



2017 International Fellowship – Strategic Litigation in Afghanistan

Kabul, Afghanistan • 30 Days • Fall/Winter 2017

“International Fellows are the backbone of the ILF’s success in post-conflict and transitioning countries. They work side by side with our local lawyers, helping teach them to think differently, to do more, and, beyond the skills training, inspire them and teach them that they are not alone in the work that they do.”

~Jennifer Smith, ILF Executive Director

The International Legal Foundation is seeking two experienced criminal defense lawyers with expertise in impact and strategic litigation to train lawyers in its Strategic Litigation Unit in ILF-Afghanistan’s Kabul office.

The ILF is a not-for-profit organization created for the purpose of establishing public defender systems in post-conflict and transitioning countries. The ILF operates on the belief that indigent representation is crucial to a functioning criminal justice system, and a functioning criminal justice system is crucial to long term rule of law development. Without defense lawyers to ensure that judges, prosecutors and police officers follow the law, reform and reconstruction of the justice system is impossible. For the past ten years, the ILF has focused solely on providing criminal defense services to the poor, first in Rwanda, now in Afghanistan, Nepal, the West Bank, and Tunisia.

Since 2001, over 60 Fellows from the United States, Canada, the United Kingdom, Ireland, Australia and New Zealand have helped transform the role of local lawyers in these countries from passive participants in the criminal justice system to proactive advocates for their clients. As a direct result, clients languishing in detention have been released and many innocent have been acquitted. Fellows have influenced judges to change policies and practices from the bench, and have helped win landmark legal victories in court that have improved the justice systems of all countries in which the ILF works.

ILF-Afghanistan was founded in 2003, and is now the largest legal aid provider in Afghanistan. We have over 70 lawyers working from 13 offices in provinces throughout the country, and have represented over 25,000 clients to-date. In 2016, ILF-Afghanistan founded its Strategic Litigation Unit with the goal of ensuring that ILF-Afghanistan leads the justice sector in identifying, researching, and litigating systemic injustices and violations in the criminal justice system. Some of the issues the unit has identified and begun working on include:

- Abuses faced by National Directorate of Security (NDS) detainees, including arbitrary and illegal pre-trial detention, continued detention of those who have been acquitted, torture and other abuse by police and detention officers, and widespread denial of the right to counsel.
- Violations by the government of the Elimination of Violence Against Women Act (EVAW), the Constitution, and international human rights laws through the routine use of invasive and unreliable forensic examinations of female detainees, including hymen examinations and body searches, in order to form the basis for adultery charges.
- The under-utilization of conditional release laws that allow early release for defendants who have served significant portions of their sentences and have displayed evidence of reform.

To assist ILF-Afghanistan in developing and implementing effective litigation strategies around these and other issues, the ILF will bring two lawyers from the Strategic Litigation Unit to New York for intensive training with our New York staff and local defense lawyers. This will be followed by sending two International Fellows (consecutively, not concurrently) to Afghanistan to work with the head of the Strategic Litigation Unit to further develop, implement, and monitor these litigation strategies.

Qualifications: 5+ years of experience providing criminal defense legal aid; experience drafting appeals and/or as a law clerk; experience in pre-trial and impact litigation. Note that there are no language requirements for this position

For more information about the ILF, ILF-Afghanistan, and this fellowship opportunity, contact Betsy Walters at (212) 608 – 1188 or bwalters@theilf.org. To apply, please send a thoughtful cover letter and resume to Nicole Taylor at fellows@theilf.org.