



Medica Afghanistan (MA)

Has an excellent reputation for providing legal support and legal counseling services, psycho-social services, and literacy classes to women faced with violence. This Newsletter describes our recent work under three thematic titles: Services, Advocacy and Awards.

MEDICA AFGHANISTAN'S INITIATIVES TO PROTECT AND PROMOTE WOMEN'S RIGHTS

A review of three months' activities

1. Services

Legal services to our clients:

Medica Afghanistan lawyers continued to promote the rule of law through increasing the access of women and girls to justice.

Over the past three months, Medica Afghanistan lawyers and mediators provided services to 461 women and girls in Kabul, Herat and Mazar.

These clients benefited from services extended by Medica Afghanistan such as legal advice, legal awareness, legal representation in civil and criminal cases, mediation and social work services and follow up of victim cases at EAW department.



Follow-up session of client by MA defense lawyer and social worker.

were released from investigation and 18 others were released at subsequent court appearances. 23 civil cases were resolved in favor of Medica Afghanistan clients. In 5 victim cases Medica Afghanistan lawyers collaborated with prosecutors and had their indictments based on the EAW Law provisions and 100 couples reached an agreement through mediation.

As a result in 13 criminal cases women received reduction in sentence, 6 women

Direct statement of our clients:

1. "When I went to the mediation center, I learnt that women have the same rights as men. My mediator opened my eyes to the world. I became like a leader for my family, and I am proud that my neighbor comes to seek my advice."
2. "My husband was married for the second time and he was living with his second wife without paying attention to me and my children. I have not received the alimony from my husband for 10 years. Now I know that it is my husband's responsibility to give me my alimony. Therefore, I want to open the alimony case against my husband through the help of Medica Afghanistan lawyers"
3. Narrative of client's husband after the case was resolved: you are the one who brought me from darkness to light, otherwise I would have lost everything, my wife, son, family, even my life.

Psychosocial services to help traumatized women:

Regular counselling was conducted in all centers in Kabul, which are: women prison, shelters, women's garden, Rabia Balkhi, Stomatology and Cure Hospital and in Baba Yadgar, Women Prison, District 8th & DOWA in Mazar.

In total 604 clients benefited from psychosocial counselling services. The main complaints of clients were fear, irritation, physical pain, frustration, depression, low self-esteem, numbness in hands and legs, sleep problems, hopelessness, suicidal thoughts, nervousness,

And tiredness as result of economic hardship, family violence, and family conflicts



MA psychologist with her client in MA counseling center.

As a result of counselling, the improvement of health, social and family relations is visible from the appearances and statements of clients. For example, their interaction with their family members improved, they are able to express their needs to family members, and their communication skills are strengthened. In addition, based on their statements, they decided to take better care of themselves, their children and families.

Client's narrative:

- When I was sentenced, I thought, "This is the end of my life," but after meeting with my counsellor, I learned that while we breathe, we can be hopeful for a better life. Each single word of my counsellor led me to a new life.
- For a long time I suffered from headache. I took sleeping pills but I was afraid of becoming addicted. I learned many useful methods and exercises to deal with my problems, and I am happy that I can now sleep well.
- Before joining group counseling I thought I was the only one in the world who suffered from life difficulties including economic hardship, but now I know my situation is better than others, and I am able to deal with and solve most of my life problems myself.

Case study:

Before Karima* came to Medica Afghanistan counselling center in Kabul, she was full of hate against herself, her family, and her child, who had been born after she was raped during the Mujahedeen time. She said, "I hated the whole world and there was nobody who wanted to help me with my problems." One of her friends recommended to her that she should try one of Medica Afghanistan's counselling centers. This was the first time that she learned about her rights as a woman and individual human

being. She was shown how to deal with her emotions and helped to reconnect with her dignity despite her terrible experiences. "Individual and group sessions gave us the chance to share our pain and discuss our relationships with our children. Together we found strategies to live a positive life," Karima reported. In the meantime, she has learned to accept and love her child, even if memories of her trauma re-surface again and again. "The counsellor healed me inside.

Today I live a different life. I have learnt to

accept myself.”

* Name changed for confidentiality purpose

2. Advocacy

Rejection of the country's first female Supreme Court nominee on July 08 by Parliament

Medica Afghanistan's representative along with 10 other civil society activists met with the first lady of Afghanistan, Rula Ghani, to nominate another woman to the Supreme Court in hopes that she will win the votes of MPs. Ghani welcomed the activists and said that the president is committed to having The following concerns were discussed with Ghani:

- A woman should be appointed, to lead the Ministry of Defense and more women should be appointed as deputy ministers and governors.
- All women ministers particularly the minister of Women's Affairs needs a lot of support. Ghani suggested to AWN to support the minister both morally and technically with her managerial skills - she possesses extensive knowledge on women related issues and needs.

more prominent women's voices in the Afghan executive, judiciary as well as other sectors of the government. She added that there is no legal or religious prohibition for women to serve in the Supreme Court, referring to the votes of rejection.

Pushing for establishment of specific courts with committed and qualified staff respectful of women's rights, to handle VAW cases in all provinces.

Medica Afghanistan conducted a series of advocacy meetings with MOWA (Ministry of Women Affairs) and UNAMA addressing the need for EVAW (Elimination of Violence against Women) special court. As a result, UNAMA adviser Claudia who is in charge of monitoring the functioning of EVAW prosecution offices in Kabul, Herat and Mazar, acknowledged the need for establishment of special EVAW courts for handling EVAW Law cases only. The procedure involved would be that the EVAW

commission of MOWA will send an official request to president of the country for creation of the EVAW court. The civil society's role in this court will be to observe the performance of the responsible members as per the EVAW Law. Moreover, there will be a new post for an adviser in this court who will work independently, but in coordination with judges, to support the victims.

