Supreme Court; 55% stated that they do not have access to textbooks on the law, procedure and practice; and 36% stated that they do not have sufficient access to statutes or governmental regulations. (Source: 2006 national survey of training needs conducted with sample of 11.34% of judicial population, cited by Armytage in *Heidelberg Journal of International Law* 2007).

One of the major goals of legal development aid for IDLO is therefore oriented to increasing the support for print library books and other reference materials in national and international languages, and update texts to international standards to ensure minimum, uniform holdings in daily practice and in the training provided in major universities. This glossary is an important step in reaching this goal.

For further information, please contact:

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IDLO (International Development Law Organization) is an international, inter-governmental organization with a mandate to promote the Rule of Law and good governance in developing countries, countries in economic transition and countries emerging from post-conflict situations. Since its establishment in 1983, IDLO has worked with more than 19,000 lawyers, magistrates and officials from approximately 176 countries.

IDLO has its Headquarters in Rome, Italy and two Regional Offices; in Cairo, Egypt, covering Arabic-speaking countries and in Sydney, Australia, covering the Asia Pacific area. IDLO currently operates Project Offices in Afghanistan, Indonesia and Kyrgyzstan.

IDLO is funded by contributions from its 18 Member States and other donors. For detailed information on IDLO and its activities, please refer to the website www.idlo.int.

Canada is among the top bilateral donors in Afghanistan in the world today. Afghanistan has become Canada's single largest development program

For detailed information on the Government of Canada's activities in Afghanistan, please refer to the website www.afghanistan.gc.ca