



EMPOWERING WOMEN THROUGH ACCESS TO JUSTICE

GIZ'S PROMOTION OF THE RULE OF LAW PROJECT, AFGHANISTAN

CONTEXT AND INITIATIVE

In Afghanistan, customary values and patriarchal norms entail many restrictions for women, despite their constitutionally guaranteed rights to equality and free movement.

Women are poorly represented in public offices, particularly in the justice sector. Their interests and needs are often disregarded when new laws are drafted. In rural areas, women often cannot move freely, which impedes their access to justice institutions such as courts, public lawyers and so-called *Huquqs*.

The Afghan Ministry of Women's Affairs (MoWA) is responsible for promoting gender equality and empowerment of women in social, economic and political life. In practice, the MoWA was neither involved in draft laws processed by the Ministry of Justice (MoJ), nor was it represented on local level in the provinces.

GENDER – A QUALITY FEATURE OF OUR WORK

To warrant the participation of MoWA in the legislative process, the project "Promotion of the Rule of Law" (RoL) engaged in negotiations between MoJ and MoWA to set up a coordination mechanism. RoL is implemented by GIZ on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). The coordination mechanism allows MoWA to comment on legislative drafts at



an early stage to ensure that women's rights and perspectives are considered. On 29th July 2015, a Memorandum of Understanding has been signed between the MoJ and MoWA as a first step towards a sustainable mainstreaming of gender-relevant aspects in legislative documents.

In order to improve women's access to legal services in everyday life, RoL inaugurated so called Volunteer Gender Focal Points (GFPs) at district level. The GFPs are respected women in their communities, who voluntarily assist women seeking advice and disseminate legal information. They close the gap between district level and the representation of MoWA at provincial level.

These efforts were widely acknowledged, especially among justice institutions and civil society organizations. The Dutch and Finish governments have supported the establishment of the GFPs under the co-financed programme "Improving Justice for Women" (IJW).

IMPACTS & RESULTS

MoWA representatives attended 33 legislative sessions at the MoJ and

shared comments and recommendations from a gender perspective. Regular quarterly meetings have been installed for inter-ministerial discussions between MoWA and MoJ. The intervention of MoWA prevented that the Law on the Elimination of Violence against Women (EVAW) was merged with the newly codified Criminal Code. This was a particular achievement in the fight against gender-based violence.



Through the GFPs, hundreds of women in need of legal aid have received information about the law and been referred to the relevant justice providers. In the new project phase, which started in November 2017, GFPs will also be linked to a legal helpline system. They will be able to connect women in need of legal advice to legal clinics at universities or to refer them to the competent authority.

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