



Afghan National
Army judges lead
legal staff
through mock
trials using the
new ANA Military
Justice Code.

Courtesy photo



ANA Military courts in session

OSC-A Public Affairs

KABUL, Afghanistan – Sitting three abreast in high-backed leather chairs, wearing crisp uniforms and dignified expressions, newly-appointed military judges in the Afghan National Army recently led Afghan military prosecutors, defense counsel, and legal staff through the first mock trials under the new ANA Military Justice Code.

These mock trials marked the first real-world test of the Military Justice Code, which was passed into law last December. The nearly two weeks of training allowed all 20 recently-appointed judges, plus at least 25 additional ANA judge advocates, to practice their respective roles in the new system.

Extensive preparation led up to the successful March training, reflecting close cooperation between ANA military judges, legal advisors at the Office of Security Cooperation-Afghanistan, and the United States-based Defense Institute of In-

ternational Legal Studies.

A joint working group met for 45 days prior to the trials to plan and prepare the program of instruction. The U.S. instructors reenacted a trial under the U.S. Uniform Code of Military Justice using mock charges of absent without leave, larceny, resisting arrest, and assault.

Although the U.S. and Afghan military justice systems maintain some fundamental differences, the ANA participants were noticeably impressed by the advocacy skills of the DIILS role players. The U.S. mock trial ended with an extensive question-and-answer dialogue with their ANA colleagues about trial techniques.

After the U.S. mock trial, Afghan participants conducted their own mock trial on desertion charges using the ANA Military Justice Code. The Afghan mock trial was complete with a panel of judges, a prosecutor and defense counsel, an accused, and witnesses. The same scenario was used on subsequent days with dif-

ferent participants to ensure that all ANA attendees had the opportunity to practice their respective roles.

The impressive performance of the participants in these mock trials made it clear that the ANA is capable of conducting fair trials that respect the basic rights of the accused.

The mock trials also helped identify for the ANA judges the final steps needed to ready ANA courts for actual trials. Through the judges' leadership, the ANA has taken a tangible step forward to meet the ANA judge advocate general's goal of beginning actual military trials by summer.

This latest step is the result of a long, steady process that began more than two years ago to develop the military justice system in the ANA. ANA judge advocates will continue to improve the system after trials begin, as practical experience reveals ways to make the courts fairer and more effective. 