



## NEWSLETTER VOLUME 4

October to December 2014

### **Three Months at a Glance**

Despite security and political challenges over the past three month, Medica Afghanistan provided a range of services to women in need, along with our very important advocacy initiatives to help women in the country one step further toward their equal rights.

In this last quarter, Afghanistan achieved a landmark by inaugurating a new National Unity government after a five-month standstill caused by claims of fraud in the presidential election. This development coincided with the termination of the ISAF combat mission at the end of 2014. Since then, the level of violence is increasing. The number of suicide attacks causing civilian and Afghan security forces casualties has reached its highest recorded level. During the last three months of 2014, high profile attacks occurred in Kabul city. The types of attacks tend to be complex suicide assaults. As a result, Afghanistan, particularly its big cities, is becoming less safe.

One reason behind this increase in violence is the government's delay in appointing ministers. Specifically, the high ranking people who are currently in charge of the security situation and other responsible security agencies do not take their tasks seriously. They do not feel responsible because they are only interim superintendents and they know they will eventually leave their posts. The introduction of the cabinet to the House of Representatives has been delayed for unknown reasons. At the same time, the government complains about a lack of cash in its deposit accounts coupled with reduced internal revenue sources and a lack of interest among donors in funding the Afghan national budget. These challenges coincided with the ending of the international security forces combat mission in Afghanistan. There is a high probability riots if the national unity government cannot convince its parties to introduce new ministers.

In general, the security situation and events in Kabul, Herat and Mazar frequently disturb the normal life of people, and these events also have a negative effect on Medica Afghanistan. For instance due to security concerns, most of the Medica Afghanistan literacy participants could not regularly attend classes; therefore, MA has to stop the literacy lessons temporarily in such situations.



## NEWSLETTER VOLUME 4

October to December 2014

### *Direct Services to Women and Girls:*

#### **Working in favour of our clients**

MA lawyers contributed to the promotion of the rule of law through increasing the access of women and girls to justice. Over the past three months, Medica lawyers and mediators helped 333 women and girls in Kabul, Herat and Mazar who needed legal advice, legal representation in court, or mediation services. The legal aid department of MA offered legal aid services to women and girls as follows:

- 54 women charged with criminal acts were represented in the courts; of these, four women received a reduction in their sentences and 10 women were released following investigation and subsequent court appearances.
- 57 women who needed legal defence in civil cases were represented by Medica lawyers in court; of these, 20 cases were resolved in favour of the Medica clients.
- 6 women who were victims of crimes were represented in court; of these, three were represented at the Elimination of Violence against Women (EVAW) department.
- 55 couples received help to resolve their conflicts through mediation services.
- 161 women were given professional advice on their legal predicaments.

#### ***A 16-day Campaign against Child Marriage and Forced Marriage using Media***

In addition to supporting women in need, Medica Afghanistan conducted community sensitization and awareness raising sessions for judicial staff and various community workers, covering the topics of sexual and gender-based violence, inhumane treatment, and women's human rights. The goal of these sessions was to sensitize these professionals so that they would protect the rights of women and girls. Medica conducted a roundtable discussion on gender-based violence and inhumane treatment in Mazar-e-sharif. Representatives of 50 government and non-government organizations participated in the event. The event captured national media coverage, and



## NEWSLETTER VOLUME 4

October to December 2014

Medica legal staff held five interviews to sensitize the wider community about sexual and gender-based violence and women's rights.

### **Skills to help traumatized women**

Over the past three months, Medica counselors and psychologists were able to provide counseling to women and girls through providing individual and group counseling sessions in centers located in government hospitals, women's shelters, a women's prison and detention center, and counseling centers of the Ministry of Women's Affairs in Kabul, Herat and Mazar. As a result, a total of 311 clients benefited from individual and group psychosocial counseling services.

In addition to offering direct services, Medica expanded its community based approach through creation of self-help groups, "for survivors by survivors," in Kabul, Herat and Mazar. Six former clients of MA facilitate these groups. Medica also established these peer support groups with the purpose of extending our outreach concerning psychosocial service and awareness on gender-based violence (GBV) and women's rights, and at the same time endorsing more autonomy for women instead of creating client dependency on Medica counselors. As one facilitator put it, "Women should experience that they themselves can do something for change!"

### **Advocacy for Women's Rights**

Over the past quarter, Medica was represented on several technical working groups with the goal of enhancing the quality and accessibility of social services for women affected by violence and women at risk, and we contributed significantly to mobilizing society around human rights, gender and violence against women (VAW) issues throughout the country. Below are some examples of our advocacy actions:

### **Protection of Women's Rights Defenders is a Top Priority**

On October 1 and 2, the Medica Executive Director participated in a European Union (EU) workshop regarding protection of human rights defenders (HRD). The first day, local Afghan HRDs reported on the situation of HRDs in Afghanistan, including the threats they have received and suggestions for protection measures. The second day, members of the international community took part in the workshop, and the previous day's findings were discussed. As a result of the workshop, a European Union strategy for human rights defenders in Afghanistan was drafted. The strategy was later sent to all participants for comments before publication late in 2014. This important EU initiative is much appreciated: It is crucial to ensuring a safe and enabling environment for the work of human rights defenders.

### **Policy for Women's Prisons and JRCs in Afghanistan**

Medica continues to provide technical support to committees led by the Paywanda Afghani for reforming prison regulations in accordance with international conventions and national laws and bringing some necessary changes considering the prisoner's needs.

These amendments included revision of the goal of the policy covering Juvenile Rehabilitation Centers (JRC) and women's access to psychosocial and social services. In addition, the role of the service providers and chain of coordination were clarified in the new regulations. Moreover, amendments under "remission and reduction of punishment" will improve the position of women prisoners.

