

GIZ Gender Competition 2020: Vision needs Attitude – Attitude meets Action

Category: GG 2 project – “The Promotion of the Rule of Law (RoL) in Afghanistan” project (Farkhunda Karimi, Jenny Misterek, Guljan Mozaffari)

1. Promoting gender equality

Despite having seen many justice reforms since the fall of the Taliban in 2001, serious challenges persist with the functioning and quality of the justice system in Afghanistan - especially in women’s access to justice. Afghanistan’s history of armed conflict has reinforced the marginalization of women, through increased incidents of rape, forced marriage, and sexual harassment, especially in rural areas. Although the number of female judges and lawyers has increased, women’s representation within the formal justice system remains low. Working women is at least in rural areas still a seldom phenomenon being confronted with a very conservative and traditional society.

Two activities are chosen to underline the activities of GIZ’s Promotion of the Rule of Law (RoL) project to promote gender equality in Afghanistan.

1.1 Gender Focal Points – enabling women’s activists to support women and girls

Promoting women’s rights and supporting the access to justice for women and girls in rural areas and further having a gender equal Afghan society is one of RoL’s aims. Therefore, the project supports the so-called Gender Focal Points (GFP) in the Northern provinces of Afghanistan (Balkh, Baghlan, Badakhshan, Jawzjan, Kunduz, Samangan, Sare Pol and Takhar). Since the current project’s phase the previously piloted GFP activities became an own component and exceptional success of the project, believing to be a unique structure within GIZ’s projects.

A GFP is a woman who voluntarily works as an access point to justice, a women’s rights advocate. The members of this volunteer network are from various social and professional backgrounds. They have in common that they are within their societies well-known and respected. Currently, RoL is supporting 104 GFPs in 87 districts in the above mentioned provinces. The ambitious goal is to have in all accessible districts¹ a GFP identified and empowered in her role.

GFPs give basic legal advice to women and girls in need and either try to solve the issues, using their mediation skills, or referring the case to the respective justice institution. RoL provided first capacity trainings to the GFPs, enabling them to do the volunteer activities and now in a second step focus on networking, to empower the status of them and link them to other justice actors. These are quite diverse in Afghanistan and could be e.g. representatives from governmental institutions, legal institutions, female police, community elders (shura or jirga) and of course other GFPs.

¹ The accessibility depends on the security and political situation which is in Afghanistan fast changing and has constantly be monitored. The integrity of those women is of course the highest priority of our interventions.

This endeavour is done in close cooperation with the Ministry of Women's Affairs (MoWA) and its provincial departments (DoWA). In December 2018 the first National GFP Conference took place in Kabul at the premises of the MoWA underlining not only the ownership of the institution but its commitment to support the work. Elements of the GFP structure did exist before the interference of RoL, everywhere in the world we do find women who are trying to support other women and girls in getting their rights. In the case of Afghanistan, the project jumped in and not only structurally trained these brave women on the actual Afghan laws but also mediation skills and therefore created a framework to do their volunteer work better and more successful. In that manner women and girls in rural areas can be reached and supported, which could not be targeted by any conservative approach as they are often not even able to travel beyond their village and district of origin. Most of the cases which are handled by GFPs are disputes within families. This includes domestic violence, forced marriages, rape, girls and young women running away from home, prohibition to attend school, sexual harassment, divorce, underage marriage, inheritance and separation.

Besides dealing with the mentioned cases and/or referring them accordingly, GFPs raise legal awareness within their communities, for example by disseminating informational material like leaflets or manuals about women's rights and gender equality. A special focus is on the importance of having legal documents like IDs and birth certificates which is unfortunately still missed for many women in Afghanistan.

The GFPs are recognized by the society and especially their home communities as strong women. [Here](#) you can find one more detailed and published success story dealt by GFPs. Many more examples were shared with the project team like a baby which was prevented to be sold or a girl which could continue her education or a woman who got her fair inheritance share. The rise of recorded cases dealt with by GFPs shows that women are increasingly seeking for support by directly contacting and approaching the volunteers. The GFPs are indeed role models who spread volunteerism and enthusiasm among women in their community and hence foster also activism and strengthen the civil society demanding gender equality.

1.2 Training madrassa teachers – getting Islamic authorities on board

Another approach to raise awareness and change the mindset in accordance to the Afghan laws, which in fact grant gender equality de jure, is the madrassa component. In the current project phase this new field of action was tested, reaching one of the most influential but also conservative part of the society, madrassa teachers. Madrassa teachers work in Islamic schools (madrassa) which is the most common school type available in rural areas of the country. In this matter, the project cooperates with the Ministry of Hajj and Religious Affairs (MoHRA) and Ministry of Education (MoE). Being new political partners, a Memorandum of Understanding (MoU) was made in order to strengthen this collaboration which was very challenging. It was agreed to only cooperate with so-called registered madrassa to ensure a proper control mechanism and to train their teachers on women's rights.