Background: Medica Afghanistan, with funding provided by the US Embassy and in cooperation with the MOWA, and the AIHRC (Afghanistan's Independent Human Rights Commission), hosted a national conference on November 16th 2014 focusing on enforcement of the ERAW Law. 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. Among the other issues proposed, one was establishment of specific courts with committed and qualified staff, respectful of women's rights to handle VAW cases, in all provinces. Since then it has become an equal advocacy point for Medica Afghanistan in its advocacy meetings.

Update on Family Law:

Background: Since spring 2007 Medica Afghanistan, with MOWA and some other national and international NGOs started a joint effort to revise the Afghan Family Law. A draft law was prepared and submitted to The law has several benefits for women such as:

- According to the new family law the age of marriage is 18 for boys and girls; in previous law it was 18 for boys and 16 for girls.
- According to the new law a man cannot divorce his wife without any legal reason. However, at present there are many cases where a man wants to marry another girl or woman, violates the right of his first wife to deny divorce, and takes the children. Therefore, the woman forced to separate after many years of marriage without legal reason.
- According to the new law the custody of a child after separation is increased to 18 for sons and until getting married for daughters (previously 7 for sons and 9 for daughters); the alimony is on father. After that it will be up to the child with whom they want to stay. Also, the right of children who are under custody is modified in the new law, which

the legislative department of MOJ (Ministry of Justice) for their review, in hopes that the draft will be sent to Afghan parliament for approval.

includes food, clothes and right of being supported with education and work.

- For separation due to harm there had been a lot of problems for women to prove the harm before court. In the new law it becomes easier, because this law declares that when a woman wants divorce due to harm she can get it, and in another article all kinds of harm and violence are specified.
- According to the new law the separation because of absence (husband is absent for a long time) is one year, if a woman wants a divorce from court she can, and the court just announces through radio and specifies a date for him to return to his spouse. If he does not show, the court will announce the divorce. Under the current legal practice, the husband has to be absent for 3 years before the wife can be divorced.

There are many other benefits associated with Family Law. Therefore, Medica Afghanistan with its alliance and network

agencies will continue to advocate for the ratification of this law and put efforts that revised family law is sent to the parliament and accepted without major changes.

Post presidential election era has been very slow and passive in terms of progress with regard to drafting, ratification & implementation of laws. Medica Afghanistan advocates conducted two meetings with family law reform committee. The purpose of meeting was to convince the committee members to meet MOJ and find out about status of Family Law. According to reports the law is still under review of MOJ and that

it will take time to finalize the last draft before squeezing it into the agenda of parliament for voting. To confirm the updates Medica Afghanistan advocate had an individual meeting with head of legislative department of MOJ whereby he confirmed that the following points were under the discussion of the committee at MOJ and are yet to get finalized: polygamy, marriage age, marriage condition and employment of women and their education.

Meanwhile UN Women is looking for organizing a study tour to Malaysia for MOJ staff (including two civil society members) who are involved in family law reform to:

1. Review comparatively the family law of Malaysia, who is also a Muslim country
2. Explore why Malaysia has separate family law beside its civil law
3. Specifically visit Dr. Kamali, an afghan citizen who works in the legislative committee of Malaysia, to have his ideas and comments on the law
4. Share their findings and then make a decision about Family Law

Furkhunda's case was a decision by Appellate Court

Medica Afghanistan along with the other activities planned to meet with Supreme Court to convince them to ensure justice for

Furkhunda's family. This issue was raised in meeting with the first lady.

Literacy and Learning:

Education is one of the most effective means of increasing women's self-confidence, skills, helping them to know their rights. The purpose of the literacy classes established by Medica Afghanistan is to increase the level of basic education for targeted groups so that individuals can read and write and thus secure future employment. In addition, women who have suffered from mental health problems

need to stay busy with a useful activity that would give them some way of building their self-esteem; empowering them to be involved in decision making process at the family level.

In May 2015, 300 students were graduated after attending a 14 month extensive training in the three provinces of Afghanistan. The women were empowered, their behavior

towards themselves, family and community was positively changed and they were hopeful to be part of the development force of Afghanistan that will help bring prosperity and peace in the country.



Life skill training to literacy learners in district 13 of Kabul

A mother, who is our literacy student said:

“My daughter is in school in the first class. She has lots of problems with studies. Before coming to literacy class, I didn’t know how to solve her problem and how I should behave with her. I also had some problems with my husband that always resulted in his violent reaction. This course was not a mere study course for me rather was a total guiding tool to help me in my happy living and bringing a caring mother to my kids.

I want Medica Afghanistan for such continued facilities and opportunities for women to get empower and initiate vocational training classes for us. Thank you very much.”

What this project gifted to our graduates were the numeracy skills and communication, understanding their legal

rights as per the Afghanistan constitution and international ratified laws – basically the rights that has been granted to them by Islamic Sharia, and above all the life skills that equips them with the art of housekeeping, leading peaceful family life and patience with house chores.

The challenge of this program is that Medica Afghanistan utilizes the curriculum of Literacy Department of Higher Education, which is for a nine month period to learn basic reading, writing and basic mathematic subjects. Medica Afghanistan in cooperation with Canadian Women for Afghan Women added more subjects on health education, life skills, human/women’s rights, created library for students and increased the time from 9 to 14 months. We are actually trying to lobby through different organizations with similar program like ours to work with Literacy Department on these challenges. Our three main issues are lack of advanced literacy program for adult women who would like to continue their education to a higher level and cannot join government schools for many reasons including their age, family permission, long distance and forth, the duration of the basic literacy program and the need for making the curriculum more gender sensitive.



MA literacy center of district 10 of Kabul