The draft was finalized by the committee on December 30, 2014 and submitted to Ministry of Women's Affairs. The draft will be reviewed by a legal committee in the Ministry of Women's Affairs and will then be sent to the Ministry of Justice.

### **Inclusion of EVAW Law into New Criminal Code**

According to a former presidential decree, all criminal laws should be consolidated under one criminal code. Therefore, the Ministry of Justice has assigned the criminal law reform working group (CLRWG) to work on this consolidation. The Ministry of Justice has decided to include the punitive parts of the Elimination of Violence against Women law in the new penal code. Medica Afghanistan, along with its allies, took a strong position to keep the EVAW law as a stand-alone law and advocated with the MOJ, asking the President to extend the presidential decree. Medica is concerned that including the EVAW law in the penal code may weaken or even jeopardize the very existence of the EVAW law because it will be challenged by conservative MPs.

Further, bifurcation of the law into preventive and punitive parts is not useful. There is a lack of commitment and will within the concerned governmental bodies (members of the EVAW commission) to respect and implement the punitive part as a separate law.





## NEWSLETTER VOLUME 4

October to December 2014

### **Mental Health Act:**

The Ministry of Public Health (MoPH) mental health department, the EU and EPOS were tasked with reforming the mental health regulations which have been in place since 1997. MA is a member of the technical working group of MoPH. The group consists of 30 representatives from government and nongovernmental organizations who have the task of amending the Mental Health Act.

As a result of the committee's work, this act was finalized on December 2, 2014. On December 15, the regulations were sent to Medica Afghanistan to be reviewed from a legal perspective and to ensure they are in line with national laws.

This work has been completed, and MoPH has agreed on all amendments. Now the legislation is with the Ministry of Justice (MoJ) for further action.

### **A National Conference on the Status of Elimination of Violence against Women Law**

Medica Afghanistan, (MA) with funding provided by the US Embassy and in cooperation with the Ministry of Women's Affairs (MoWA), Afghan Women's Network (AWN) and the Afghan Independent Human Rights Commission (AIHRC), hosted a national conference in November focusing on enforcement of the Elimination of Violence against Women (EVAW) Law.

The overall aim of the conference was twofold: to broaden the knowledge base in order to improve understanding of the Afghan government's implementation of the EVAW law, and to increase awareness and networking among the key groups who address the impact and root causes of Gender Based Violence.

MA also presented the results of its annual survey on implementation of the EVAW law, addressing challenges and successes of the legislation from the perspective of legal practitioners.



## NEWSLETTER VOLUME 4

October to December 2014

As the law is one of the main achievements in the area of women's rights, women's organizations were not ready to give up easily. Besides the partial implementation of the law by Afghanistan judicial system, Medica Afghanistan consistently records the way that the law is used (and not used), and we keep track of challenges and obstacles preventing its full implementation. MA lawyers painstakingly advocate for application of the law and record the details of court sessions, court verdicts and indictments.

Medica law experts put together all the evidence to provide a comprehensive picture of how the law is implemented and what challenges lie ahead for women who seek justice based on that law. The result of this work is the analysis report on implementation of the EVAW law. This report discusses different legal and political aspects of the law's implementation in the past year, and it provides helpful insights about the way this law is implemented throughout the country. MA took this opportunity to increase awareness of the government, civil society organizations and the international community about the challenges full implementation of the law will encounter.

At the end of the conference, Medica Afghanistan, through a position paper, presented some specific recommendations to the Afghan government, civil society and the international community. For further details regarding EVAW annual report and conference report, please refer to the MA web page.

[www.medicaafghanistan.org](http://www.medicaafghanistan.org)

### *Literacy:*

Literacy has a profound effect on women's lives. MA's literacy program aims to enhance reading, writing, numeracy, and other skills associated with basic education. Medica discovered that its literacy program for women and girls is the most important factor in their development. The purpose of the literacy class is to increase the basic education level of the target group so that the individuals can read and write, and thus secure future employment.



## NEWSLETTER VOLUME 4

October to December 2014

Likewise, through education, women and girls will be better able to influence their future and reduce poverty. Most importantly, literate women and girls are less likely to become victims of domestic or sexual abuse. In addition to learning reading and writing on a regular basis, our literacy students are taught issues such as women's basic and legal rights, and basic health and life skills. Legal awareness is a powerful instrument to help women and girls achieve self-realization. When they know what the law has to offer them, they can recognize and challenge injustices. They can eventually assert their rights as a means to take action and bring change. With this aim in view, MA started the legal awareness-raising sessions for literacy learners and provided psychosocial counseling for women in need, although these were not donor requirements. MA also provided psychosocial counseling service to trainees in need. Our aim has always been to educate the maximum number of women and girls on their basic legal rights, so that they are in a position to express their needs, and more importantly, challenge violations.

Life skills have long term benefits for literacy learners. These include educational, social, health, cultural and economic benefits. According to our observations, life skills help students know what to do in everyday situations as well as how to make good decisions about more abstract and long-term choices.

Medica Afghanistan 2014 literacy projects are implemented in five districts of Kabul. These include Districts 6, 7, 10, 11, and 13. These districts contained 101 participants: two classes in District 4 of Herat province, covering 40 participants; and two classes in the Qazel Abad district of Balkh province with 40 participants. The literacy learners in these centers were familiar with many issues they encountered in family and community life. For instance reading scientific books and novels in literacy classes is one of their great achievements.

One literacy student told us, *"When I read story books, I feel that I am not alone."*