But the most important milestone was a manual which was approved and accepted by all three actors (MoHRA, MoE and RoL) in May 2019. This manual presents a common ground of fundamental rights for women on economic rights, marriage rights, inheritance rights, the right to work and education. It is not only the basis for the trainings the madrassa teachers

receive, it furthermore serves also a guideline for ToT activities which were attended by already 20 Islamic scholars. Under them also those giving speeches during Friday prayers could be reached which widens the audience and increases the multiplier effect tremendously. Further, this audience includes also men who are understood as a likewise important agent of change, especially for the patriarchal context of Afghanistan. At this status more than 500 teachers have been trained. Until the end of the project phase we expect to tackle the 2.000 number threshold.

A practical example about the importance to training madrassa teachers, who in rural areas are sometimes the only available institution to education, is the age of marriage. While some Islamic scholars suggested the age of marriage as 9 years, the Afghan law demands the completing of 16 years for a girl. After the conduction of the training the participants accepted the prescribed 16 years. Another example is the 2009 drafted Elimination of Violence Against Women (EVAW) law which was not passed due to Islamic scholars' opposition and hence only became a decree. Those articles, which fully support women, are part of the mentioned manual. Therefore, the trained scholars and teachers are now discussing about it and generally accept it. Another success is that in most of the provinces madrassa teachers receive the training even jointly and not separated by their gender as it is usually the case.

It should be underlined that GIZ is the first donor in that field and in cooperation with the MoHRA. This new partnership is challenging and therefore final results are unknown and hard to predict. Nevertheless, it was decided to partner with this ministry (and MoE) in order to support women and girls in Afghanistan in their struggle to achieve gender equality. This is a long way but including men and especially religious authorities seem to RoL the logical intervention to achieve a sustainable change within the society. So far, our first results are even better than expected, not only gave the trained madrassa teachers (male and female) positive feedback and expressed interest to learn more, but also from side of the partnering ministries we got the request to target even a higher number of registered madrassa teachers than planned so far. RoL is confident to make the new component a success story similar to the GFPs.

2. Gender as a qualitative feature of our work

Being a GG2 project, the commitment to gender equality as a prior value is without a doubt given. The appreciation of the work is given by the commissioning parties, e.g. by having again a co-financing by the Dutch and also working for the first time with a religious partner on the sensitive topic of women's rights. It should be underlined that the women's rights are for the time being the only field of interaction with MoHRA.

3. Gender and result-based monitoring

The project is constantly improving its monitoring tools and understands its work in the field as a learning process. Of course, all activities and capacity trainings – which is a crucial element being a Good Governance project – are monitored closely and a gender balance is targeted wherever it is possible. Limits are given by the strong prejudices within the society, however the majority for example of the above described trainings of madrassa teachers are conducted

in a gender-mixed way, not only by the participants but by the facilitators/trainer duos, as well.

The handled cases of GFPs are closely monitored in log books. Hence, RoL is able to provide data and inform about the nature and type of cases handled by GFPs. Further, we started to monitor the GFPs themselves. As stated, some of the GFPs were activists before the intervention of the project. Having the aim to have identified GFPs in all accessible districts of provinces we are working in enact more GFPs, meaning to jointly with the respective DoWA identify capable and interested women to volunteer. For different reasons the GFPs can be exchanged. Taking the fast-changing security situation into consideration, sometimes GFPs might not be able to attend meetings. On the other hand, poor selection choices of GFPs might be the reason to exchange GFPs. Having originally the goal to have one GFP in place per province, the reality and high number of cases proofed that especially in bigger districts two GFPs should be enacted. This is the reason why an additional monitoring of GFPs has been understood as key for a successful intervention and will continue to be used.

4. Cooperation

The RoL project team believes that the intervention is especially successful because of its high intensity of cooperation. While the main political partner is the Ministry of Justice, the Ministry of Women's Affairs (MoWA), the Ministry of Hajj and Religious Affairs (MoHRA), the Ministry of Education (MoE) and the Ministry of Higher Education (MoHE) are brought together in the field of activities of Rule of Law and therefore strengthen the impact of the work. MoWA's expressed desire of expansion the region and the constructive cooperation of MoHRA and MoE in the madrassa component and their affirmation to continue the partnership with GIZ expresses the strong linkage which got created and will most likely also benefit and nourish future activities.

Cooperation should not only be limited to the political partners but go beyond that. Therefore, synergies are identified with SEDEP²'s supported business women. GFPs are now introduced to them to offer their support and further help those ambitious (business and GFPs) women to get in touch and network, making the Afghan society a better place for women to live and work in.

A key success factor for the GFP component and somehow game changer was the National GFP Conference which provided the MoWA a full overview of the achievements of the GFP's work. A milestone in the cooperation with MoHRA and MoE was the in May 2019 approved manual on Women's Rights in Islam which success should be understood in the continuous and tireless commitment of some colleagues of the project to integrate, reflect and adjust all comments, remarks and concerns of the both (new) political partners. Hence, on the one hand it is the high commitment of individuals involved but on the other hand the credit BMZ gave to RoL to kick-off a partnership with the MoHRA – religious (Islamic) partners - and try to create a joint base to overcome gender inequality in Afghanistan.

² SEDEP is another GIZ project in Afghanistan "Sustainable Economic Development and Employment Promotion".